



THE UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**POLITICAL GOVERNANCE IN AFRICA: A CASE STUDY OF GENDER BASED
PARTICIPATION IN POLITICAL INSTITUTIONS IN KENYA AND UGANDA.**

BY KIARIE N. NELLY

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INTERNATIONAL STUDIES**

2016

DECLARATION

Declaration by the Student

This research study is my original work and has not been presented to any other examination body. No part of this research should be reproduced without my consent or that of The University of Nairobi.

Name: Kiarie N. Ngonyo

Sign

Date.....

For and on behalf of the University of Nairobi

Sign

Date.....

Prof. Amb.Nzomo Maria

DEDICATION

This project is dedicated to my family and friends.

ACKNOWLEDGMENT

I wish to acknowledge my supervisor Prof. Amb. Maria Nzomo, who guided and advised me during the compilation of this research project. I also acknowledge my respondents who took their time to fill in the questionnaires and answer my questions.

I am also grateful for the tremendous support from my family and friends with whose moral and financial support has seen me throughout the course.

ABSTRACT

The purpose of this research study was to study gender based participation in political institutions in Kenya and in Uganda. To achieve this, the study examined the effect of multiparty democracy on gender equality by tracing the history of multi-party democracy in the two countries. Also, this research looks into affirmative action as one of the mechanisms that has been adopted to achieve gender equality in political institutions and whether the formulae adopted by each of the countries are effective. Further, it has sought to analyze the impact of increased level of female representation in political institutions on the gender agenda in Kenya and Uganda. The primary data collection method used for this study was interviews, which were conducted by giving the respondents questionnaires with predetermined questions. Also, telephone conversations were another effective tool of collection for the respondents who were not able to fill in the questionnaire physically. The secondary data collection method used was library searches by studying books and journals that have been written on the research topic. The internet was also used to source previous journals and articles. The findings of the research are that gender inequality persists in political institutions in Kenya and Uganda despite the International instruments and laws that they have put in place. However, the researcher concludes that Uganda has made major strides in ensuring that there is gender parity in the political parties and the parliament.

OPERATIONAL DEFINITION OF KEY TERMS

Political Parties

This is an organized group of people with at least roughly similar political aims and opinions that seek to influence public policy by getting its candidates elected to public office.

Political Participation

This is the effective involvement of a person or persons in the affairs of the State, Government or in public affairs in general.

ANC

The African National Congress Party. South Africa's largest Political Party.

Political Parties Act

An Act of Parliament to provide for the registration, regulation and funding of political parties, and for connected purposes.

Gender Equality

This is the view that both men and women should receive equal treatment and not be discriminated against based on their gender.

Affirmative Action

“It is designed to increase the number of people from certain groups within institutions and other areas of society in which they have historically had low representation. It is often considered a means of countering historical discrimination against a particular group.”

ABBREVIATIONS

ANC	African National Congress
CEDAW	Convention on Elimination of Discrimination against Women
CP	Conservative Party
DP	Democratic Party
FDC	Forum for Democratic Change
KANU	Kenya African National Union
MYWO	Maendeleo Ya Wanawake Organization
NRM	National Republican Movement
SADC	South African Development Community
USFP	Union of Popular Forces
UPC	Uganda People's Congress

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CHAPTER ONE: INTRODUCTION

1.1 Background of the Study

“Gender is a feature of social structures and institutions more than human identity¹. It positions men and women in unequal relations of power, often intersecting with other institutions to uphold patterns of status hierarchy and economic inequality.” As Young puts it, “What we call categories of gender, race, ethnicity, etc. are less individual identities than a set of structures that position persons in relations of labor and production, power and subordination, desire and sexuality, prestige and status”² “Social groups do not exist by virtue of a shared identity or attributes but because they are similarly positioned by institutions.” “Further, gender equality requires modifying the ways that these axes constrain the rights and opportunities of human beings in asymmetrical ways³.” Thus as Nzomo notes, “gender is therefore not a synonym for women and women’s issues; but rather a concept that draws attention to those issues that manifest themselves in inequalities in the distribution of power, resources and roles in society that generally tend to privilege men over women.”

Further, Kimani and Mazrui observe that, “through the process of socialization within the family, in educational institutions and other social spheres, boys and girls are conditioned to behave in certain ways and to play different roles in society. They are encouraged to conform to established cultural norms by being rewarded or punished for their behavior. At times, the places women occupy in society are essentialized through claims of innate predispositions. This conditioning and stereotyping could easily have the effect of questioning the capability of girls and women to

¹ Iris Marion Young Inclusion and Democracy Oxford University Press, 2002 pg. 422.

² Ibid 2002: 417, 420.

³ Mala Htun and Jennifer M. Presence without Empowerment? Women In Politics In Latin America And The Caribbean Paper prepared for the Conflict Prevention and Peace Forum Global Institute for Gender Research (GIGR) December 2010

perform certain tasks. If repeated regularly, it may solidify and become difficult to uproot from the mental frames of people, but it is not just through socialization that inequalities are planted. Glaring gaps in policy, legal frameworks and investment opportunities make it difficult for women to perform to their full potential in the social, economic and political spheres. Values, norms, and practices enshrined in domains of social interaction may contribute to fostering inequalities, reinforce gender related power differentials or increase violence against women⁴.”

“The international conferences of the last decade such as the 1993 conference on Human Rights, the 1994 International Conference on Population and Development, and the 1995 Fourth World Conference on Women, established that women’s rights are human rights and that gender equality is important to national development, the institutionalization of democracy and good governance. In addition, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) stipulates the urgency of eliminating stereotypes, customs, and norms that give rise to the many legal, political and economic constraints on women. In Article I of CEDAW, discrimination is defined as “any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, human rights, and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” Discriminations do contribute to the perpetuation of gender inequalities. For instance, when women are not adequately represented in decision-making levels, their rights and

⁴ Kimani Njogu & Elizabeth Orchardson-Mazrui *Gender Inequality And Women's Rights In The Great Lakes: Can Culture Contribute To Women's Empowerment?*

freedoms may be violated. It can be noted “that equality relates to the dignity, rights, opportunities and worth of men and women to participate in different spheres of life⁵.”

In retrospect, in the postwar era, “the conventional wisdom in political science held that women in Western democracies were politically more conservative than men⁶.” Mary et al, also note that “gender differences in party preferences were never as marked as the classic electoral cleavages of class, region, and religion; there were no mass “women’s” parties like those associated with trade unions, regions, and churches. Nevertheless, women’s conservatism was seen as a persistent and well established phenomenon. In the 1980s, this conventional wisdom came under increasing challenge. In many West European countries, a process of gender de-alignment appeared with studies reporting minimal sex differences in voting choice and party preference. In the United States, the phenomenon of the gender gap manifested itself in the early 1980’s, with women shifting their allegiance toward the Democratic Party while men moved toward the Republican Party on a stable and consistent basis, reversing the previous pattern of voting and partisanship⁷.”

Notwithstanding, as highlighted by Ingelhart and Norris, “it is well known that women parliamentarians do best in the Nordic nations. They comprise on average 38.8% of MPs in the lower house. Sweden leads the world where half of all ministers in Goran Persson’s cabinet and 149 members of the Riksdag” which is “43% are women, up from 10% in 1950. The proportion of women members of parliament elsewhere is lower, including in the Americas (15.7%), Asia

⁵ Kameri-Mbote Gender, Good Governance and Separation of Powers within the Constitution in Perspectives on Gender Discourse: Gender and Constitution Making in Kenya 1/02. Heinrich Boll Foundation: Newtec Concepts, Nairobi, 2002.

⁶ Jeff Manza and Clem Brooks. 1998. 'The Gender Gap in U.S. Presidential Elections: When? Why? Implications?' American Journal of Sociology 103 (5): 1235-66.

⁷ Mary K. Meyer and Elisabeth Prugl, Eds. 1999. Gender Politics and Global Governance. Lanham, MD: Rowman and Littlefield; J. True and M. Mintrom. 2001. “Transnational networks and policy diffusion: The case of gender mainstreaming.” International Studies Quarterly 45 (1): 27–57; L. Reanda. 1999. “Engendering the United Nations – The changing international agenda.” European Journal of Women’s Studies 6 (1): 49–61.

(14.3%), and Europe excluding the Nordic states (14.0%), sub-Saharan Africa (12.5%), and the Pacific region (11.8%). The worst record for women's representation is the Arab region, where women represent less than 5% of the elected representatives. In countries like Kuwait, Qatar, Saudi Arabia, Oman and United Arab Emirates women continue to be barred by law from standing for parliament." "Therefore, despite many official declarations of intent made by governments, NGOs, and international agencies pledged to establish conditions of gender equality in the public sphere, in practice, major barriers continue to restrict women's advancement in public life⁸."

"The emerging trends in women's political participation in Africa have been exhibited by the increase in the number of women in parliament. Women's participation in politics is important for improved governance in Africa." As Ballington⁹ notes, "the attainment of gender equality and the full participation of women in decision making are key indicators of democracy. And that the involvement of women in all aspects of political life produces more equitable societies and delivers a stronger and more representative democracy."

The East African Country, "Rwanda, has been ranked first globally as it has more than fifty percent of women in its elected public offices. This has proven to be a referenced landmark not only in Africa, but for all democracy¹⁰."

In a study conducted by NDI and UNDP, it can be argued that "political parties are the most important institutions that affect the political participation of women. In most countries, they are responsible for candidate recruitment and selection, and decide on which issues are placed on the

⁸ Ronald Inglehart, Pippa Norris. *Rising Tide: Gender Equality and Cultural Change around the World*, Cambridge University Press, 2003.

⁹ Ballington J. *Equality in Politics: A survey of Women and Men in Parliaments*, Inter-Parliamentary Union, Geneva, 2008.

¹⁰ Cole S, *Increasing Women's Political Participation in Liberia, Challenges and potential Lessons from India, Rwanda and South Africa*. International Foundation for Electoral Systems, Washington, 2011. Pg 14

policy agenda. How women participate in political parties or how political parties encourage and nurture women's involvement is a key determinant of their prospects for political empowerment. Due to the influential nature of political parties on women's political empowerment, civil society organizations (CSOs), international organizations and development assistance providers have heightened their focus on the role of political parties. They are influential in determining which issues inform the political debate; they formulate policy, set governance priorities and are therefore strategically placed to address the concerns of women. Women's political participation is central to gender equality and women's empowerment thus political parties are among the most important institutions for promoting and nurturing such participation. They are the primary and most direct vehicle through which women can access elected office and political leadership, therefore, the structures, policies, practices and political values have a profound impact on the level of women's participation in political life of their country. It is political parties that recruit and select candidates for elections and that determine a country's policy agenda. However, within political parties women tend to be overrepresented at the grassroots level or in supporting roles and underrepresented in positions of power. In addition, with no access to establish networks of influence and with limited resources, few role models and mentors and sometimes even limited family and community support, it is understandable that women's participation in political parties has remained well below that of men¹¹."

"Barbara Burrell shows that women and men fare similarly in party contributions to their campaigns." "Women candidates have become mainstreamed in the parties since the 1990's because the parties recognize that women are competitive candidates, but they are far from achieving equality in party leadership. Having so few women in positions of party leadership

¹¹ Empowering Women for Stronger Political Parties A Good Practices GUIDE to Promote Women's Political Participation NDI and UNDP 2011 pg 7&8

reduces the likelihood that women will be recruited to run for office, since male and female party leaders are likely to have different beliefs about candidate characteristics¹².”

“Political parties have women’s wings and gender desks but they are separate structures which often create obstacles to women’s participation. They are separate and undemocratic thus ensure that women are never part of the mainstream political activity¹³.”

In addition, “beliefs about women’s electability and personal interest in increasing women’s representation also matter.” In Africa, “women’s wings are as much a feature of party politics as elsewhere. With the faces of political parties, especially party leadership still heavily dominated by males, women’s wings are well established and autonomous while also well integrated into party structures like the women’s league of ANC while others are less elaborate parties without institutionalized women’s wings like in Nigeria. Within Africa, the practice of having women’s wings has been criticized as a way of relegating women’s issues as the wings are feminized and marginalized. Although the establishment of a women’s wing may not be sufficient for addressing issues affecting women, they present an opportunity for women within political parties to work towards improving the situation of women both within and outside of their parties and to push for better inclusion of women into decision-making structures. However, the women wings have an inability to equally use their platform to spearhead issues affecting women beginning from within their party. In South Africa, the women’s league worked hard to justify its recognition in the ANC and also to establish itself a champion of women’s issues despite being associated with offering catering and carrying out mobilization for the party.¹⁴”

¹² Burrell, B. *A Woman’s Place is in the House: Campaigning for Congress in the Feminist Era*. Ann Arbor: University of Michigan Press, 1996.

¹³ Nzomo M. Presentation to USAID Gender and Democracy in Africa Workshop, Washington D.C., 28 July 1995.

¹⁴ Osei-Afful Rhoda. *Women’s Access to Power and Decision-Making in Africa: Addressing Obstacles and Offering Solutions*. The Southern Voices Research Network: Research Paper No.5.2014.

There are “parties that take women’s political participation and they seriously benefit from stronger electoral positions, access to new groups of voters, and stronger relationships with their constituents. Additionally, parties that can produce new faces and ideas maintain a vibrant and energized image in an age of declining voter turnout¹⁵.”

However, governments have attempted to redress such forms of discrimination by introducing affirmative action programs. Programs of this nature were first used in the twilight of colonialism and were termed “indigenization” or “Africanization”. “They sought to incorporate indigenous peoples in areas of the civil service and elsewhere from which they had been previously excluded¹⁶.” The principle gained popularity with the rise of civil rights activism and in the United States, where it has been defined thus; “Attempts to make progress toward substantive, rather than merely formal, equality of opportunity for those groups, such as women or racial minorities, which are currently under-represented in significant positions in society, by explicitly taking into account the defining characteristic, sex or race, which has been the basis for discrimination.”

The affirmative action policies in most “Western countries are implemented in the spheres of employment and education while non-Western countries are experimenting with it mostly in the sphere of politics.” Ghana was among the pioneers of the quota system in Africa in 1960. In that year socialist-leaning president, Kwame Nkrumah, “passed a law allowing for the nomination and election of ten women to the National Assembly by the existing members of the body¹⁷.”

¹⁵ United Nations Development Programme & National Democratic Institute for International Affairs. Empowering Women for Stronger Political Parties: A Guidebook to Promote Women’s Political Participation, 2012.

¹⁶ Adedeji, Adebayo. The Indigenization of African Economies: Hutchinson University Library for Africa, London, 1981.

¹⁷ Harvey, William. Law and Social Change in Ghana. Princeton: Princeton University Press, 1966 pp 36-37

Today, other African countries having constitutions that require a quota for women's representatives in parliament include as shown in the table;

Country	Total Seats	Seats for Women
Tanzania	274	36
Burkina Faso	10	178
Eritrea	10	105

Other African countries that have experimented with affirmative action policies for women in politics include Sudan¹⁸ and Egypt. It should be noted, the Egyptian strategy, which guaranteed thirty seats for women in parliament, lasted only seven years, from 1979 to 1986. Howard-Merriam analyzed the Egyptian experiment and concluded that its failure and eventual abrogation essentially illustrated the limitations of reform from above; consequently, it also poses the problem of co-optation for underrepresented groups¹⁹.

In Uganda, “reservations have been used since the late 1980s to ensure that at least one Member of Parliament (MP) from every district in the country is a woman. As detailed by Sylvia Tamale, it has never been clear just what constituencies these Women District Representatives are meant to represent. Representatives of other categories of people for whom seats are reserved, such as youth, workers, and disabled people are chosen directly by national organizations that bring together relevant associations and non-governmental organizations (NGOs), but reserved seats for women are filled by a special electoral college composed of heads of local government councils. Affirmative action seats for youth, the disabled, the army, and workers, are described in

¹⁸ Sadat, Jehan. *A Woman of Egypt*, New York: Simon & Schuster. Pp 364, 1987.

¹⁹ Howard-Merriam, Kathleen. "Guaranteed Seats for Political Representation of Women: The Egyptian Example." *Women and Politics* 10, no. 1:17-42. 1990.

Uganda's constitution as being for people who will be representatives of these special interests. Women District Representatives, in contrast, are not described as representatives of women, but as women representatives for each district. Women running for these seats must appeal to a narrow electoral college of mostly male heads of local councils in the district and not the local population or the female voters of the" area²⁰.

Whereas in Kenya, the one-party rule of Kenya African National Union (KANU), and its patronage-based dominance of women's mobilization through organizations like Maendeleo ya Wanawake (MYWO), kept women's rights activists depoliticized and mainly focused on developmental issues from the time of independence until the early 1990s. The adoption of a multiparty state opened up new possibilities for women's mobilization and advocacy that was separate from the ruling party and the state. Women's organizations became engaged in numerous efforts to promote women's political empowerment, particularly in the constitution-making process. Political unrest after the 2007 elections reinvigorated the process and a new 2010 constitution created the basis for women to claim more than "one-third representation in government and all decision-making bodies and state institutions." The struggle after 2010 has been to implement the constitution, particularly in the national parliament and in areas where women have been especially poorly represented, such as the military and police.²¹

1.2 Problem statement

"In most modern democracies, the equality between men and women has become the dominant ideal within mainstream political discourse. Men and women should naturally have the same rights and no one should be excluded from political life. Nevertheless, there are substantial

²⁰ Sylvia Tamale. *When Hens Begin To Crow: Gender and Parliamentary Politics In Uganda*, 1999.

²¹ Aili Tripp, Catie Lott and Louise Khabure *Women's Leadership as a Route to Greater Empowerment: Kenya Case Study* Management Systems International United States Agency for International Development, 2014.

differences both between countries and between different political spheres as to how much and what kind of equality exists²².”

“In the past decade, women have become visible in African politics in unexpected ways thus setting new precedents.²³” The fact that the “two-thirds gender principle has been entrenched in the constitution, which is the supreme law of the land, is noteworthy²⁴” for Kenya. “Also, statistics since 1986 when the NRM government came to power indicate a steady rise in female political participation in elective offices²⁵” in Uganda.

Despite the said, a report by Inter-Parliamentary Union²⁶ shows that “women’s parliamentary presence in Kenya has historically been among the regions lowest (less than 10%) despite their active participation for many years at the political party level.”

“A constitutional reform adopted in 2012 reserved 47 seats for women out of 350 in the country’s National Assembly and 16 out of 68 in the Senate. In the 2013 elections that followed roughly doubled their presence in the lower house to 18.6% and reached 26.5 per cent in the upper house. No women were elected at all, on the other hand, to more than half of the country’s subnational assemblies despite a constitutional provision prohibiting more than two-thirds membership for either sex.”

The Uganda, figures, show that the 2016 elections yielded 143 elected women from 427 seats in the Parliament which is 33.5%. Of these were 112 women District representatives²⁷.

²² Toril Aalberg & Anders Todal Jenssen Gender Stereotyping of Political Candidates: *An Experimental Study of Political Communication*. Nordicom Review 28 (2007) 1, pp. 17-32.

²³ Aili Mari Tripp, Isabel Casimiro, Joy Kwesiga, and Alice Mungwa African Women’s Movements *Transforming Political Landscapes* Cambridge University Press, 2009.

²⁴ An Analysis of Affirmative Action: The Two-Thirds Gender Rule in Kenya

²⁵ The Rt. Hon. Rebecca A. Kadaga (M.P) Tenth Commonwealth Women’s Affairs Ministers Meeting ‘Women’s Leadership for Enterprise’: *Women’s Political Leadership in East Africa with Specific Reference To Uganda* Commonwealth Secretariat Dhaka, Bangladesh, 17-19 June 2013.

²⁶ Inter-Parliamentary Union. *Women in Parliaments*, 2013.

²⁷ See Inter-Parliamentary Union *Women in Parliaments 2016*

As shown in the table below;

	Lower House	Upper House
Kenya (2013)	69	18
Uganda (2016)	143	

Source, the Inter-Parliamentary Union, Women in Parliaments 2016.

The strategies put in place to ensure gender parity in political participation, internationally and locally, stipulate that no more than two thirds gender should occupy leadership positions in political parties or Parliament. Uganda has sought a way to implement this by reserving women districts while Kenya still has a low level of female representation and participation in elective positions and in other political institutions with no clear formulation to achieve the minimum requirement.

The researcher sought to investigate gender based participation in political institutions for these countries that have different and unique experiences in advancing the right of the woman in political participation. Therefore, this study examines how multiparty democracy has contributed to factors that have enabled an increase, albeit minimal and gradual, in gender equality in political institutions. Also, the study examines the effectiveness of affirmative action in promoting gender equality in political institutions and to what extent the increase of women impacts on improving gender equality.

1.3 Research Questions

- i). How has multiparty democracy influenced gender equality in political institutions in Kenya and Uganda?

- ii). How has affirmative action been effective in increasing women's participation in political institutions in Kenya and Uganda?
- iii). Has the increase of female representation in political institutions impacted on gender equality in Kenya and Uganda?

1.4 Research Objectives;

- i). To examine the effect of multiparty democracy in advancing gender equality in political institutions in Kenya and Uganda
- ii). To determine the effectiveness of affirmative action in increasing the participation of women in political institutions in Kenya and Uganda.
- iii). To analyze the impact of increased level of female representation in political institutions on gender equality in Kenya and Uganda.

1.5 Literature Review

There is a lot of literature on this topic as scholars investigate the elusive concept of gender equality in politics with regard to increase of women in parliaments and political parties.

According to Ethel Klein, "the discipline of politics finds it hard to incorporate a gendered approach. Executives and legislatures are typically male dominated not to mention in high politics, treaties, wars, power politics as it is played out in the top echelons of the public sphere, and also the institutional politics of parties."²⁸

1.5.1 Female political participation and representation

Women's "political activities have, for far too long, been seen as marginal or non-existent. This view is reinforced by the relatively small numbers of women in positions of power and

²⁸ Ethel Klein. *Gender Politics: From Consciousness to Mass Politics*, Harvard University Press, 1984.

leadership particularly in the West. As a result, the Western-centered academic analysis of politics that has evolved ignores women and places them at the peripheries of the political processes. On the other hand, third world women activists have been made invisible through a male-dominated discipline of political theory as well as an earlier phase of feminism which had serious misconceptions about femininity, motherhood and the family²⁹.”

Although “women’s contributions toward a strong and vibrant society are increasingly well documented, there is also a growing understanding of why women’s meaningful participation is essential to building and sustaining democracy³⁰.”

In Uganda, “the country a presents a unique experience in terms of women’s political representation, specifically in relation to their place in political parties and government. For 20 years, since the National Resistance Movement came into power following a protracted guerrilla struggle in 1986, Uganda was governed under the country’s no-party democratic system, also known as the Movement System. Under this system, electoral competition took place within a framework of individual contestation rather than the conventional system of party contestation for political power. Individual political candidates stood on their own individual programs and platforms. Nevertheless, political competition was not totally devoid of party influence, since parties had an impact on selection processes in some way; the overall framework was of individuals fronting their individual programs and ideas. During the period when political party contestation and involvement in government was opened up, a number of affirmative action policies for women and other marginalized groups were enacted. Women’s engagement with

²⁹ M.Barrett and M.McIntosh. *The Anti-Social Family*, London: Verso and S.de Beauvoir. *Memories of a Dutiful Daughter*, Harmondsworth: Penguin, 1959. For the reassessment see K.Grieve ‘Rethinking Feminist Attitudes towards Motherhood’, *Feminist Review* 25(March): 38–45, 1982

³⁰ Increasing women’s role in political parties; A programmatic Perspective. Commonwealth Parliamentary Association

political parties in contemporary Africa³¹ such as the youth and people with disabilities (PWDs), were introduced. However, from some feminist perspectives, political parties are often viewed as principal instruments of patriarchy, marginalizing women in politics and government. For women³², these policies saw their representation in the national parliament and local government councils increase to 30 per cent during the period of no-party movement, which resulted in Uganda often being cited as a success story with regard to positive improvements in the representation of women in politics and Government³³.”

On the other hand, “Kenya has had the least number of women in mainstream politics and decision-making since independence. Before the transition elections of 2002, only 32 women had been in parliament, with the Seventh Parliament 1992-97, having the highest number, 6, of elected women³⁴. At the beginning of transition politics in 1992, there was no woman member nominated to Parliament³⁵. It should be noted that the change in 1997 which resulted in four women being nominated as Members of Parliament was not by mere chance but a deliberate outcome of the IPPG reforms which resulted in the Constitution of Kenya (Amendment) Bill of 1997.”

The opening of the political space in Kenya in the 1990’s, “allowed for the formation of new non-partisan lobbying civic education and leadership training organizations which in turn

³¹ Razavi, S. 2000. Women in contemporary democratisation, Occasional Paper No.4, Geneva, UNRISD. Representation of marginalised groups on all constitutional and other bodies. Specifically, Article 32 provides for affirmative action at both national and local levels.

³² Josephine Ahikire. Women’s engagement with political parties in contemporary Africa: Reflections on Uganda’s experience. Centre for Policy Studies, Policy Brief 65, 2009.

³³ The 1995 Constitution has various articles that address women’s political participation. The National Objectives and Directive Principles of State Policy enshrined in the Constitution stipulate that the state shall ensure gender balance and fair representation of marginalised groups on all constitutional and other bodies. Specifically, Article 32 provides for affirmative action at both national and local levels.

³⁴ Winnie Mitullah. Gender Inclusion in Transition Politics: A Review and Critique of Women’s Engagement pg 221.

³⁵ Ibid

encouraged women to run for office. In Zambia, Kenya and several other countries, the reluctance of political parties to take steps to increase women's representation has led to serious discussions on the need to form a party led by women with broad based male and female constituencies.³⁶ The simultaneous emergence of independent women's association meant that many women's movements could now select their own leaders, set their own agenda and were no longer tied to participation in the patronage network of the ruling party. These changes represent significant new trends that are not easily reversed. Also, they represent a new way of conceiving women's political participation which will have potentially major implications for women if political reforms continue without retreat to a dominant single party system or military rule.³⁷

Women's mobilization was channeled through a party wing, an affiliated mass organization or a co-opted organization tied to the ruling party or regime. It served to marginalize women's leadership and instead channeled women into mobilizing around a narrow set of issues like women's morality. These wings did little for women, often acting against women and resisted women's empowerment. Remaining linked to older incorporated structures meant they were tied to the party's dictates and overriding interest in securing as many women's votes as possible. With such controlling mechanisms, they were unable to cater to women with other political allegiances. Moreover, unable to forcefully fight for women's interests that might be at odds with the priorities and goals of the ruling party. In Kenya, Maendeleo ya Wanawake was purposefully kept apolitical and any attempts to assert itself politically were swiftly squelched³⁸. The organizational structures of the women's wings in political parties paralleled those of the party

³⁶ Personal communication with Hon. Dr. Inonge Mbikusita-Lewanika and Dr. Maria Nzomo 26 July 1995. See Aili Mari Tripp *New Trends in Women's Political Participation in Africa* University of Wisconsin Madison.

³⁷ Aili Mari Tripp *New Trends in Women's Political Participation in Africa* University of Wisconsin Madison

³⁸ Ferguson A., Kimberly L., Katundu., and Manda I., *Zambian Women in Politics: An Assessment of Changes Resulting from the 1991 Political Transition*. East Lansing: Michigan State University, 1995.

and mimicked their rigid undemocratic structures and leadership which rarely changed. According to Prof. Maria Nzomo³⁹, the structures in the organizations were no different from Government structures. Notwithstanding, the National Committee on the Status of Women, a staunchly non-partisan organization provided assistance to women of all party affiliations in running for office in 1992 and 1998. Their activities included reform of laws that served as obstacles to the advancement of women and other activities that would strengthen women's presence in political life⁴⁰.”

³⁹ Nzomo M. Presentation to USAID Gender and Democracy in Africa Workshop, Washington D.C., 28 July 1995.

⁴⁰ Nzomo M. and Kivutha K., eds. Womens Initiatives in Kenya's Democratization. Nairobi: National Committee on the Status of Women, 1993.

1.6 Justification of the study

Political Institutions

The study will be relevant to political institutions by addressing the concerns that will be raised through this research. It will benefit both the political institutions and the women as they will be able to work better to build parties that are inclusive.

Policy formulation

It will inform policy makers and legislatures on what good policies they need to enact and enforce to make it possible for women to access leadership in political parties.

Other Researchers

After completion, other researchers will find this document resourceful in their own research efforts. They could use it as a reference on related studies that are directly or indirectly affected by the issues discussed here. They could use it to continue on research other gaps not included here.

1.9 The History of Feminism

The “goal of feminism as a political movement is to make women and men more equal legally, socially, and culturally.” “The main point recent feminisms have stressed that gender inequality is not an individual matter, but is deeply ingrained in the structure of societies. Gender inequality is built into the organization of marriage and families, work and the economy, politics, religions, the arts and other cultural productions, and the very language we speak. Making women and men equal, therefore, necessitates societal and not individual solutions. These solutions have been

framed as feminist politics that emerge from feminist theories about what produces gender inequality⁴¹.”

The Waves of Feminism

“Traditionally the history of feminism is divided into the three waves of feminism namely; First wave, Second wave and Third wave. It is mostly believed that feminism evolved from America then to the rest of the world. In America, the feminist movement began with the American Revolution. The history of feminism in North- America started with some kind of organized activity from the time of American war Independence in the mid-18th century. Women participated in this struggle along with men and were strongly involved in boycotting the British made goods. Gradually, the feminist movement got a new turn in America in the late 18th century when black women started to understand that for them to live a dignified life, it was not only a fight to carry against racism but it was also a struggle against their own men who believed in traditional gender stereotyping and practiced social and cultural norms which encouraged bias and discrimination against women. During these times, black women organized themselves and carried out their struggle in public platforms like church congregations.

The Second wave of Feminism on the other hand, is especially associated with the period of 1960s to 1980s.” “The central focus of the second wave feminism was on total gender equality, women as a group having the same social, political, legal and economic rights that men have. The third wave of Feminism” is a continuation of the second wave of feminism beginning from the early 1990s and it focuses on the perceived failures of the second wave of feminism⁴².

⁴¹ Judith Lorber *Gender Inequality Feminist Theories and Politics* Graduate Center and Brooklyn College City University of New York Oxford University Press.2010.

⁴² Adawo, L., Gikonyo, L., Kudu, R. and Mutoro, O. The history of feminism in Kenya, 2011. Available online at <http://www.nawey.net/wpcontent/uploads/downloads/2012/05/History-of-Feminism-in-Kenya.pdf>. Accessed 30th March 2015.

1.9.1 Theoretical Framework

This study will use feminism theory to explain gender inequality in political institutions. “Feminist theory aims to understand the nature of inequality and focuses on gender politics, power relation and sexuality. While it generally provides a critique of social relations, much of Feminist theory also focuses on analyzing gender inequality and the promotion of women’s rights, interests and issues⁴³.”

Strands of Feminism

There are several feminist approaches that share a common belief in the existence of gender inequality, injustice but differ on the exact form, location and strategies of addressing this problem⁴⁴.

In her book, Judith Lorber⁴⁵ terms “Marxist and Socialist feminism and Liberal feminism as Gender reform feminisms. Gender reform feminists argue that the sources of gender inequality are structural and not the outcome of personal attributes, individual choices, or unequal interpersonal relationships. The structural sources are women's relegation to low-paid work and a devaluation of the work women do, overwhelming responsibilities for child-care and housework, and unequal access to education, health care and political power. That said, these inequalities are built into national and International social structures and thus they have to be redressed structurally. An overall strategy for political action to reform the unequal gendered social structure is gender balance. The goal of gender balance is to attain equality or parity in numbers of women and men throughout society, in their domestic responsibilities, and in their access to work and business opportunities, positions of authority, political power, education, and

⁴³ See Judith Lorber Gender Inequality Feminist Theories and Politics Graduate Center and Brooklyn College City University Of New York Oxford University Press 2010

⁴⁴ J. S. Goldstein, and Peverhouse, J.C., International Relations, Seventh Edition, (Elm Street Publishing Services, Inc., 2006). p.126.

⁴⁵ Ibid 44

healthcare. Affirmative action in workplaces and universities and mandated quotas to increase the number of women in government are common gender balancing policies.” “Politically, their goal is to achieve a gender balance, so that women and men are positioned in equal numbers throughout the society, and have equal power, prestige, and economic resources. A reformed gendered social order would thus eradicate gender inequality.”

Marxist and Socialist Feminism

“Socialist feminists believe that there is a direct link between class structure and the oppression of women. Socialist feminists reject the idea that biology predetermines one's gender. Also, social roles are not inherent and women's status must change in both the public and private spheres⁴⁶.

Additionally, they like to challenge the ideologies of capitalism and patriarchy. Much like the views of radical feminists, socialist feminists believe that although women are divided by class, race, ethnicity and religion, they all experience the same oppression simply for being a woman. They believe that the way to end this oppression is to put an end to class and gender⁴⁷. In contrast to the ideals of liberal feminism, which tend to focus on the individual woman, the socialist feminist theory looks into the broader context of social relations in the community and includes aspects of race, ethnicity and other differences⁴⁸.”

⁴⁶Freedman B. Estelle. *No Turning Back: The History of Feminism and the Future of Women*, New York: Ballantine Books, 2002, pg 63

⁴⁷ Tong Rosemary. *Feminist Thought: A More Comprehensive Introduction*, Third Edition / Edition 3, Colorado: Westview Press, 2008.

⁴⁸ Richard, Rachel R. *Riding the Waves: A Trans-Generational Approach To The Feminist Movement In The United States*, Loyola University Chicago, 2008.

1.9.2 Liberal Feminism

Liberal Feminism “is developed out of liberal political philosophy, arguing that through legal and political avenues, women can change laws and politics and therefore achieve gender justice.”

Although liberal thought is also multifaceted, a central theme underlying much of its historical development is that of the attention to personhood and agency. Liberal feminists tend, “to focus on the centrality of an ideal state that respects all its citizens, thereby granting and protecting equal rights and equal opportunities for women and men. Here, the point is not to change but reform existing norms and systems so as to include women.”⁴⁹

Further, “it asserts the equality of men and women through political and legal reform. It is an individualistic form of feminism, which focuses on women’s ability to show and maintain their equality through their own actions and choices.”⁵⁰ Madalina asserts that, “Liberal feminist politics took important weapons of the civil rights movement which are anti-discrimination legislation and affirmative action”⁵¹.

The research will be guided by the Liberal feminist theory. According to Epure, “it is the one that through its aims of equal legal, political and social rights for women has obtained significant legal changes in property rights, votes for women, political power. It also made discrimination illegal and paved the way for equal pay”⁵². “This quote made by Madalina Epure, argues “that liberal feminism has been a key theory in explaining and providing women with non-discriminatory laws, as well as providing women with legal rights. She further argues that liberal

⁴⁹ Katharine Sarikakis, Ramona R. Rush, Autumn Grubb-Swetnam, and Christina Lane *Feminist Theory And Research*

⁵⁰ History of feminism

⁵¹ Judith Lorber, *The Variety of Feminisms and Their Contributions to Gender Equality* Oldenburg: bis, Bibl. - und Informationssystem der Univ, 1997.

⁵² Epure, Madalina (2014) “Critically assess: The relative merits of liberal, socialist and radical feminism”: *Journal of Research in Gender Studies*. 4 (2). 514- 519. <http://search.proquest.com.molly.ruc.dk/docview/1645383538/5C55D3FCBDEC4386PQ/2?accountid=14732>

feminist theory has been the theory that paved the way for achieving gender equality, which opposes the first proposed notion that liberal feminism is inadequate to explain gender equality.” Resultantly, “liberal feminism accepts liberal rights theory as sufficient for creating woman’s equality with man⁵³, and therefore views women as an interest group within the pluralist society, with specific problems of mobilization and representation⁵⁴, within the liberal political system. It is also seen that liberal feminists have essentialist ontology of gender, that believes that there is a fundamental difference between men and women, and that women are inherently more peaceful and caring than men⁵⁵. If women therefore gain a fair representation in political and economic parts of society, they will naturally support policies that promote gender equality⁵⁶. The sense that constitutional amendment could affect social change is therefore deeply rooted in feminist political consciousness⁵⁷. Like liberalism, liberal feminism is thus a problem solving theory that strives to solve the problem of gender inequality through the existing system⁵⁸.”

1.10 Hypotheses

In seeking to examine gender based participation in Kenya and Uganda, there is evidence that multi-party democracy, affirmative action and an increased mass number of women has advanced gender equality in Kenya and Uganda. The researcher can deduce three hypotheses;

- i. Political parties provide women and men with a base for their political careers.
- ii. Quotas have been effective in increasing the number of women in political institutions.

⁵³ See Ibid 231

⁵⁴ MacKinnon, Catherine A (2010). “The Liberal State” ed. Krook, Mona Lena and Childs, Sarah. Women, Gender and Politics. New York: Oxford University Press, 239 - 298.

⁵⁵ Jones, Adam (1996) 'Does 'Gender' Make the World Go Round? Feminist Critiques of International Relations' Review of International Studies 22(4), pp. 405-429

⁵⁶ Ibid, 1996:418

⁵⁷ Kyvig, David E. (1996). “Historical Misunderstandings and the Defeat of the Equal Rights Amendment”. The Public Historian. 18 (1), 45-63.

⁵⁸ Cox, Robert W (1981). “Social Forces, States and World Orders: Beyond International Relations Theory”. Millenium, Journal of International Studies. 10 (2): 126-157 .; Eisenstein, Zillah R (1981). “The Radical Future of Liberal Feminism” USA: Longman

- iii. The increase of women political institutions has a positive effect on the gender agenda.

1.11 Research Methodology

Introduction

This chapter outlines the methodology used in this study. It describes the research design that was used, the target population, sample design, data collection, validity and reliability of the data collection instruments, data analysis techniques and ethical considerations.

Research Design

“A research design can be regarded as an arrangement of conditions for collection and analysis of data, in a manner that aims to combine relevance with the research purpose. It is the conceptual structure within which research is conducted. It constitutes the blueprint for the collection, measurement and analysis of data⁵⁹.”

Descriptive Design

This study used the descriptive design. The descriptive method involves the collection of information by interviewing or administering a questionnaire to a sample of individuals⁶⁰. According to Mugenda and Mugenda⁶¹, “this type of research design reports things as they are and attempts to describe such things as possible behaviors, attitudes, values and characteristics.” The research design was a descriptive survey method aimed at studying gender based political participation in political institutions in Kenya and Uganda. “Descriptive studies are aimed at finding out ‘what is’, so observational and survey methods are frequently used to collect

⁵⁹ C.R Kothari (2004) Research Methodology; Methods and Techniques (Second Revised Edition) New Age International Publishers, New Delhi. 2004.

⁶⁰ Orodho, A.J. Essentials of educational and Social Sciences Research Method. Nairobi; Masola Publishers, 2003.

⁶¹ Mugenda and Mugenda, Research Methods. Quantitative and Qualitative Approaches, ACTS Publishers, Nairobi Kenya, 2003.

descriptive data⁶². When in-depth, narrative descriptions of small numbers of cases are involved, the research uses description as a tool to organize data into patterns that emerge during analysis. These patterns aid the mind in comprehending a qualitative study and its implications.”

Sample Size

A sample size of 45 respondents was picked using simple stratified random sampling technique. This was necessary as it gave all strata a chance of being selected into the sample.

Target Population

Mugenda⁶³ defines “target population as the set of individuals, objects or cases with some common observable characteristics which a researcher wants to generalize of a study.” The target population in this study comprised of political leaders, women in political leadership and female and male members of political parties.

Tools of Data Collection

This researcher employed the use of interviews as the primary tool of gathering the information. The specific interviews were structured; which involved the researcher asking the respondents a list of pre-determined questions. The researcher also used telephone conversations when interviewing some participants that may not be available for a physical meeting. This enabled the researcher to gather first-hand information regarding the research topic.

Library searches were also another form of collecting information. Theses, journals and articles on the research topic were instrumental. Also, the internet was instrumental especially when sourcing for material from individuals and institutions who have done prior related research.

⁶² Borg, W. R. and Gall, M. D. Educational Research: An Introduction 5th. edn. New York: Longman, 1989.

⁶³ Mugenda and Mugenda, Research Methods. Quantitative and Qualitative Approaches, ACTS Publishers, Nairobi Kenya, 2003.

Further, triangulation was used in this study. This “involves the conscious combination of quantitative and qualitative methodologies as a powerful solution to strengthen a research design.” “The logic is based on the fact that a single method can never adequately solve the problem of rival causal factors⁶⁴.” Under this method, methodological triangulation has been employed. Methodological triangulation as a method “entails combining both quantitative and qualitative data collection methods⁶⁵. This is based on the rationale that a single data collection method is insufficient to provide adequate and accurate research results.”

Scope of the study

The research was carried out by interviewing women who are in political parties and parliaments. The focus was to examine gender based participation in political institutions in Kenya and in Uganda. The target population was divided into two categories; women who are in the parliament and women who are members and leaders of political parties. A total of 45 respondents were expected.

Limitation

The limitation that the researcher faced was getting a lower number of respondents than expected. Also, due to time constraints, the researcher was unable to travel to Uganda to interview the targeted respondents.

⁶⁴Denzin, NK. *Sociological Methods*. New York: McGraw-Hill. 1978; Patton, M. *Qualitative evaluation and research methods*. Beverly Hills, CA: Sage. 1990., De Vos, A.S. *Research at grass root*. Academic: J.L. van Schaik. 1998.

⁶⁵ Banister, P., Burman, E., Parker, I., Taylor, M. & Tindall, C. 1994. *Quality methods in Psychology*. Buckingham: Open University Press.

1.12 Chapter Outline

Chapter one: Introduction that contains the following:-Background, problem statement, main objective, research questions, specific objectives, justification, literature review, summary of gaps, theoretical framework, hypothesis and methodology

Chapter two: Gender representation in Africa: this chapter looks at the ration of male and female representation in parliaments and political parties and it also looks into multi-party democracy as an influence on gender equality.

Chapter three: Investigating affirmative action as a mechanism to achieve gender equality in political institutions in Kenya and Uganda.

Chapter four: Establishing the impact that the mass critical numbers of women in political institutions on the gender agenda in political institutions.

Chapter five: Data Presentation and Findings: This is the penultimate section of the research that encompasses collection of data, analysis and presentation of findings of data gathered in relation to the research title.

Chapter six: Recommendations and Conclusions, The recommendations as well as conclusions are the researcher's comments, recommendations for further research and the concluding remarks in regard to the study.

CHAPTER TWO

2.1 POLITICAL PARTICIPATION OF WOMEN IN AFRICA.

In Africa, a lack of gender diversity in political leadership persists. The political landscape is marred by patriarchy, regressive cultural belief systems making the participation especially of women in political processes has been one of constant struggle. They are subjected to prove their quality first in positions of leadership across all spectrum of society. This has been entrenched even in themselves as they hold back from participating in active politics. Nonetheless, the 1990's saw women rise up to participating in politics with some even vying for the top seats; Presidential and Parliamentary. "Several countries in Africa by the late 1990's had achieved over 12 percent female representation in parliament. Some countries like South Africa had 30 percent female representation which had risen from 3 percent in 1991; Seychelles 23 percent, a drop from 46 percent prior to the 1993 elections⁶⁶, Mozambique was at 30 percent up from 16 percent in 1991 and Namibia had 25 percent which was an increase from 7 percent in 1994. Compared with other parts of the world, a few African countries were doing relatively well, but none came close to proportionately representing women who make up over half the population in most countries. By 1999, women held on the average 11.5 percent of the seats in parliaments in Africa compared with 6 percent a decade earlier⁶⁷. Thus, Africa had comparable rates with European women, who in 1999 held 13 percent of legislative seats, excluding the Nordic countries, but lagged behind the Nordic countries with 39 percent female legislative representation. Asia and the Americas with 15 percent female held legislative seats. Only the

⁶⁶ Karl, Marilee. *Women and Empowerment: Participation and Decision Making*. London: Zed Books, 1995.

⁶⁷ Inter-Parliamentary Union 1999, United Nations 1991

Arab states trailed with a mere four percent for women legislators. Thus by world standards, most African countries were lagging behind in female representation⁶⁸.”

Resultantly, “in the 1990s, women began to form political parties on their own. This is because the established parties in the multiparty democracy had not” solved the concerns that women had and these women held different perspectives that were not taken well by these parties. “Also, in some cases, the women wanted to build more broad-based multi-ethnic and multi-religious constituencies than was possible with existing parties.” Several women across Africa founded political parties like; Dr. Inonge Mbikusita-Lewanika in “Zambia in 1991; Margaret Dongo in Zimbabwe in 1999; while in Lesotho, Limakatso Ntakatsane formed the party, Kopanang Basotho. Additionally, women like Charity Ngilu and Dr. Wangari Maathai headed parties in Kenya; Ruth Rolland-Jeanne-Marie led a party in Central African Republic and Amália de Vitoria Pereira led an Angolan party⁶⁹.”

South Africa’s experience of women in political leadership has improved over time. The number of women in the National Assembly rose from 27.74% in 1994 to 43% in 2009. In 1994, out of 400 members of parliament, 111 were women, in 1999 out of 400 members of parliament, 120 were women and this number in 2004 increased to 131 and in 2009 to 172⁷⁰. This was as a result of the quota system; though not adequately anchored in the Constitution, women in South Africa have been acknowledged through courts interpretation which included women as disadvantaged persons⁷¹.

⁶⁸ Aili Mari Tripp *New Trends in Women's Political Participation in Africa* University of Wisconsin Madison

⁶⁹ Personal communication with Hon. Dr. Inonge Mbikusita-Lewanika and Dr. Maria Nzomo 26 July 1995.
See Aili Mari Tripp *New Trends in Women's Political Participation in Africa* University of Wisconsin Madison

⁷⁰ See Electoral Institute for Sustainable Democracy in Africa, 2009

⁷¹ Ibid

Botswana passed a law to guarantee that women are “fairly represented in political offices and political parties and to ensure that female members and members are fairly distributed through the party list. Despite the absence of effective quota legislation, political parties have committed themselves to increase of women’s representation in the local government level through quotas. It has influenced the rise of women’s representation from 19% in 1995 elections to 29.6% in 2000 local election and 40% in 2006 elections. The rising levels of women’s representation in local government is largely attributed to the ruling People's National Congress’s (PNC) commitment to a minimum 30% quota for the representation of women at all levels since 1999⁷².”

Another example is Morocco “which has a hybrid political system with a relatively strong monarchy coexisting with parliamentary politics. The lower house is elected through a proportional representation system, and the upper house is indirectly elected from local councils, professional organizations and labor unions. There are 18 parties represented in the lower house organized into several parliamentary groupings. Six of these parties have 25 or more seats in the parliament. In 2002, political parties signed a charter that reserved 30 seats in the lower house which is 10% of the total membership for women, to be filled from national lists. As a result, women comprised 10.7 percent of the parliamentarians elected in 2002 and 10.5 percent in 2007. This proportion was doubled to 60 seats for women ahead of the 2011 election, and as a result, women now hold 17 percent of seats in the assembly. In the upper house, where no such agreement exists, women comprise just two percent of the membership⁷³.”

⁷² Ibid

⁷³ Singh and Shahabudin, (2000). Academic leadership strategies and skills for women in higher education in Shahabudin. Asian women leaders in higher education. Management challenges for the new millennium. S.H. and Gill, K.S. UNESCO, Malaysia

The increase of interest among women to participate in politics can be seen to have been fueled by the move of African states towards multi-party democracy and away from single rule parties. This resulted into having organizations oriented to agitating for gender equality in politics which pushed for women's increased participation. Consequently, Governments in a bid to seemingly embrace democracy included provisions in their constitutions that would encourage gender equality in the political sphere especially in Political Parties. This commitment has significantly enhanced political representation of women. Rwanda and Malawi are examples of countries with constitutional provisions that are specific on gender equality, while several other countries have guarantees for equality for all and anti-discrimination on the grounds of gender and sex⁷⁴.

“Malawi has legal, policy and institutional frameworks that are meant to advance the participation of women in public life in general, politics in particular. The Constitution of the Republic of Malawi (1995), entrenches gender equality as one of its Principles of National Policy. Among others, the principle seeks the participation of women in” society fully⁷⁵.

Rwanda's 2003 Constitution stipulates “a commitment to ensuring equal rights between Rwandans and between women and men without prejudice to the principles of gender equality and complementarity in national development.” It states that they are born free with equal rights and duties and discrimination that is based on ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith or any other form of discrimination is prohibited and punishable by law. Equally importantly, the Constitution restates the fundamental principle on equality between

⁷⁴ See International IDEA 2013

⁷⁵ see section 13, a <http://www.cssr.uct.ac.za/sites/cssr.uct.ac.za/files/Constitution%20Malawi.pdf>

women and men by ensuring that women are granted at least 30 per cent of all posts in decision-making bodies⁷⁶.

In Uganda's Constitution (2006), in Article 33.4, "it is stipulated that women have the right to equal treatment with men, including equal opportunities in political activities. It also obliges the state in Article 32.1, to take affirmative action in favor of marginalized groups on the basis of gender, or other reason created by history, tradition or custom for the purposes of redressing existing imbalances. Therefore, women are identified as having a right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom. The Constitution further requires in Articles 33.5 and 71.1.d, that members of the national bodies of a political party shall be elected with due consideration for gender. Finally, the Constitution reserves seats for women representatives for each district in the national parliament, and obliges parliament to review this representation every five years (Article 78.2)." Further, "all countries have acceded to or ratified the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW 1979)." Except South Sudan and Sudan. Apart from Morocco, all the countries have also acceded to the "Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) and the Solemn Declaration of the African Union on Gender Equality in Africa (2004)." In addition, apart from Botswana and Mauritius, the member states of the Southern African Development Community (SADC) have reinforced their commitments "on gender equality in the SADC Protocol on Gender and Development (2008)⁷⁷."

⁷⁶ See International IDEA 2013

⁷⁷ Ibid

Individual political parties in some countries also include provisions on gender equality in their party manifestos, political strategy documents and Constitutions. This may be attributed to the fact that Political Parties are one of the factors that influence gender equality in society. However, this commitment is always only on paper and does not translate to action that the political parties take towards ensuring there is gender balance in their leadership and decision making structures.

“In Burkina Faso, the Congress for Democracy Party (CDP) adopted a 25 percent internal quota for women on party lists for the parliamentary elections in 2007. While in Morocco, the Socialist Union of Popular Forces (USFP) adopted a 20 percent quota for the representation of women on candidate electoral lists. And lastly in South Africa, the ANC Adopted List Process for National Elections of 2003 established a one-third quota for women on party lists. The quota was raised to 50 percent women candidates in time for the 2009 elections⁷⁸.”

However, “there is a strong tradition in feminist political science and activism which has been skeptical about the capacity of liberal or bourgeois democracy to either include women amongst decision-makers, or to admit of meaningful representation of their interests. This has led to an interest in alternatives to liberal representative democracy, particularly any measures that support the principle of group representation for women in politics. This is through for instance, affirmative action measures to put some minimum number of women into political and bureaucratic positions, or to give representative groups of social and political minorities some powers of review over policies that affect their interests⁷⁹. The dismal track record of mainstream

⁷⁸ International IDEA 2013

⁷⁹ Young, Iris Marion. *Justice and the Politics of Difference*. Princeton, N.J.: Princeton University Press, 1990.

political parties in representing women's interests or fronting women candidates has produced a tradition of antipathy to political parties by women's movements in the world over⁸⁰.”

2.2 Multi-Party Democracy and Gender Equality in Political Institutions in Kenya and Uganda.

“In the July 28, 2005 referendum, Ugandans overwhelmingly voted to re-introduce multiparty politics. This political transition affected the female representation in Parliament. Uganda being a patriarchal society is reflected in the political parties and their lack of a clear agenda regarding women issues. When the old political parties, Uganda People's Congress (UPC) and the Democratic Party (DP) were active in the 1960s and 1980s, they did not take issues regarding gender equality seriously. It is also worth to note that these political parties had backup of strong patriarchal institutions; UPC was backed by the Protestant Church and DP by the Roman Catholic Church. Even today, none of these parties, not even the emergent Uganda Young Democrats, have thus far signaled any alteration in their deeply entrenched patriarchal character or practices. The fact that few women have taken up the challenge to vie as candidates for other parties can also indicate that women still see their achievement as privileges handed to them by the Movement system and are therefore not certain whether to subscribe to other parties or remain paying allegiance to the Movement. Furthermore, there has been some outright intimidation of the opposition by the Government, and women might feel insecure and afraid to express their political conscience.⁸¹”

Although the “major political parties commit to specific numbers of women at each level in the structure, NRM at 30% and FDC at 40%, the reality is different. The NRM for example has only

⁸⁰ Anne Marie Goetz No shortcuts to power: Constraints on Women's Political Effectiveness in Uganda

⁸¹ The New Vision, November 29, 2005.

5 women which translate to 25% women out of a total of 20 members at the National Executive Committee (NEC), the highest organ of the party.” And they still “do not have the confidence to compete with men. The situation can therefore only change if there are quotas that are more equitable such as the constitution provides for Parliament and Local Councils, as political parties are the first glass ceiling that women have to break to get into political positions.”

The parties in Uganda have always been structured in a way that favors and caters to their interests. “The traditional parties in Uganda; Uganda People’s Congress (UPC), the Democratic Party (DP), the Conservative Party (CP) and others have had very limited leadership roles for women while their platforms have been devoid of women’s issues. While, the so-called wave of democracy may have ushered in a breath of electoral politics into Africa, this form of democracy has been devoid of a liberal dimension. Political systems, like parties, have continued to operate in a closed environment, with limited transparency and with controlled political space. Under these circumstances, the introduction of traditionally excluded interests such as women’s is very difficult and, in fact, history suggests impossible. In Uganda, parties such as the DP, UPC or CP have traditionally alienated and marginalized women’s interests partly because of gender biases discussed above and partly because of the illiberal nature of the party structures themselves. The absence of ideological or programmatic convictions has only exacerbated the problem of women’s political emancipation.”

When the NRM took over power, President Yoweri Museveni emphasized the importance of gender equity to Uganda's development by stating that the challenges of development enjoin the country to pay more than just lip service to the core issue of unequal gender relations in the society⁸². Such political rhetoric was not new, but nobody would have predicted the concrete

⁸² New Vision, March 9, 1988

steps that the NRM took to follow up on this promise; not only did it defy conventional wisdom but it also cut through deep seated ideologies that stemmed from strong patriarchal forces. “He made good his promise by according women were accorded with mandatory seats at all levels of the grassroots people's resistance councils and in the National Resistance Council (NRC)—the interim national legislature”; creating the Ministry of Women in Development; setting up Directorate of Women's Affairs within the NRM secretariat (the government mobilization body); a women's studies program was instituted at Makerere University; all females enrolling in government-funded tertiary institutions were granted preferential treatment; and women became more visible in high positions such as the cabinet and the judiciary and government commissions. All these developments set the stage for women's increased participation in formal politics and provided an avenue for their enhanced struggle for empowerment in all spheres of society. Moreover, Ugandan women took advantage of the state of restructuring, as seen in the quick spread of numerous women's nongovernmental organizations (NGOs) covering a wide arena of social, economic, cultural, and political activity⁸³.

“Feminist political scientists are increasingly sensitive to the fact that choices made in the design of political institutions, the powers of the executive in relation to the legislature, the design of the electoral system, the nature and degree of party institutionalization, determine women's prospects in electoral competitions, and their capacity to influence policy once in office”. “As Georgina Waylen⁸⁴ argues, “the focus of analysis then becomes the nature of the institutional measures proposed by women activists and the ways in which variations in political systems, for example in terms of party structures and electoral systems, affect both the goals and strategies of those”

⁸³ Tripp, Aili. "Gender, Political Participation and the Transformation of Associational Life in Uganda and Tanzania." *Africa Studies Review* 37, no. 1:107-131. 1994

⁸⁴ Georgina Waylen. *Gender and Democratic Politics: A Comparative Analysis of Consolidation in Argentina and Chile*. Cambridge University Press, 2000.

activists. That said, “Ugandan women's arguments and strategies for admission to representative politics and to policy-making are all framed by one key feature of the current institutional framework: the suppression of parties. By ruling out pluralism, Museveni emasculated the development of accountability mechanisms, and by extending an ever widening net of patronage, he neutralized oppositional energies, including those of women pushing for a legislative agenda which would challenge male rights within gender” relations⁸⁵.

However, since the 1950's to date, the number of women representation from the local to national level has increased from 3 to 40%. Although the 1995 Constitution of Uganda provides for at least 30% women's representation, the women's minimum agenda to political parties and organizations in the women's manifesto calls for at least 40% representation. The reality remains that all political parties fall short of women's representation in their governance structures. No deliberate measures were put in place to realize this as political party structures tend to remain highly patriarchal with few women in concrete leadership positions that yield power to enable them to pursue gender issues⁸⁶.

Manor “discusses in depth that gender inequality in political participation in Kenya was partly a consequence of colonization. During this period, power was concentrated on individual figures and not institutions. The political consequences of this played a critical role in privileging men over women and even some ethnic groups over others with the associated socio-economic and political gains. Bauer & Tremblay⁸⁷ similarly explain that, for most African women, the colonial period was characterized by significant losses in both power and authority. Colonial officials accepted Western gender stereotypes which assigned women to the domestic domain, leaving

⁸⁵ Goetz Anne Marie. No Shortcuts To Power: Constraints on Women's Political Effectiveness in Uganda,

⁸⁶ Olive Nassuna. The Structure and Role of a Women's Wing in a Political Party: A Case study from Uganda, Unpublished.

⁸⁷ Bauer, G. & Tremblay, M., eds. Women in Executive Power: A Global Overview. London: Routledge, pp 88. 2011.

economic and political matters to men. As a result, women's economic and political rights often diminished. Colonial officials ignored potential female candidates for chief ships, scholarships and other benefits. Many female institutions were destroyed⁸⁸.”

“In the two decades following independence however, Kenya remained a single party state⁸⁹ and during this period, tokenism, assignment of powerful positions to serve self-interests, and political brinkmanship characterized political recruitments and the assignment of decision-making positions to individuals. This made it even more difficult for women to maneuver through political power, and it constrained their access to political opportunities since power belonged exclusively to” men⁹⁰.

"Before the transition elections of 2002, only 32 women had been in parliament, with the Seventh Parliament, 1992-97, having the highest number, 6, of elected women, among the 32 women, 21 were elected, while 11 were nominated. Unfortunately, the Seventh Parliament had no nominated woman member, a clear demonstration of the lack of commitment to gender inclusion in politics and decision-making. A comparison of gender representation in the Kenya parliament with representation of women in the parliaments of thirty-six other African countries prior to the 2002 transition elections indicated that Kenya lagged behind at number 32 with only 3.6 per cent of women in Parliament.” In 1997, the Constitution of Kenya (Amendment) Bill of 1997 “aimed at ensuring that the second multi-party elections would be conducted in a more democratic and inclusive manner. It shifted the powers for the nomination of 12 parliamentarians from the president and KANU to parliamentary parties according to the number of seats held by

⁸⁸ Manor, J. (1991), *Rethinking third world politics*. London: Longman

⁸⁹ Midamba, Danson. *Women in Kenya Politics: Independence and After*. Nairobi: Kenya Literature Bureau, 1990.

⁹⁰ Okello, R, *Beyond Numbers: Narrating the Impact of Women's Leadership in Eastern Africa*. Nairobi: African Woman & Child Feature Services, 2010.

the parties in the National Assembly, but also taking into account the principle of gender equity. The Electoral Commission was charged with ensuring the observance of the principle of gender equity in these nominations⁹¹.”

“As Kenya moved towards the December 2002 national elections, Kenya women’s hope lay in the on-going Constitutional Review and the new emerging political alliances. The number of women who were directly participating in these two processes was minimal,” “although the Constitutional Review had better representation of women than the political alliances which were unfolding. Apart from these two processes, several organizations were lobbying and conducting advocacy on gender related issues with specific reference to women. Needing particular mention were the Kenya Women Political Caucus, its splinter group Kenya Women’s Political Alliance and League of Women Voters. The KWPC was constituted to translate the numerical strength of the Kenyan women into a political voice for creating, nurturing and sustaining a democratic, prosperous and peaceful society where women, men and children regardless of social, economic and political divides can uphold and enjoy rights at all times and under all circumstances⁹².”

Following the 2013 general election, the numbers of women elected through the normal elective process were dismally low. Only 16 out of 290 female Members of Parliament were elected. A further 47 women were elected on women’s only seats and another 5 nominated on special seats making a total percentage of female MPs stand at 20.5%. In Senate, not a single woman won a senatorial seat but 18 women were nominated out of a total of 68 Senators. At the County assembly level, only 85, which is 5.86%, women were elected as County Ward Representatives but a further 24.2% were nominated to attain the required 30%. Not a single woman was elected

⁹¹ ROK 1997

⁹² KWPC Draft Constitution, 2000

as a governor and there continues to be no female governor in the country. Although the Constitutional requirements for women's representation were not met except at the County Assemblies, it is worth noting the increased number of women in the legislative bodies⁹³.

⁹³Jane Wambui Neo-Patrimonialism, Patriarchy and Politics of Women's Representation in Kenya Policy Brief March 2016
Heinrich Böll Stiftung, East and Horn of Africa and the African Women's Studies Center at the University of Nairobi

CHAPTER 3

AFFIRMATIVE ACTION AND GENDER EQUALITY

“Affirmative action suggests positive steps to achieve the improvement of the conditions of a section of people who for various reasons have been discriminated against enjoying the benefits of development.” While affirmative action is the policy that is used to address underrepresentation of certain groups, quotas are the results or actions that are taken to implement affirmative action⁹⁴. “There are three basic types which are reserved seats, party quotas, and legislative quotas⁹⁵. However, some exclude reserved seats on the grounds that its provisions do not influence candidate nomination processes, but rather make specific guarantees as to who may accede to political office⁹⁶.” The “reserved seats appear primarily in Africa, Asia, and the Middle East⁹⁷. These measures first emerged in the 1930s, and were the main type of quota adopted through the 1970s.”

The reserved seats “policies are often established through reforms to the constitution, and occasionally the electoral law, which create separate electoral rolls for women, designate separate districts for female candidates, or distribute seats for women based on each party’s proportion of the popular vote. Reserved seats differ from party and legislative quotas in that they mandate a minimum number of female legislators, rather than simply a percentage of

⁹⁴ Nzomo, M. The 2002 General Elections in Kenya: Women’s Performance and Journal of Social and Religious Concern, pg 18, 1-2, 2003a.

⁹⁵ Krook, Mona Lena. Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide. New York: Oxford University Press, 2009.

⁹⁶ Dahlerup, Drude. “What Are the Effects of Electoral Gender Quotas? From Studies of Quota Discourses to Research on Quota Effects.” Paper presented at the International Political Science Association World Congress, Fukuoka, Japan, July 10-13. 2006a.

⁹⁷ Krook, Mona Lena. “Gender Quotas as a Global Phenomenon: Actors and Strategies in Quota Adoption.” European Political Science 3 (3), pg 59-65, 2004.

women among political candidates. In so doing, they revise aspects of the electoral system in ways that guarantee the women's election⁹⁸."

"Party quotas are the most common type of gender quota. They were first adopted in the early 1970s by a limited number of socialist and social democratic parties in Western Europe." "These policies mandate that women constitute between 25 percent and 50 percent of parties' electoral slates. However, the particular phrasing of this requirement varies: some policies identify women as the group to be promoted by the quota⁹⁹, while others set out a more gender-neutral formulation, specifying a minimum representation for each sex or establishing that neither sex can account for more than a particular proportion of a party's candidates¹⁰⁰."

"Legislative quotas tend to be found in developing countries, especially in Latin America, and post-conflict societies, primarily in Africa, the Middle East, and Southeastern Europe¹⁰¹. These patterns are explained in part by the fact that legislative quotas are the newest kind of quota policy. They appeared first only in the 1990s, at a time when issues of women's representation reached the agenda of many international organizations and transnational non-governmental organizations (NGOs). They are enacted through reforms to electoral laws and sometimes constitutions." They are similar to party quotas in that they address party selection processes, but differ in that they are passed by national parliaments to require that all parties nominate a certain

⁹⁸ Krook, Mona Lena. *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide*. New York: Oxford University Press, 2009.

⁹⁹ Durrieu, Marcela. *Se Dice de Nosotras*. Buenos Aires: Catálogos Editora, 1999; Goetz, Anne Marie and Shireen Hassim, eds. *No Shortcuts to Power: African Women in Politics and Policy Making*. New York: Zed Books, 2003; Valiente, Celia. 2005. "The Women's Movement, Gender Equality Agencies and Central-State Debates on Political Representation in Spain." In *State Feminism and Political Representation*, ed. Joni Lovenduski. New York: Cambridge University Press, 174-194.,

¹⁰⁰ Freidenvall, Lenita, Drude Dahlerup and Hege Skjeie. "The Nordic Countries: An Incremental Model." In *Women, Quotas and Politics*, ed. Drude Dahlerup. New York: Routledge, 55-82 2006.; Guadagnini, Marila.. "Gendering the Debate on Political Representation in Italy: A Difficult Challenge." In *State Feminism and Political Representation*, ed. Joni Lovenduski. New York: Cambridge University Press, 130-152, 2005.

¹⁰¹ Krook, Mona Lena. "Gender Quotas as a Global Phenomenon: Actors and Strategies in Quota Adoption." *European Political Science* 3 (3): 59-65. 2004.

proportion of female candidates. As such, they are mandatory provisions that apply to all political groupings, rather than only those that choose to adopt quotas. In the course of setting these requirements, these policies take important steps to legitimize positive action and recognize gender as a political identity by altering the basic meanings of equality and representation that inform candidate selection processes¹⁰².”

Uganda was one of the first African countries to adopt a reserved seat quota in 1989¹⁰³. In Uganda, there was a contention on the “use of the principle of affirmative action to reserve one third of local government seats for women. Many male County of Assembly members objected to this on the grounds that it violated the principle of equal rights in the Constitution. Women delegates countered that by pointing out that participatory democracy did not deliver equal participation of women without specific instruments to enable women to attain representative office, particularly at the local” level¹⁰⁴.

Further Akihire observes that, “the way the one-third reservation for women was implemented in the 1997 Local Government Act, creates ambiguities about the constituencies they are supposed to represent. The one-third reservation has not been applied to existing seats in local government councils. Rather, the number of seats on all local councils (LCs previously known as Resistance Councils) save at the village level have been expanded by a third to accommodate women. The women's seats therefore do not disturb established competition for ward seats. Instead, new women's seats are cobbled together out of clusters of two to three wards, in effect at least doubling the constituency that women are meant to represent, compared to regular ward

¹⁰² Krook, Mona Lena. *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide*. New York: Oxford University Press, 2009.

¹⁰³ Amanda Clayton, Cecilia Josefsson & Vibeke Wang. *Present Without Presence? Gender, Quotas and Debate Recognition in the Ugandan Parliament*, 2014. See http://wapp.hks.harvard.edu/files/wapp/files/present_without_presence.pdf

¹⁰⁴ Ahikire, Josephine. 'Gender equity and local democracy in contemporary Uganda: addressing the challenge of women's political effectiveness in local government', Working Paper 58. Kampala: Centre for Basic Research. pp 13, 2001.

representatives. The afterthought nature of these seats is emphasized by the fact that elections for the women's seats are held separately, a good two weeks after the ward elections. And the mechanics of voting are different: instead of a secret ballot, voters indicate their choice through the old bush war system of physically queuing up behind the candidate in question. However, this was changed to a secret ballot for district-level women's councilor seats in 2001, in time for the 2002 local council elections. In the 1998 local government elections, irritation with this unwieldy system, as well as voter fatigue, resulted in failure to achieve quota for the women's elections all over the country.” “Eventually, after several attempts to rerun these ballots, the results from sub-optimal voter turnouts were accepted, with obvious implications for the perceived legitimacy of the women who won the seats. Women now in these seats profess confusion over who or what they are supposed to represent: women in their wards, or all of the population in their wards. Either way, they are very often sidelined by the real ward representatives, to whom locals go first with their problems¹⁰⁵.”

“Similar ambiguities and constraints afflict the women in the fifty three reserved district-level parliamentary seats”. As highlighted by Tamale, “it has never been clear whether these women district representatives are supposed to represent women's interests. The Constitution makes a subtle distinction between these women representatives and other categories of special representatives, for whom there are simply a few national seats, not district seats, such as youth, workers, and disabled people¹⁰⁶.”

While in Kenya, “the struggle for the affirmative action can be traced back to 1996 when the Honorable Charity Ngilu moved a motion in Parliament on the implementation of the Beijing

¹⁰⁵ Ibid

¹⁰⁶ Sylvia Tamale. *When Hens Begin to Crow; Gender and Parliamentary Politics in Uganda*: Westview Press, 1999.

Platform for Action, however it did not pass. In 1997, Hon. Phoebe Asiyo tabled the first affirmative action bill in Parliament but it flopped. Despite the fact that the bill was not passed, it created an opportunity for other female members of parliament to push for an increase in the number of women in Parliament¹⁰⁷.” “The Constitution of Kenya, 2010 has however, been gender conscious as it stipulates strategies of affirmative action to bring women into the limelight¹⁰⁸.”

Since Independence, women in Kenya have been underrepresented in political institutions. In an observation made by¹⁰⁹, from the first National Assembly to the current one, male members have dominated. In the first legislature during independence, no single woman was elected or nominated. The female representation stood at 4.1% in 1997, which slightly increased in 2007 to 9.8%. Despite the Constitution clearly stipulating the two-thirds majority gender rule, the number did not increase significantly in the last held elections in 2013. The target of the Bill on the substantial presence of women in “Parliament and Local Authorities is based on the fact that the two institutions are the key decision makers where men and women must be heard equally. Additionally, they formulate laws and are the entry point of affirmative action. With the occupation of women in these institutions, it will mean that affirmative action can be applied in other sectors of the Government. It also sought to give priority to women who come from pastoral areas of whom many are below 35 years and the physically challenged too. In its memorandum of objects and reasons, the draft bill pointed out that, a greater proportion of women legislators will contribute to redefining political priorities, placing new items on the

¹⁰⁷ See Nzomo Maria Women in Kenya’s Political Leadership: The Struggle for Participation in Governance through Affirmative Action The Challenges of Change Building Feminist Political Influence in Africa Heinrich Böll Foundation – Africa pp 17

¹⁰⁸ Catherine Kaimenyi, Emelda Kinya, Macharia Samwel. An Analysis of Affirmative Action: The Two-Thirds Gender Rule in Kenya: Nairobi, International Journal of Business, Humanities and Technology Vol. 3 No. 6; 2013.

¹⁰⁹ Ibid

political agenda that reflect and address women's gender specific concerns.” Despite all the gains it would have had for women, it did not go through Parliament. Nzomo¹¹⁰ points out that the people against gender equality in political representation shifted their focus to proposing unachievable formulae to achieve gender equality. Currently, Parliament surpassed the August 2015 deadline on ensuring that the amendment has been passed. Yet, according to the Constitution the consequence of this would have been the dissolution of the Assembly. The country is in a quagmire as it prepares for the General elections in 2017.

¹¹⁰ Prof. Maria Nzomo, Representational Politics In Kenya: The Gender Quota And Beyond Paper presented and published by African Research & Resource Forum, December, 2012.

CHAPTER 4

IMPACT OF FEMALE REPRESENTATION TO THE GENDER AGENDA

“There are staunch defenders of the idea that women’s descriptive or numerical representation produces changes in their substantive representation. This is particularly after a critical threshold has been passed so that women are no longer a token minority; usually this threshold is more than 30 per cent of seats.¹¹¹ Yet, observers of decision making in countries with legislatures in which more than 15 per cent of politicians are women have argued that the gradual feminization of legislatures does not necessarily produce major changes in what parties and governments actually do.¹¹² Women in office do not necessarily defend a feminist position on policies. Indeed for some women, winning and keeping office can be contingent upon downplaying feminist sympathies.”

Women’s “meaningful participation in politics affects both the range of policy issues that are considered and the types of solutions that are proposed. Research postulates that a legislator’s gender has a distinct impact on policy priorities. While women lawmakers are not a homogenous group with the same perspectives and interests, they do tend to see women’s issues, those that directly affect women either for biological or social reasons, more broadly as social issues. Due to the possible result of the role that women have traditionally played as mothers and caregivers in their communities. In addition, women see government as a tool to help serve

¹¹¹ Karen Beckwith, ‘The Substantive Representation of Women: Newness, Numbers, and Models of Representation’, paper presented at the Annual Meetings of the American Political Science Association, Boston, 29 August 2002. Drude Dahlerup, *The New Women’s Movement. Feminism and Political Power in Europe and the USA* London: Sage, 1986.

¹¹² Jane Jenson and Celia Valiente, ‘Comparing Two Movements for Gender Parity: France and Spain’, in Lee Ann Banaszak, Karen Beckwith and Dieter Rucht (eds), *Women’s Movements Facing the Reconfigured State* (New York: Cambridge University Press, 2003). Mala Htun and Mark Jones, ‘Engendering the Right to Participate in Decision-making: Electoral Quotas and Women’s Leadership in Latin America’, in Nikki Craske and Maxine Molyneux (eds), *Gender and the Politics of Rights and Democracy in Latin America* London: Palgrave, 2002.

underrepresented or minority groups¹¹³. In an Inter-Parliamentary Union (IPU) poll of members of parliament conducted between 2006 and 2008, which compiled the views of parliamentarians from 110 countries, it indicated that women self-identified as being the most active in women's issues, gender equality, social and community matters and family-related matters. Women lawmakers, therefore, have often been perceived as more sensitive to community concerns and more responsive to constituency needs.”

“Studies have shown that having large numbers of women in leadership positions may not be a guarantee that they will focus on women's issues, which are generally ignored by men. Dodson¹¹⁴, for example, observes that increasing numbers of women does not in itself make a difference for women's issues. Arguing that the 103rd US Congress had the largest number of women ever, increasing from 31 in the 102nd to 55 in the 103rd. In that period, Congress passed a record of 66 bills dealing with women and children, such as Violence against Women Act, Freedom of Access to Clinic Entrances Bill and others. However, Dodson is quick to note that in the 1994 election, although the number of women did not reduce, something drastic happened. Congress was in the hands of Republicans, which also resulted in an expansion of the ideological diversity of the women elected into Congress. She notes that eight Democratic women candidates lost while seven new Republican women got elected, six of whom were hostile to the goals of the contemporary women's movement. Further, she highlights that although the majority of women members of Congress remained Democratic, relatively liberal and sympathetic to the

¹¹³ Cammisa, A. M., & Reingold, B. Women in state legislators and state legislative research: Beyond sameness and difference. *State Politics and Policy Quarterly*, 4(2), 181-210. 2004

¹¹⁴ Dodson, D. 'Making a Difference: Behind the Scenes', in S. Thomas and C. Wilcox, *Women and Elective Politics*, Oxford: Oxford University Press. 2005.

women's movement, this new small cadre of Republican women, who had the advantage of party majority, gave a different notion that women make a difference¹¹⁵.”

It has been noted that “women are torn between party ideologies and women's causes, and are a minority in the party. Therefore, they are unlikely to want to be seen as fighting for women's issues. Another factor is that party ideologies are not as distinct in Kenya as is the case in the US, thus there are still some women who feel that focusing too much attention on women issues may be a sign of weakness. Some may become too ‘masculinized’ that they do not even remember the plight of women and girls. Although they may all say that they have a passion to improve the plight of women, this may not be reflected in their work¹¹⁶.”

Evidence shows that the “examination of methods and conditions for enhancing women's presence in elected office is not enough. The experts have emphasized that it is necessary to go beyond numbers and assess to what degree and the conditions under which elected women actually do represent women and contribute to democracy and gender equality. A research revealed that women play a key role in formulating and implementing gender equality policies and mainstreaming gender perspectives, particularly through alliances between national policy machineries, women's movement groups and women in public office or through the triangle of empowerment. They also noted that women are typically excluded from formal peace processes and that too often the claims of warlords and a cohort of men with guns become the focus of demobilization efforts to the detriment of women's claims for resources for their functional roles as the principal agents of peacebuilding.” “Women's role in post-conflict reconstruction has been increasingly recognized. The United Nations Security Council Resolution 1325 offers a

¹¹⁵ See Ibid 131

¹¹⁶ Nyokabi Kamau. Women and Political Leadership in Kenya: Heinrich Böll Foundation, 2010.

comprehensive set of recommendations in this regard. Women leaders also support issues that are traditionally of greater concern to women than to men.” Swers¹¹⁷, “observes that evidence from many studies carried out in the US shows that women serving in state legislatures tended to have unique policy priorities particularly in women’s issues. Noting that scholars have found that in comparison to men, female legislators are more liberal in their policy attitudes and they exhibit a greater commitment to the pursuit of feminist initiatives and legislation, incorporating issues of traditional concern to women, including education, health and welfare.”

Kelly et al¹¹⁸ also note this tendency when they highlight “that studies carried out among US women in local government positions in the late 1970s and 1980s show that women were warm to feminism and clear supporters of women’s issues; that is, those that affect women more than men, such as reproductive health rights, child care or family policy. They elaborate further on these issues that have been of concern to female leaders in government as those specifically dealing with pregnancy, abortion, rape, prostitution, marriage, divorce, domestic violence, pornography, children, nurturance, child care, family welfare, public health and the education of children.” Mitullah¹¹⁹ also espouses that attention is “paid to social issues such as health, industrial reforms to include flexible times of work provision of childcare facilities within the workplace and pre-natal leave in cases where women have been included¹²⁰.”

However, in the context of women and politics, it would mean that gender is a good proxy for a particular viewpoint perhaps a feminist one, for female legislators who are beneficiaries of

¹¹⁷ Swers, M. ‘Understanding the Policy Impact of Electing Women: Evidence From Research on Congress and State Legislatures’, *Political Science and Politics*, 34(2) 2001.

¹¹⁸ Kelly, R. M., M. A. Saint-German and Horn, J. D. ‘Female Public Officials: A Different Voice?’ *American Feminism: New Issues for a Mature Movement* 515.pp 82-83,85. 1991.

¹¹⁹ Winnie Mitullah *Gender Inclusion in Transition Politics: A Review and Critique of Women’s Engagement*

¹²⁰ Kethusegile-Juru, B. “Women’s Advancement and Gender Equality”. Paper presented to the Regional Consultation on Priorities for UNESCO Sector for Social and Human Sciences in Africa on 26th–29th August. Nairobi, Gigiri: UNESCO, 2002.

affirmative action. “But in reality we know that each woman on the inside holds personal values and parochial interests that do not necessarily represent the views of their constituents, let alone feminist views. Not all female representatives can represent, or are willing to represent the interests and concerns of women in the legislature. Indeed, there are some male legislators whose views are more representative of women's interests than those of some women¹²¹.”

In a study of Kenyan women leaders conducted by¹²², it is noted that the “women leaders interviewed were particularly keen on improving the quality of life of the under-privileged in their respective communities. They were concentrating on the value of life, from the basics of good health and nutrition, to the impact of the spread of disease, the under-privileged in society such as orphans, the provision of water, to the human rights of women. These interests can be construed as feminine, since they appeal to the maternal nature of the leaders interviewed. The projects women in this study gave priority to, were analyzed under the backdrop of the human development approach. This involves creating an environment in which people can develop their full potential and lead productive and creative lives in accordance with their needs and interests. Work in the area of education for young people, especially the girl child seems to be an issue that many of the women in the study attested to have focused on. Even when later asked what legacy they wished to leave behind as leaders, most of the women mentioned a need to be remembered as people who had promoted education so that their people would be left better than they were. The women do acknowledge that they would not have been what they were if someone had not invested in their education. They feel they have a responsibility to encourage, especially young women to pursue education to the highest level if they are to escape from challenges of

¹²¹ Sylvia Tamale. *When Hens Begin to Crow; Gender and Parliamentary Politics in Uganda*: Westview Press, 1999.

¹²² Nyokabi Kamau. *Women and Political Leadership in Kenya*: Heinrich Böll Foundation, 2010.

patriarchy and gender inequality, as leaders. Empowering women and accompanying them in their daily endeavors and struggles was another interesting aspect of the type of leadership that seemed unique to the women¹²³.” An example of a woman in the 9th Parliament who worked to enhance human development was Julia Ojiambo, who among other bills that she had worked on “pushed a motion on resource utilization and development. This prompted the Government to develop the Youth and Women’s Enterprise funds.”

Another woman who made a significant contribution to legislation that would be beneficial to women in Political Parties was Njoki Ndung’u as shown in the study by¹²⁴. “In her time she was instrumental in amending the Political Parties Act. Her experience working with politicians and her knowledge of how difficult it can be for women to manage to work with the existing political parties, she was convinced this was an area which would help make the political environment a bit friendlier to women. The Political Parties Act provided that one third of the registered officials in a political party must be women for it to get registered. This was to enable women find their rightful place in politics, whose structures are controlled by men and nothing short of affirmative action would change this situation even as other measures were put in place. It has been noted elsewhere¹²⁵ that oppressive party politics that had characterized Kenya politics for many years had hindered the active participation of women. As a lawyer who understood how political parties carry out their work, Njoki focused on legislation that would help improve the situation through legislation and affirmative action.”

¹²³ See Ibid

¹²⁴ Ibid

¹²⁵ Lawless Jennifer and Fox Richard. ‘Women Candidates in Kenya: Political Socialization and Representation,’ *Women and Politics*, Vol. 20, No. 4. 1999.

According to a study by Browne¹²⁶, it was observed that there is “strong consistency in the literature that women’s cross-party caucuses are highly effective at enabling women’s participation in parliaments¹²⁷. This is seen as helping to overcome party politics and unite women¹²⁸. The Ugandan women’s caucus, Uganda Women Parliamentary Association (UWOPA), has been active in advocating for legislation that favors women. Also, it has a good strategy and is well organized in its work as they operate a secretariat that is run by a coordinator and they hold meetings frequently and updates its member’s.¹²⁹ It is considered the main vehicle for promoting women’s rights in parliament¹³⁰. It also represents gender equality in sectoral areas in conjunction with other committees. Wang identifies the wide membership across the parties as key in its success. It is important to note, however, that they are limited by the party regarding to its accomplishments and they should not cross boundaries when passing legislation¹³¹.” Add to this, men are allowed to join the caucus as members and many join on a voluntary basis¹³². In the past the parliamentarians have been wooing men who are deemed to be progressive thus moving from being confrontational to collaborating with them. The men who have joined favor bills that

¹²⁶ Evie Browne Elected Women’s Effectiveness at Representing Women’s Interests See online <http://www.gsdc.org/docs/open/hdq1111.pdf>

¹²⁷ Bauer, G. (2012). ‘Let there be a Balance’: Women in African Parliaments. *Political Studies Review*, 10(3), 370-384. <http://www.dx.doi.org/10.1111/j.1478-9302.2012.00272.x>; Wang, V. (2013). Women changing policy outcomes: Learning from pro-women legislation in the Ugandan Parliament. *Women's Studies International Forum*, Vol. 41, pp. 113-121. <http://dx.doi.org/10.1016/j.wsif.2013.05.008>; Tønnessen, L., & al-Nagar, S. (2013). The women's quota in conflict ridden Sudan: Ideological battles for and against gender equality. *Women's Studies International Forum*, Vol. 41, pp. 122-131. <http://dx.doi.org/10.1016/j.wsif.2013.03.006>

¹²⁸ Wang, V. Women changing policy outcomes: Learning from pro-women legislation in the Ugandan Parliament. *Women's Studies International Forum*, Vol. 41, pp. 113-121. 2013. <http://dx.doi.org/10.1016/j.wsif.2013.05.008>

¹²⁹ Ibid

¹³⁰ Ibid

¹³¹ Muriaas, R. L. & Wang, V. (2012). Executive dominance and the politics of quota representation in Uganda. *The Journal of Modern African Studies*, 50, pp. 309-338. <http://dx.doi.org/10.1017/S0022278X12000067>

¹³² Wang, V. (2013). Women changing policy outcomes: Learning from pro-women legislation in the Ugandan Parliament. *Women's Studies International Forum*, Vol. 41, pp. 113-121. <http://dx.doi.org/10.1016/j.wsif.2013.05.008>

promote gender equality and also push for private member bills on the same. It has been invaluable to have support from male members in parliament¹³³.

The emergence of Uganda from civil war since 1989 resulted into reservation of “one seat per electoral district for women. The number of districts has increased too” “which has resulted in an increase of the number of reserved seats.” Within the seats that are reserved for groups such as the military, youth, people with disabilities and workers, the women are guaranteed of representation. This has led to an increase of women parliamentarians in the house to 35% which is almost as twice their representation in 1995.¹³⁴

However, even with Uganda attaining an increase of numbers of women representation, in a study by Tripp¹³⁵ and Tamale¹³⁶ on quotas and the impact on Uganda, it is noted that due to fear of being seen as going against the powers that enabled them to gain seats of representation, it becomes difficult to effectively push for gender equality and also to challenge the status quo. In particular as evidenced in studies, the party loyalty that women MPs have for the National Resistance Movement (NRM) hinders them to push for legislation that could challenge the party position.¹³⁷

Its East African counterpart, Kenya, there has been moderate progress. The number has increased from 3% to 19.7% in a span of ten years. The country’s new constitution gave hope that the proportion would rise especially in the 2013 elections. The constitution provided that the number

¹³³ Ibid

¹³⁴ Inter-Parliamentary Union Women in Parliament: 20 years in review.

¹³⁵ Aili Mari. Tripp Women and Politics in Uganda. University of Wisconsin Press, 2000.

¹³⁶ Tamale, Sylvia (1999) When Hens Begin To Crow: Gender and Parliamentary Politics in Uganda Westview Press, Boulder, Colorado

¹³⁷ Hassim, S., —Perverse Consequences? The Impact of Quotas for Women on Democratization in Africa [http://www.newschool.edu/uploadedFiles/TCDS/Democracy_and_Diversity Institutes/Hassim_PerverseConsequences.pdf](http://www.newschool.edu/uploadedFiles/TCDS/Democracy_and_Diversity%20Institutes/Hassim_PerverseConsequences.pdf)

of either sex in National or Senate would be more than two-thirds. This also applied to appointive bodies. Resultantly, to ensure that this would be adhered to, 47 seats for women are reserved. This law also applies to special interest groups such as the youth, workers and people with disabilities who must also ensure that they follow the principle. The lack of political will to fully implement this law, the legislators “charged with translating these guarantees into law, but unable to come to an agreement, legislators referred the issue to the Supreme Court, which decided that the quota would be implemented in stages, rather than all at once. In addition to serious problems with violence against female candidates, these battles explain why women’s share still falls below 20 per cent in 2015¹³⁸.”

¹³⁸ See Ibid

CHAPTER 5

DATA PRESENTATION AND ANALYSIS

5.1 Introduction

This chapter comprises of data collected from respondents and analysis of facts related to this study. The respondents were drawn from political parties and the parliament.

5.2 Gender Equality in Political Parties

In Kenyan political parties, as well as Ugandan, the political parties have constitutions which they structure and organize their affairs¹³⁹. They contain articles that guide membership, disciplinary, the decision making structure and the roles of the office bearers in the political party. These constitutions are in accordance with the Electoral Laws and the Political Parties Laws¹⁴⁰.

Most political parties fulfill this requirement and they also state that they will ensure there is gender parity in the structure. However, this remains only on paper¹⁴¹. The membership of men in some political parties is higher than that of women at the national level and in the grassroots, and where the number of female members is high; this is most likely to be in the grassroots¹⁴². This may affect the election of the decision makers into decision making structures as most likely in the party as most likely men will occupy these positions. Male members offer support to their fellow male members and not the female members for reasons that are hinged on cultural views that women should not occupy such positions¹⁴³. Also, where women are able to clinch the leadership positions in the party, they are given positions as deputy chairpersons, secretary generals, or employed as office managers.

¹³⁹ Interviewee 1 and 3

¹⁴⁰ Interviewee 1

¹⁴¹ Interviewee 1 and 2

¹⁴² Interviewee 3

¹⁴³ Interviewee 1,2 and 3

As a result of being relegated to the sidelines of the party, female members resort to forming women leagues. The women leagues are meant to advance the interests of the female members in the parties. However, they are not autonomous from the party and thus rely on the mother party for funding. They also have little or no influence in decision making in the mother party.

In political parties that are led by women however, there is more equal representation and participation of men and women¹⁴⁴.

Further, the lack of political will among the political party members to ensure that the gender rule is implemented poses a challenge to gender parity. The fluid nature of political parties especially in Kenya also affects structure and implementation of policies and this touches on gender issues too. It is also noteworthy that there is inadequate understanding of gender equality in both men and women; due to the negative views that have been propagated in the society in culture and religion. Therefore, political parties do not see gender equality as an urgent agenda¹⁴⁵. Another issue is that the political party laws are not strongly enforced by the office that is supposed to carry out that mandate¹⁴⁶.

During the election period, the political party primaries are the first stage that candidates who are members of political parties got through, this process is mandatory for all political parties. However, it has been practice for male members of political parties who have not been legally elected are favored over women and given nomination certificates meant for women who have been legitimately elected by delegates¹⁴⁷. This has been redressed by seeking justice in courts.

¹⁴⁴ Interviewee 2 and 3

¹⁴⁵ Interviewee 1,2 and 3

¹⁴⁶ Interviewee 1 and 2

¹⁴⁷ Interviewee 3

5.3 Gender Equality in Parliament

The 11th Parliament saw the increase of electoral seats for both men and women in both the lower and upper house. The increase of the numbers especially for the women is due to fulfilling the constitutional reform that added nomination seats for the women and youth and also the Women representative positions¹⁴⁸. However, this increase in numbers is not an indicator that gender equality in terms of participation in parliament has improved. It can be argued that there have always been strong women who push for their voice to be heard but in the same instance it can be seen that they have been able to find their space only through doing things the way men do¹⁴⁹.

The Gender Bill has been presented and debated in parliament over the years since it was first presented. There is inadequate understanding of what it entails and the change that it will bring in parliament¹⁵⁰. The male members of parliament have been seen as mobilizing each other to oppose the bill from being passed and on the other hand not all women are supporting the bill¹⁵¹. Although the deadline for ensuring that the Gender Bill on 2/3 majority rule to be passed in August 2015, no clear formulae has been reached at to achieve this.

Further, the numbers of women and their participation could increase even more in parliament if they were elected in addition to being nominated¹⁵². Their participation could also be more effective if they supported each other in parliament when their fellow female representatives are presenting bills and also lobbying for other legislative matters¹⁵³. But male representatives are

¹⁴⁸ Interviewee 5

¹⁴⁹ Interviewee 4 and 5

¹⁵⁰ Interviewee 5

¹⁵¹ Interviewee 4

¹⁵² Interviewee 5

¹⁵³ Interviewee 4 and 5

also supportive of their female counterparts. However, some female representatives do get masculinized and they do not offer support for the others¹⁵⁴.

The civil service has been instrumental in supporting women in parliament by offering their technical expertise and advice to women in parliament and the NGOs too have assisted the women in a tremendous way¹⁵⁵. These efforts were seen even during the constitution making process.

It is affirming the hypotheses that there is gender inequality in political institutions. This study has three hypotheses. The first hypothesis being confirmed that political parties indeed provide men and women alike with a launching pad for their political careers, in Kenya and Uganda. Multi-party democracy also allows men and women to be affiliated to political parties of their choice. However, this institution still needs to be more responsive to the gender agenda and allow female members to participate like their male counterparts. The second hypothesis has also been confirmed that quotas; legislative and party, not only have increased the numbers of female representatives in political institutions but also provided female representatives who would not have been otherwise elected regardless of their qualification and contribution, have an opportunity to lead. The third hypothesis, has also been confirmed because the increase of the number of female representatives in political institutions has led to more awareness on the gender agenda and thus some female and also male representatives actively push for legislation that will increase gender equality in political institutions.

The three hypotheses are therefore valid and have a direct relationship with the objectives and problem statement of the research study.

¹⁵⁴ Interviewee 4

¹⁵⁵ Interviewee 4

CHAPTER SIX

CONCLUSION AND RECOMMENDATIONS

6.1 Conclusion

This study sought to study gender based participation in political institutions in Kenya and Uganda and to bring out how multiparty democracy, affirmative action and the impact of female representatives in these institutions on the gender agenda.

The study comes to a conclusion that the number of women as compared to men is still low in these countries but the measures that have been put in place to ensure that participation is on the same level have substantially improved the situation, especially in Uganda.

The study established that multiparty democracy opened up the political space to allow women to participate alongside men. The democratic transitions since independence of these two countries though different have indicated that it takes political will and intense lobbying from various entities in society to achieve the gains although gradual in equal gender participation being experienced currently. However, the fluid nature of political parties negatively affect effective implementation of gender equality in political parties.

Further, the adoption of quotas through legislative and party quotas, have also had an impact in increasing the number of women in parliament and political parties. In Uganda, the adoption of reserved seats enabled more women to get into the legislature. While in Kenya, adding nomination representatives into parliament has also been instrumental in increasing the number of female representatives.

Finally, the study established that having women elected into positions of leadership does not necessarily mean that they will push for women's issues.

6.2 Recommendations

The study makes the following recommendations. The gap rooted in the electoral and political parties laws in these two countries which have been inadequate, should establish mechanisms that will ensure there is equal representation in political institutions. Legislators in the current parliament should ensure that the stalemate in Kenya regarding the 2/3 gender majority rule is resolved before the next General Elections in 2017. Failure to do so will result into the illegitimacy of the 12th Parliament.

The study further recommends that the office mandated to ensure political parties implement the political party laws follow the law to the letter. Leniency in the offices have resulted in having political parties that can be formed in one day and dismantled the following day on an individual's whim.

More civic education is needed for the population to gain a better understanding of women's rights as human rights as this will result in men and women voting for female representatives. Also, capacity building is needed for both men and women in leadership.

It is evident from the study that despite the gains made in achieving gender equality, the Government has to double their efforts to ensure there is gender parity in political institutions.

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APPENDICES

Appendix 1: Letter of Introduction

Nelly N. Kiarie,

P.O Box 5722-00200,

Nairobi.

6th September 2016.

Dear Respondent,

REF: TO WHOM IT MAY CONCERN

I am a Master's student pursuing a Master of Arts Degree in International Studies at the University of Nairobi. I am expected to undertake a research on political governance in Africa; a case study of gender based participation in political institutions in Kenya and Uganda. Your cooperation and assistance are required to enable me to complete the exercise. This information will be strictly used for the intended academic purpose and will be treated with utmost confidentiality.

Thank you in advance.

Yours Faithfully,

Nelly N. Kiarie.

Appendix II: Questionnaire

Questionnaire for Political Party Members/ Leaders

The research is strictly for academic purposes. The information gathered will be treated as confidential. Please answer by ticking within the box or writing in the space provided where possible.

Section A: Background Information

1. **Sex:** 1.Male 2.Female
2. **Marital status:** 1.Married 2. Single
3. **Age:** 1.Below 25 2. 26-40 3.Over 40
4. **Academic Level** 1.Degree 2.Diploma 3.Certificate 4.Student
5. **Employment** 1.Public 2.Private 3.Self 4.Unemployed

Section B: Specific Information

6. Are you a member of a Political Party? 1.Yes 2.No
7. How long have you been a member?
 - 1.1 Year
 2. Over 2 Years
8. Do you hold any leadership position in the Political Party?
 1. Yes
 2. No
9. Specify
10. In the duration that you have been a member of the Party have you vied for a seat in the National Elections? 1.Yes 2.No
11. Which Position?
 1. MCA
 - 2.MP
 3. Senator
 4. Governor
 5. Women Representative
12. Have you been a Nominated Representative? 1.Yes 2.No

SECTION C: Political Party Laws

13. Do you feel your political party is gender neutral in membership and leadership?
 1. Yes
 - 2.No

14. Do you feel other parties are gender neutral too?

1. Yes 2. No

15. Since the promulgation of the Constitution (2010), do you feel your party has made efforts towards gender parity internally? 1.Yes 2.No


16. What are some of the challenges that you have seen are hindering equal male and female participation in the political party?

.....
.....
.....
.....

17. What are the prospects for equal female participation and representation in political parties?

.....
.....
.....

Questionnaire for Parliamentarians

The research is strictly for academic purposes. The information gathered will be treated as confidential. Please answer by ticking  the box or writing in the space provided where possible.

Section A: Background Information

The information you give will be treated with utmost confidentiality will be used for the purpose of this research only.

(Please tick the correct one only)

1. Sex: 1.Male 2.Female
2. Marital status: 1.Married 2. Single
3. Age: 1.Below 25 2. 26-40 3.Over 40
4. House 1. National Assembly 2. Senate

Section B: Specific Information

5. Elected? 1.Yes 2.No

If Yes, how many terms have you served as a representative?

1. 1 Term 2. Over 2 Terms

6. Nominated?

1. Yes 2.No

7. Do you think gender parity has improved in the 11th Parliament?

1. Yes 2. No

8. If Yes, please explain.....

.....
.....

9. What are the challenges that have been hindering passing the Gender Bill in Parliament?

.....
.....
.....

10. What are some of the challenges you have seen that are hindering gender equality participation and representation in Parliament?

.....
.....
.....

11. What are the prospects for equal female participation and representation in parliament?

.....
.....
.....