

Pambana!

Political Economy Analysis of Women and Participation in Politics in Kenya



Implications for UN Women programme strategies



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¹ Pambana is a Swahili word for 'keep working hard' or 'keep at it.' It draws from an interview with a young women leader who said experienced politicians do not give a hand but asks them to – pambana kama tulivyo pambana sisi – work as hard as we did ourselves.

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EXECUTIVE SUMMARY

Participation of women in politics and political leadership has continued to experience challenges. The number of women in elective and appointed positions has remained relatively smaller than anticipated, especially after the passing of affirmative action laws. Kenya's 2010 Constitution provides for improvement in gender representation and underlines that no more than two-thirds of any gender should constitute the composition of elected or appointed public bodies. It has been more than 10 years since the passing of the constitution, but this provision is yet to be fully complied with. Nonetheless, there have been notable improvements in the number of women elected at different levels. The 2022 general election showed improvements from what was obtained in 2013 and 2017. Still, the gains do not satisfy the desire to meet the constitutional threshold to improve social justice and equality.

The UN Women commissioned this Political Economy analysis of women political participation

Findings, conclusions, and recommendations

Blockages have become complex; patriarchal structures remain but are not the main obstacles

The findings show that sociocultural practices and the patriarchal nature of society are no longer the only main obstacle constraining the participation of women in politics and leadership. It is true patriarchy has played a protracted role as a challenge, but dynamics in the context of electoral politics have brought new and complex challenges into place. The new challenges have shaped the patriarchal obstacles making the blockages

in Kenya to help improve the understanding of the challenges faced by women. The findings are meant to inform the UN Women programme strategies to enhance women's participation.

This study is based on data collected using mixed and complementary methods, including reviewing relevant literature, interviews with key informants and FGDs in several counties, and convening expert workshops to discuss findings at different stages of the research. A total of over 40 key informants and 14 FGD participants were involved in Nairobi, Kirinyaga, Mombasa, Wajir, Kakamega, Kisumu, Meru and Nakuru counties. Unfortunately, the 2022 election context and campaigns remained protracted and impacted the time frames. In the counties where data was collected, the dynamics were evolving and respondents often discussed issues concerning the present realities.

even more complicated. New challenges have found justification for patriarchal ideas and also reinforced patriarchy.

The cost of politics is on the increase and is higher for women. Women incur more costs than men to break the patriarchal barriers and effectively mobilize their support bases. They have to engage their networks outside of those by men.

Recommendations

- Support the development of innovative gender civic voter education content that considers the complex challenges preventing women's political participation.
- Play a catalytic role and guide women-focused interest groups and CSOs to develop new relationships, including with the private sector (business community), to begin the dialogue on how to resource the women's agenda in politics.
- Strengthen the development of networks for 'collective action' to break the barriers. Supporting a coalition of interested and influential actors to continually sensitize society on the importance of inclusive politics.

Political parties both constrain and enhance the role of women; 'owners' of the political parties hold the key to the effective participation of women

The political parties matter: the political commitment of male elites who establish the parties matters too. Parties determine the nature of women's participation in politics. The parties, owned by male political elites, also determine how successful women can be in politics. In negotiations within political parties, women candidates are pressed to focus on the County Women Representative position. They are disallowed to compete for

other posts viewed as a preserve for men. In the 2022 elections, many candidates were pressed to drop from other races. Some political parties required that they drop from these races because they would be nominated after the elections. In other words, the political parties and control of the space by men combine to constrain women's participation in elections.

Recommendations

- Support continued convening of high-level policy dialogue among senior women political leaders and political elites identified for leadership and financing of the main political parties. UN Women can be convening and opening doors, including at the presidency level.
- Develop high-level briefing notes with evidence to support the case for increased participation of women in politics. These notes should be shared widely in meetings convened using the good offices of UN Women.
- Regular dialogue, including hosting the leaders in international conferences, usually unlocks the challenge to commitment.
- Establish informal contacts with the 'movers and shakers' in all the main parties to influence political leaders at a high level. Access influential networks informally - informal access ensures lasting impact.
- Support initiatives that provide women leaders with the opportunities to increase their political influence so they can negotiate better. These initiatives include voluntary associations and groups that are led or are associated with women leaders.

There is growing sexual exploitation of women; this threatens to delegitimize gains made in increasing numbers through nomination to parliament and county assemblies

Unlike in past political campaigns, the 2022 electoral competition reveals increased sexual harassment of women candidates. Unfortunately, the sexual exploitation of women candidates has become more pronounced as more women candidates seek political party nominations. In many county interviews, some of those who ran for office cited instances where influential elites would seek to sexually exploit women in exchange for political favours, such as awarding party tickets to run for office and promises of

nomination to parliament or the county assembly.

The use of vulgar and demeaning language on women candidates has increased. This is meant to prevent them from participating or disillusion them altogether so that they withdraw from races. This new practice is widespread and threatens to delegitimize and belittle gains made in improving the number of women in political positions through nomination lists.

Recommendations

- Support the development of policies to guide the responsible nomination of candidates for various posts by political parties. The discussion leading to the development of policies should be guided by growing evidence of biases in the nomination process.
- UN Women may consider convening high-level policy dialogue to address these challenges.
- It is proposed that UN Women convenes an annual **'State of Women in Politics and Leadership'** conference bringing together influential leaders and policymakers. This should be done to sensitize leaders on the challenges facing women, young and old, in politics.

Women politicians are not supporting new and younger women candidates; there is an intra-women conflict that constrains entry to politics by young ones

Intra-women conflicts are on the increase as the participation of women increases. Some younger female candidates complain that they failed to get the support of experienced women political leaders. In some instances, they were told to work hard and struggle as

the others did - "*inabidi upambane kama sisi tulivyo pambana*" (you must struggle and work hard as we did). In other words, the younger women were on their own without the support of experienced women politicians.

Recommendations

- This finding implies that women alliances that played an important role in defending against stereotypes and strengthening one another have weakened or disintegrated altogether. This is evidence of a need to form progressive alliances of women interested in politics urgently.
- Strengthen civil society groups at the county level to develop county-based support networks of women candidates. Races should disaggregate the approach; support separate networks for MCAs, Women Representatives, National Assembly, Senate and Governors. This will mean that local CSOs conduct a mapping of candidates, develop a directory of candidates, and begin supporting and encouraging them by building their capacity for campaigns. As we approach another election, this should immediately start for people to gain more skills and confidence.

Delegitimization of inclusion mechanisms through propaganda and misinformation

Ironically, the County Women Representative post in the constitution is now being exploited, by male political elites who control

and own parties, to negotiate women out of competition in other races.

Recommendations

- Support the generation and dissemination of studies and evidence on the positive impact of affirmative action measures for the inclusion of women.
- Support regular discussions with the media to encourage and find opportunities for fact-checking misinformation about women inclusion mechanisms.

Limited access to information for women in politics

Many women candidates complain that there is no centralized place where they can access election-related information. In the absence of structured gender-based voter education, women candidates have to find information

about party fees, rules and regulations for the party primaries, and the general elections, among others, on their own. And what is available is in hard copies which cannot be shared with ease.

Recommendations

- Support the development of relevant election-related electronic information (and hard copy publications) for access by candidates everywhere in the country. The information required includes party nomination rules, qualifications, requirements to run for different elective posts, election procedures for candidates, IEBC related information, among others.
- Establish a website with a portal where candidates can access or download required information from anywhere.
- Strengthen civil society groups to inform women candidates in the counties about the availability of information to prepare them as candidates.

A POSITIVE COURSE

These cold conclusions should not suggest that all is gloom for women's political participation. There are positive findings too. Firstly, there is evidence of what women need to participate effectively and/or win elections in urban or rural areas. The evidence is that **the more you run for a post in the same place, the more you become visible, increasing your chances of winning. Continued performance is especially encouraging if you get the message right.**

Secondly, political party matters. In the strongholds of the main political parties, women candidates win elections provided they get the party nomination. This implies that the political commitment of senior leaders of the party matters. **The party's elites can determine who to award the ticket and who to block from competing against women candidates. In many instances, the women who won appear to have had the backing of the main political parties. Political leaders can thus compel their parties to enforce the two-thirds gender rule.**

Thirdly, there are many actors supportive of women's role in politics. Many individuals, agencies and particularly civil society organizations are keen to support women's participation in politics and have been involved

in building the capacity of women candidates. **A few are involved in civic education to support the role of women in politics. But, the silos approach weakens the power of 'collective action' of these agencies; some adopt it because they operate in the counties without a connection to the national government.**

Fourthly, women participation in politics and as candidates in elective politics has been on the increase over the years. Equally, the number of women in elective positions has risen since the adoption of the new constitution.

Finally, resources matter. Women candidates having their campaign finances or accessing a network of friends to support campaigns adds value. Those with adequate resources can compete at the same level as male candidates. **Their money unblocks many obstacles and demolishes the patriarchal structures; men break these structures as they compete to proximate themselves to access these funds. Such women are seen as political leaders competing on the same level as male political elites.** Thus, efforts should be made to strengthen collaboration with the business sector for women to begin networking and mobilize resources for use in their campaigns.

1.0 Introduction

Participation of women in politics has remained a subject of debate for a long while. Since independence, the number of women elected in general elections has increased but remains small. The 1990s witnessed increased campaigns and advocacy centered around enacting affirmative action laws to create conducive legislative and political conditions for the participation of women in politics.² Although this sensitized the political parties on the need for the 'inclusion' of women in political processes, it did not impact the voters. Therefore, the number of elected leaders remained low.³ In many parts of the country, women would stand for elections but fail to win. Some would win against all odds. And this had become the pattern where many women would vie, but only a few would win.⁴

The 1990s and early 2000s witnessed increased demands for improving legal and political conditions to enhance the participation of

women in politics. The processes initiated to make a new constitution in the late 1990s and early 2000s created a space for these demands and debates. This, on its own, served the purpose of sensitizing the country on the need for improved conditions for women's political participation.

There have been some improvements - numbers and voice - but the participation of women continues to face challenges. Political parties fail to implement existing affirmative action provisions. Since 2010, there has been no significant progress in implementing the constitutional provision in Article 27(8); elected and appointed bodies continue to suffer gender inequality, always to the disadvantage of women. The National Assembly and the Senate have not had sufficient numbers of elected leaders to meet these constitutional provisions. Achieving gender parity or even improving the number of elected women

A slight improvement has been registered in women's participation in the electoral process in Kenya. Women are now more visible as voters, candidates, and election officials. However, participation in governance and decision-making positions remains below the 33 percent target. In the 2017 general elections, women comprised 9.2 percent of the 1,835 elected individuals, a marginal increase from 7.7 percent in 2013. Women voters were 46.6 percent (Females 9,142,275 and Males 10,469,148). In the 2017 general elections, women were voted as follows; President 0 percent, Governors 6.4 percent, Senators 6.4 percent, Members of the National assembly 7.9 percent, Members of County Assembly 6.6 percent and County Women Representatives 100 percent (affirmative seats for women only). According to IEBC data, in the 2017 general elections, women candidates numbered 1,358 out of 14,523 candidates (9 percent) and only 172 (13 percent) were elected. Young women faced double discrimination, both as youth and as women. Only 1.5 percent of female youth participated as candidates compared to 22.1 percent of their male counterparts. Out of these, only 1 percent of young women were elected compared to 15.8 percent of the male youth.

Source: UN Women.

- 2 Kabira, W. M., & Kimani, E. N. (2012). The historical journey of women's leadership in Kenya. *Journal of Emerging Trends in Educational Research and Policy Studies*, 3(6), 842-849. Kamau, N. (2010). Women and political leadership in Kenya. *Berlin: Heinrich BollStiftung*. Retrieved January, 3, 2011; Opoku, M. P., Anyango, B., & Alupo, B. A. (2018). Women in politics in Kenya: an analysis of participation and barriers. *Multidisciplinary Journal of Gender Studies*, 7(1), 1506-1530.
- 3 Owuor, E. (2016). Women and political inclusion in Kenya: A historical overview, 1963-2016. *Gender Equality and Political Processes in Kenya*. Nairobi: Strathmore University Press, International Commission of Jurists, and National Gender and Equality Commission, 7-38.
- 4 Examples include Grace Onyango and Phibi Asiyo in Nyanza; and Julia Ojiambo in Western Kenya; Annarita Karimi in Meru, among others. But these examples have anecdotal vignettes behind them. Annarita Karimi, was backed by powerful politician who was barred from contesting. He backed her to belittle his opponent to show that the opponent can be defeated 'even by a woman'.

leaders remains an issue of concern. These challenges are well documented.⁵ It suffices to note that the discussions show the challenges continue to add to the social-cultural blockages that have historically limited the participation of women in electoral politics and political leadership in general.

Elections remain the most democratic vehicle for increasing the participation of women in leadership and political leadership in general. Increasing participation, both voice and agency, adds value to the democratic

principles of equality and social justice. Equal participation in aspects of life enhances the well-being of society. It increases attention to women's involvement in political and public affairs, laying a foundation for a better society. Because of this, there is a need to pay attention to blockages that prevent increased and improved participation of women in politics. A progressive constitution is in place, but there is still the limited implementation of the provisions that would enhance both numbers and participation of women in politics and public affairs.

Equal participation by women and men in politics is desired and required for various reasons.

- First national leadership should represent the face of society. If women represent half the population, then national leadership should be inclusive and representative of this.
- Secondly, women's lived realities and life experiences are in several respects different from men's due to socially constructed roles but also biological differences. Having women at the decision-making table means their experiences, needs and priorities are factored in, and policies, laws and programs reflect this.
- Third, women and men, have different interests which speak to their respective but peculiar needs. If women are not represented in decision making spaces, then their interests will also not be represented.
- Fourth, is the fact that women and men are capable of being in leadership and as such, election and/or appointment to leadership positions should be based on merit, considering professional experience, qualifications and not merely on whether one is a man or a woman.
- Fifth, is the fact that democratic governance is characterized by ideals of inclusion, respect for human rights, equality, and non-discrimination and as such, there should be equal representation and inclusion of women and men.

Source: UN Women

This Political Economy Analysis of women political participation in Kenya seeks to identify the key blockages and strategies to improve the conditions for women participation and increase the inclusion and representation of women in political leadership. Above all, the paper seeks to improve understanding of the present-day challenges and blockages that stand in the way of women participation. This understanding develops pathways of strategies that UN Women can adopt to

enhance the status of women in politics and leadership in Kenya.

The data on which this study is based was obtained using mixed methods. First was the review of relevant literature, which identified what many studies have had as key findings regarding the participation of women in politics. This also informed the development of tools for collecting data from key informants and focus groups. In

⁵ Reports by UN Women have documented numerous challenges over time. see among others, UN Women Strategic Note 2014 – 2019; and UN Women Annual Report 2018.

this regard, interviews were held with key informants and in FGDs at the national and county level. The counties include Kakamega, Kisumu, Kirinyaga, Nairobi, Wajir, and Nakuru. In addition, several workshops with experts on women and politics were convened to discuss findings from the literature review and the results from the field. All these methods complemented one another to ensure that the findings obtained were valid to inform the conclusions and strategies.

The discussion is presented in several sections. **Section two**, after this introduction, discusses the structural factors or foundational issues limiting women participation in politics. The **third section** will discuss policies and legal context – the formal institutions that shape the participation of women. Much of this discussion is already documented, including by UN Women and therefore, the discussion will focus on gaps and the politics of

implementation. This section also reviews the informal institutions, social-cultural values and norms that shape the participation of women in politics. The discussion will highlight the power relations, dynamics and trends and how these impact women participation.

Section four examines the present-day challenges. The discussion will focus on the matrixes of political power, the influence of key actors in Kenya's politics, and their incentives to support or oppose the participation of women. Incentives and motives of those who facilitate or constrain the space of women participation are identified and discussed. Finally, the discussion will focus on the 2022 general elections. The discussion uses extensive field data to provide insights into the context. **Section five** will develop pathways of change - present the implications of these findings for the UN Women Programme Strategies.



2.0 Structural and historical legacies: women in politics in Kenya

2.1 Foundational context

It is recognized that the struggle to improve women participation in political leadership and public affairs in Kenya has been an integral part of the country's political history. Demands for increased involvement of women were central to women movements in the 1950s - much has been written on the subject.⁶ Indeed, Kenya's largest women's movement, Maendeleo ya Wanawake, was formed in 1952, well before the country's independence.⁷ The reforms and democratization movement of the 1990s gave a fresh impetus to the advocacy for increased participation of women, particularly the need to address the many legal and institutional barriers to actualizing women's equality and rights.⁸

Some of the barriers have historical antecedents that reach deep into the colonial state and the legacy of colonialism. First, the colonial state was built around patriarchal culture. The state identified the 'big men' to install as chiefs to administer the territory of Kenya. The idea of big men – the chiefs – became ingrained in society. Relatedly, the opening of schools both by missionaries and the colonial administration gave more access to boys than girls. This was not the design of the state. The social-cultural values meant households would prioritize the education of boys over girls.⁹

Secondly, historical women were not visible in the public sector. The disadvantage of girls in access to education in the colonial period

and immediately after independence meant fewer educated women to recruit for Kenya's civil service and the bureaucracy in general. The public sector was male dominated, just as was the colonial state bureaucracy. Therefore, women were disadvantaged in entry to the public sector from the onset of independence. Few women ascended to public administration on account of this past historical challenge.

Thirdly, male domination of the public sector and political leadership created a perception that politics was a space for men. This perception was concretized with time because there were no significant attempts to correct the imbalances. Society generally compartmentalized politics and disaggregated the political space as an arena for male control. Politics was one sphere where men dominated and subsequently created this perception; many people would think politics was meant for men and that women would not be interested in politics. The few who attempted to get into politics would face challenges of cultural values and stereotypes that belittled their role or prevented them from advancing their political careers.

Fourthly, ethno-regional stereotypes anchored on patriarchal social-cultural values and practices. Notably, Kenya comprises over 70 ethnic groups settled in their distinct territories except in urban areas where the settlement is multi-ethnic. All the groups are patriarchal in social organization. All are

6 See notably, Aubrey, L. M. (1995). *The politics of development cooperation: African NGOs and their relational environment. A study of Maendeleo Ya Wanawake in Kenya*. The Ohio State University.
Kamau, N. (2010). Women and political leadership in Kenya. *Berlin: Heinrich BollStiftung*. Retrieved January, 3, 2011; Opoku, M. P., Anyango, B., & Alupo, B. A. (2018). Women in politics in Kenya: an analysis of participation and barriers. *Multidisciplinary Journal of Gender Studies*, 7(1), 1506-1530.

7 Aubrey, L. M. (1995). *The politics of development cooperation: African NGOs and their relational environment. A study of Maendeleo Ya Wanawake in Kenya*. The Ohio State University.

8 Kabira, W. M., & Kimani, E. N. (2012). The historical journey of women's leadership in Kenya. *Journal of Emerging Trends in Educational Research and Policy Studies*, 3(6), 842-849.

9 Many experts interviewed concur that the colonial state itself laid the foundation for gender inequality and subsequent governments did not correct the imbalance



organized around the control of men who constitute 'elders.' The council of elders, men elders, provide guidance based on the customs of each community. Access and control of property rights and interpretation of customs and traditions, among others, are placed in the hands of men and elders. The use of traditions, therefore, further led to disadvantaging women from public and political leadership.

These four factors combine to create significant blockages to the participation of women in politics. They combine to reinforce

the exclusion of women and men's domination of political spaces. Furthermore, they have contributed to shaping the narrative of the inferiority of women to men in politics. The social-cultural practices in patriarchal society have served another purpose too. They have shaped the notion that women belong to the private domestic spheres of their homes and caregiving rather than leadership. Even though progress has been made over the years, the practice has discouraged women from participating in politics. We now turn to the economic context.

2.2 Economic constraints

Notably, the economy from the early days of the colonial state was male dominated. It is men who laboured largely in settler farms and also migrated to work in urban areas. On its own, this reinforced the above stereotypes. But, it is significant that women play a dominant role in Kenya's subsistence economy. They provide labour at the domestic level and dominate

peasant agriculture. Women have limited control and ownership of these properties on which they use their labour. Indeed studies show that women have limited access to finances. For instance, women constitute only 23 percent of members of Kenya cooperative societies even though women drive these cooperative economic activities.¹⁰

10 Wanjala & Odongo, "Gender and Kenya vision 2030" 2010)

Women in marginalized regions face double marginalization and exclusion in economic activities. They are in regions where religion and cultural practices demand they remain conservative in public affairs.¹¹ The patriarchal nature of these communities means that they cannot effectively engage in public affairs without the permission of the 'elders.' As shown later, the men also create political parties that they control. This, in general, constrains women from engaging in politics.

With limited control of property rights, women end up not having resources to leverage their positions in politics. They are left without opportunities to exploit and advance their positions in politics and public affairs. They have always depended on male members of

their households for resources which limits their independence.¹²

Finally, the cost of electoral politics has increased over the years. Without enforcement of laws on campaign financing, the cost of participating in elections continues to escalate and often locks out those without resources. Studies show that women pay more for the same posts than men; it costs women more to be elected, even if it means the same post.¹³ It suffices to mention that costs have always been a barrier because women without property to use as collateral cannot access loans like men. Therefore, women are disadvantaged in their ability to compete effectively in electoral politics.

2.3 The structure of politics

Since independence, men have been forming political parties as vehicles for elections. They "own" political parties and control who they "give" what position. This excludes women at leadership levels, especially because men tend to reserve less important seats for women.¹⁴ As explained by one respondent, 'men negotiate women out of parties; they decide what to give them...women cannot decide for themselves.'

Tied to ownership of political parties is the male control of the "First Past the Post" electoral system." From the 1960s, the electoral system has privileged ethnic-based mobilization in which male elites mobilize communities. Without exception, male elites champion the cause of their communities but pay little attention to space for gender equality. This again disadvantages women from spaces of politics and leadership in general.

These two factors, male ownership of political parties and male control of the electoral system, have continually produced conditions

for the exclusion of women in several ways. The male elites also become the fulcrum around which community politics revolve. They form the 'old boys club' and become 'movers and shakers' of communal interests.¹⁵ Men have always been the key 'movers and shakers' of politics and prefer to support other men who walk with them.¹⁶

Notwithstanding this finding, it bears observing that this study finds evidence of the emergence of powerful women who have claimed the space of moving community and local politics. Many owe their positions to institutional dynamics, trying many times and getting recognized as important. How they have done so and the consequences of their efforts are discussed in detail in **section four** of this study.

A final point to note is that political violence has been a dominant feature of electoral politics in Kenya. Over the years, electoral politics has been characterized by intense competition, with elites mobilizing their support bases

11 Key informant interviews, Wajir and Mombasa

12 Interviews with experts

13 Kanyinga and Mboya. 2021. The Cost of Politics in Kenya

14 Expert interview August 17, 2022

15 Ibid

16 Repeated in several key informant interviews in Mombasa, Kakamega and Nakuru



against others. At the national level, political elites (usually male) mobilize along ethno-regional bases. They also form alliances along these lines too. At the local level, the same pattern of mobilizing is reproduced. The national party structure and alliances reach the base of local politics through the same ethnic elites. Sub-groups and other sectarian structures are activated to outcompete rivals.

The resulting intense competition sometimes leads to violence. Although violence

is organized by male political elites against other ethnic elites, it has the consequence of blocking the effective participation of women in politics. Indeed, some argue that political violence prevents women from competing in electoral politics and is sometimes designed to keep women away. Maloiy 2018 points out that patriarchal power often seeks violence to protect itself. That is, male political elites turn to violence as an instrument of excluding women from the spaces that men control.¹⁷

17 Lanoy Maloiy, 2018

3.0 Rules of the Game: policies, laws and social-cultural practices

3.1 International Commitments

At the international level, Kenya has ratified various instruments accepting the norms and obligations for gender equality and equal and increased participation in politics. These instruments include the Convention on the Elimination of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). At the continental level, Kenya has ratified the African Charter on Human and People's Rights and the African Charter on People's Rights.

CEDAW requires all State Parties to address discrimination against women and undertake policy measures to eliminate discrimination against women. CEDAW specifically calls on states to ensure that the principle of the equality of men and women is integrated into their national constitutions and other appropriate legislation.¹⁸ Article 7 of CEDAW requires State Parties "to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men..." and to specifically promote women's participation in elections, the formulation and implementation of government policy and

other groups and associations concerned with public life.¹⁹ The African Charter on Human and People's Rights states in article 18 (3) that the State shall eliminate every discrimination against women and ensure the protection of their rights.

Moreover, Kenya has signaled its support and commitment to international agreements such as; the Beijing Declaration and Platform of Action (1995); UN Security Council Resolution 1325 on Women, Peace and Security (2000) - which urges member states to enable women and girls to participate in decision making at all levels; the General Assembly Resolution 66/130 on Women and Political Participation (2011), and Sustainable Development Goals.

The ratification of these instruments has laid a firm foundation for improving the status of women, but in practice, there are gaps in compliance. The instruments are in place, but effective implementation remains weak without the political commitment to ensure adequate support. This is well illustrated in the national commitment to laws, as discussed below.

3.2 National Commitments

Kenya has used its constitution and laws to redress the exclusion and inequity of women's representation in politics and decision-making in Kenya. The making of a new constitution in 2010 presented an important opportunity to change the rules that had historically marginalized women. The robust engagement of women in the constitution-making process elicited important proposals

that led to the constitutional recognition of the need to promote women participation.

As it stands, the Kenya Constitution in Article 27 (3) boldly provides for equality in rights and opportunities for both men and women:

¹⁸ United Nations, "Convention on the Elimination of All Forms of Discrimination Against Women," 1979, <https://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>.

¹⁹ United Nations, "Convention on the Elimination of All Forms of Discrimination against Women" (United Nations, 1979).

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

The constitution has also provided for the promotion of women political participation through principles on gender inclusion. Article 27 (8) of the constitution specifically requires that no more than two-thirds of any elective or appointive body should be made up of members of either gender.

The two-thirds gender applies to the composition of Kenya's 47 county assemblies. If an election does not lead to the realization of the appropriate numbers, counties must appoint members of the minority gender to meet the requirements.

The Kenya Constitution has created 47 positions of Woman Representative (one from each county) in the National Assembly, which are only open to women candidates but are filled competitively during the general elections. In addition, 12 nominated positions in the National Assembly are allocated to political parties with parliamentary representation. These positions are shared between men and women in the form of a zebra list (alternating female and male candidates). In the Senate, the constitution established 16 seats for women, nominated by political parties. The constitution also requires political parties to promote equality and participation of women.

The Elections Act of 2011 affects the constitutional provisions on elections in Kenya. Specifically, it prohibits acts that would interfere

with the participation of women in politics, such as violence, intimidation and voter bribery. The Electoral Code of Conduct, which is part of the Elections Act, requires political parties to protect and promote women's political rights and prohibits discrimination. The Elections Act also gives authority to the IEBC to ensure that political parties comply with electoral rules, including on gender diversity and inclusion.²⁰

Also key is the Political Parties Act of 2011 which requires political parties to comply with this constitutional gender requirement to qualify for full registration. Failure to comply with the representation of women in the governing organs is grounds for deregistration.

Under the Act, political parties cannot qualify for allocations from the Political Party Fund unless they comply with this rule in the list of their office bearers. Political parties must also use 30 percent of the funds received from the Political Party Fund to promote the representation of women and other minorities and marginalized groups. The Act also requires that political parties demonstrate that they have implemented programmes and policies for the inclusion of women and other marginalized groups. Political party manifestos also embrace the principle of gender equality and the increased representation of women in politics.

3.2.1 Compliance and implementation of Laws

Kenya has struggled with the implementation of its legal commitments to promote women participation and representation in politics. In particular, political commitment action to implement the two-thirds gender principle has, on several occasions, run into political

obstacles. Whereas county assemblies have been compliant by nominating more women to meet the threshold, this route has been closed for parliament due to the legal limits imposed on total membership.

²⁰ Elections Act Section 36(7).



The two-thirds gender rule has been the subject of judicial interpretation on several occasions. In 2012, the Attorney General of Kenya requested an advisory opinion from the Supreme Court on the modalities for implementing the rule. In its statement, the Supreme Court declared that the two-thirds gender principle, under Article 81 (b), was to be progressively achieved and required Parliament to enact legislation to give it effect by August 2015.²¹

In 2015, the High Court directed the government to enact and present to parliament legislation to give effect to the two-thirds gender rule as per the Supreme Court Advisory Opinion.²² The Two-Thirds Gender Rule (Amendment) Bill, 2015, was presented to Parliament, which failed to debate it and chose to postpone the enactment period to the following year. Yet again, Parliament failed to meet the new deadline.

In 2017, the High Court directed that Parliament enacts the necessary legislation failure to which parliament risked dissolution.²³ Yet again, Parliament failed to do so. In September 2020, Kenya's Chief Justice sent an advisory to the President advising the Parliament to be dissolved for failure to implement the two-thirds gender rule. In his advisory, then Chief Justice David Maraga noted that legislators' 'lackadaisical attitude and conduct' had led to the failure of parliament to comply with the constitutional requirement and dissolution was the "radical remedy Kenyans desired to incentivise the political elites to adhere to and fully operationalize the transformation agenda of the Constitution."²⁴ The President, however, failed to act on the advisory by the Chief Justice, and like in 2017, parliament yet again completed its term in 2022 without enacting the required legislation.

21 The Supreme Court Advisory Opinion 2 of 2012

22 High Court Constitutional Petition No. 182 of 2015

23 Centre for Rights Education and Awareness and two others v the Speaker of the National Assembly and six others [2016]

24 "Dissolve Parliament, CJ Maraga Tells President Uhuru," September 21, 2020 <https://www.standardmedia.co.ke/nairobi/article/2001387222/dissolve-parliament-maraga-tells-uhuru>

3.3 The Rules in Practice

Despite Kenya's international commitments to increased representation of women, a strong constitution on women participation, and various laws to promote women's representation and participation, significant barriers remain. Political actors - in parliament and political parties - have demonstrated reluctance to go beyond the minimum where they have complied. Where they believe that they can escape without sanctions - as in the case of parliament - they have ignored the constitution and other laws.

However, women participation, particularly in elected positions, has been growing over the years. The 2010 constitution has enabled women's political participation by introducing new rules, removing some barriers and providing mechanisms for increased women participation. The significance of the 2010 constitution becomes even clearer when one considers that between 1963 and 2007, Kenya elected only 50 women to parliament.²⁵ The table below shows the number of women elected to various positions between 2013 and 2022 under the new constitutional dispensation.

Women Elected under the 2010 Constitution - 2013 to 2022

	2022	2017	2013
Governor	7	3	0
Senator	3	3	0
MNA	29	23	16
MCA	115	96	82
Deputy Governor	8	7	9
WMNA	47	47	47

Various sources

The general elections held in 2013, 2017 and 2022 failed to produce a legislature that complies with the two-thirds gender principle. Women also continued to face non-formal barriers that weakened their participation.

The position of Woman Representative in the National Assembly - reserved for women - continues to face widespread criticism from political leaders and even the public, who see it as an unnecessary expense and waste. Women representatives continue to be seen as "flower girls" They are seen as "window dressing and a checkbox for inclusion."²⁶ Deeply held prejudices against women drive

this criticism rather than credible evidence.

The FGDs with women candidates in the 2022 elections in different counties echo this finding, although many blame it on the male-dominated political parties. They argued that 'men identify women candidates to vie in areas where they know the women cannot win, just to tick the gender box.'²⁷ Some respondents underlined that the quality of representation by women chosen by parties is a concern. Some are nominated due to their friendship with these leaders and not because of their expertise or representation of interest groups.²⁸

25 FIDA-Kenya *Key Gains and Challenges, A Gender Audit of Kenya's 2013 Election Process* (Nairobi: FIDA-Kenya, 2013).
 26 Sarah Hewitt, "The Struggle for Women's Participation in Kenya - AIIA." Australian Institute of International Affairs (blog), 9 January 2018. <https://www.internationalaffairs.org.au/australianoutlook/the-struggle-for-womens-participation-in-kenya/>.
 27 Key informant interview Kakamega
 28 Key informant interviews in Nairobi and Kakamega

The significance and value of increased representation have been lost. Moreover, the Woman Representative position has perversely restricted women seeking elective positions, with many political leaders and male politicians urging potential female

candidates to “go for women’s seat” and leave the rest to the men. Nanjala Nyabola writes that these positions have had a “deleterious effect on any gains of the last 20 years” and created a warped notion of what the role of Woman Representative is:

“... in parliament, instead of encouraging more women into mainstream politics, the reserved seats have created a ghetto within the national legislature. This feeds the misconception that women representatives are in parliament exclusively to articulate the demands of women rather than to participate as full parliamentarians.”²⁹

Despite these prejudices, members of the National Assembly elected under this provision have performed as well as other members. Some have gone on to win non-reserved constituency seats to the national assembly. The Woman Representative from Meru County in 2017 has moved on to win the governorship in 2022.

Another impact of these efforts to increase women representation is the nomination

of a woman as running mate to one of the two leading presidential candidates in the 2022 elections. Even though the Raila Odinga-Martha Karua ticket failed to win the presidency in the August 2022 elections, Martha Karua as a running mate was an important psychological and symbolic step in shaping the idea of a woman Deputy President and possibly president in Kenya’s popular imagination.

3.4 Social-cultural practices

The discussion focuses on the foundational context, identified social-cultural practices and how these constrain the participation of women in politics. As a reiteration, culture plays an important role in constraining women’s participation but is no longer the main factor. The important point is that role models are always drawn from male elites with little reference to influential women figures. Women who played important roles in the decolonization struggle are poorly identified as role models to strengthen women’s resolve in politics. For instance, Mekatilili wa Menza, who pioneered the struggle for social emancipation in the early days of independence, does not feature in discussions on strengthening women leadership.

The limitations put on women in leadership by cultural practices have had many consequences. Sometimes, women are identified and nominated for political positions to pad numbers than as legitimate actors in party politics.³⁰ And the challenge does not end here; their voices are not encouraged even when they are already in position. There is usually a tendency to dim their voice using patriarchal values. In Wajir, for instance, the interviews revealed that women might have positions but cannot have a voice because culture and religion disallow them from such visibility. In other instances, women are usually disaggregated based on their marital status: there are girls and women. Women are also required to have a different status, i.e., marriage. Unmarried women face

29 Nanjala Nyabola, “A Seat at the Table: The Fight for Gender Parity in Kenya,” in *Where Women Are Gender & the 2017 Kenyan Elections*. Edited by Nanjala Nyabola Marie-Emmanuelle Pommerolle (HBS & IFRA 2018), Pp. 50-57: 53.

30 Key informant interview

many hurdles to being accepted as political candidates. Married women also face the challenge of where to vie during elections. Some of them find it hard to run in the home regions of their husbands as they are mainly

seen as 'foreigners,' and neither can they run in their home regions. They are viewed as people with split loyalty. We now consider these challenges by paying attention to the 2022 elections.

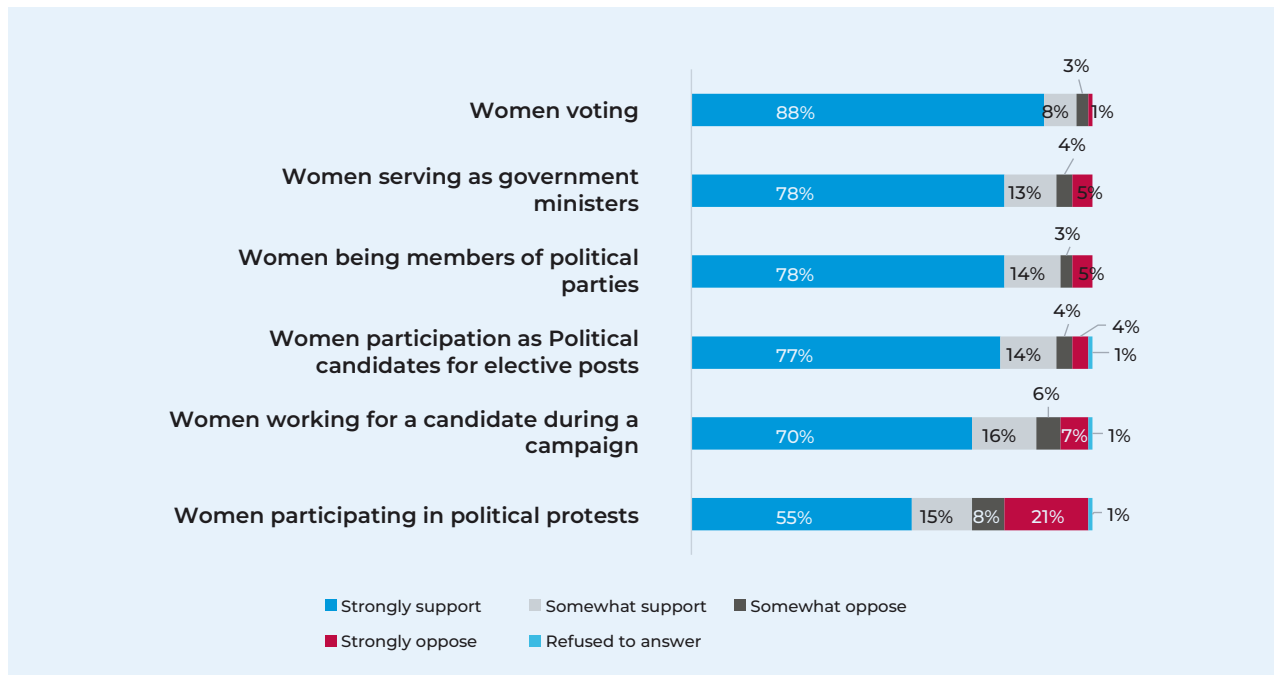


4.0 Contemporary dynamics: the 2022 general elections

In the August 2022 elections, many people supported women running for different elective posts. Surveys conducted before the elections showed that many Kenyans did not

mind women candidates. In one particular survey by TIFA Research (June 2022), over a quarter of Kenyans supported women's participation in the electoral process.

Support of women in politics by total

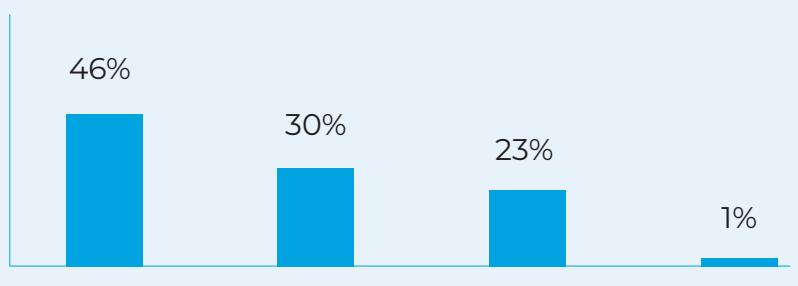


As many as half of the respondents felt that whether you elect a man or woman made no difference, provided they qualified for the post. About one-third also said they would

prefer a woman to a man. This points out that 'being a woman' is not the main blockage to participation in politics. There are other factors.



- Almost half of the 100% respondents alluded that it didn't make any difference as to whether the candidate was a male or a female while electing candidates in office.
- More respondents preferred a female candidate than a male candidate



Q39. If a male candidate and a female candidate were equally qualified, would you prefer to have a woman or a man represent you in elected office or would it not make a difference to you? Base: All Respondents (n=3,104)

These figures also suggest that the patriarchal conditions cited for excluding women are waning in influence. It means patriarchy is gradually giving way to allow for women

participation in politics. If so, what prevents the election of many women in different posts in the 2022 general elections?

4.1 Party politics, patronage, and participation of women

Political parties also made supportive public pronouncements on gender, but the trend in party primaries showed that male candidates did not give opportunities to women. The two leading coalitions, Azimio-One Kenya Alliance and Kenya Kwanza/UDA, pledged to promote women participation and also to appoint women to senior positions. The Azimio-One Kenya Coalition Party of former Prime Minister Raila Odinga had a woman, Martha Karua, as the running mate to exemplify the party's significance to gender parity. On its part, the Kenya Kwanza/UDA alliance promised that its cabinet would have 50 percent women.

In conducting the party primaries, these two main alliances conducted internal negotiations, popularly referred to as 'negotiated democracy' in many regions. In these negotiations, the party would convene all candidates for a particular post and discuss the need to field only one candidate to improve the prospect of the party winning the seat. In some instances, the parties conducted opinion polls to guide the negotiations. In other cases, the party would use general observation and consensus on the popularity of various candidates.

Many respondents interviewed for this study observed that 'negotiated democracy' disadvantaged women more than men. The negotiations took place in board rooms, often in the absence of many women candidates. As explained by some, 'negotiated democracy led to parties endorsing male candidates; women were not advantaged.' Women were still the net losers in the primaries as the majority had to step down for their male counterparts, vie for other positions, or wait to be awarded government positions after the August election.³¹ Some were promised their names would be on top of the list of candidates that the party would nominate for representation in the County Assemblies or Parliament.

Many were not nominated even though these promises were made at the time of the campaigns. In Mombasa and Nakuru, some complained that the party motivated them to pull out of the race and hoped to be nominated. But 'new people who did not play any role in the campaigns were on the nomination list and were nominated... some were nominated because they were friends with the party gate-keepers.'³²

³¹ Draft Gender-Audit report of the political party nominations by ELOG.
³² Key informant interviews

The IEBC also attempted to improve gender parity and requested that individual political parties ensure an increased number of women candidates so that no more than two-thirds of one gender is dominant in elective posts. In response to this push by the IEBC, political parties identified women candidates for many areas, but those identified as candidates were too weak to win; they were identified to show compliance with the law.³³ Violence was also a significant barrier to women participation, as was the lack of resources to lodge appeals with the political parties Tribunal or the High Court.³⁴

Many women candidates appear disillusioned with the quality of representation of women at the level of parties and in parliament and the assemblies. In their view, those nominated to serve the party's interests at this level will fail the party because they are advancing their interests. They were not identified based on merit but on other considerations, including their relationship with party elites. Because of this, they underlined the need to identify an objective criterion by which parties can nominate candidates. In their view, though anchored in law, the current approach is grossly abused by party elites and unscrupulous women candidates.

4.2 The increasing cost of electoral politics

Raising funds to support campaigns is a significant challenge for many women candidates. During the party primaries, political parties implemented measures such as reducing nomination fees to promote women participation. Even though the parties reduced the fees, women still could not mobilize sufficient resources to campaign against a field dominated by male candidates of all races. Indeed, as mentioned above, women tend to pay more than men.³⁵

In most counties, respondents pointed out that women had difficulties raising funds. But

they had to look for funds because this made them visible. Many had to rely on the goodwill of their family members and network of friends to raise funds. This caused tensions in the household if the candidate did not win after using funds meant for other needs.³⁶

Increased use of money in elections was seen as an obstacle to women participation. Stating her reasons for not taking part in the just concluded general election, a key informant from Kakamega County who has now been nominated to the County Assembly observed that the 2022 elections were fully monetized:

“People attended rallies expecting cash handouts... people were broke and wanted to collect cash where possible. In the early stages of the campaign, it was okay to hand out KES 100, but towards the end, the figure increased to KES 200 or 300. These figures are hard for women to match, unlike men.”

A key informant in Wajir County echoed similar sentiments regarding the 2022 election cycle, saying it was the most expensive election she participated in. Focus group discussants in Kisumu County also observed that:

“procuring information, education and communication materials was one major campaign strategy that each candidate needed to introduce their candidacy to voters. It also helps them get the attention of potential financial supporters who begin

33 *Nation*, May 25 2022, [Why many female aspirants failed in party primaries](#)

34 *Ibid*

35 Kanyinga, K. and Mboya, T. 2021. *The Cost of Politics in Kenya: Implications for Participation and Development*. London: Westminster Foundation for Democracy.

36 FGDs and interviews, Kisumu and Kirinyaga

to see their commitment to participating in politics.”

In the view of these respondents, visibility matters in a competitive election, especially when male candidates face fewer handles than women: the financial strength of women candidates adds value.

Huge financial demands compelled many women interviewed to tap into other networks to mobilize funds. The church and women self-help/support groups were some of the networks that provided financial support to female candidates. These networks played a key role in helping raise campaign funds when women had challenges. In Kakamega, one candidate pointed out that she recognized the need to raise funds from the outset because “money is the main thing. Money gives one bargaining power within

the political party.” Her resources dwindled during the campaigns and she had to look for more to support these activities to cement her position in the party and the region.

Of the 82 women interviewed, only a small percentage mentioned their spouses and family members as persons they received help from when mobilizing funds. Many noted that they borrowed loans and got support from their networks.

These findings underscore the importance of establishing a network of organizations such as business groups, religious organizations, and others who can commit to supporting the participation of women in politics. The findings also show the significance of women starting introductory meetings early, though costly, to be ahead in visibility.

4.3 Ethnic-based politics and the challenge of women participation

As noted earlier, many people support the participation of women in politics. But the interviews and FGD discussions in the counties reveal that social-cultural values shape stereotypes of women in politics. Among many communities, there is a narrative that women cannot lead and should accept their place at home. Some male candidates use this ‘belief’ to oppose the candidacy of women and even argue that it is taboo for women to lead men.³⁷

In Wajir County, focus group participants mentioned that their culture perceives women as the weaker sex who do not possess the aggressive trait required to fight for the clan and ward off an invasion from outsiders. This, coupled with the concept of negotiated democracy, has been used to keep women off the decision-making space in Wajir County. In this patriarchal society, each clan has a male sultanate. During each election,

“They meet and identify the ideal candidate for each elective position. In these meetings, often held at night, women are excluded on the assumption that they will be elected in the women representative position.”

In cases where some communities decide to include women in the sub-committees, only a few are allowed to participate but not in all proceedings. Their participation is peripheral. No woman will be supported to

contest for any other seat besides the Women Representative position.

A different approach to negotiated democracy was observed in Nakuru County

37 Wajir

within political parties and their primaries. Here, a popular female candidate would be approached and asked to step down in favor of a male candidate from the same party. The candidates would be promised positions in government, among others.

Clan and tribal affiliation also topped the list of cultural barriers women face. In communities where politics is based on clan affiliation, only male candidates get identified to run for office. Women are not selected because they will be “married off to another clan.” This was cited in many instances in Wajir County. Tribalism compounds this problem; as a result, women voters found it more convenient to support a male candidate from their tribe than their fellow women as they are loyal to the clan and not the woman candidate.

Ethnic or ‘tribal’ affiliation and identity have similar dynamics. People are loyal to a tribe and sub-group identity and not the candidate. In Nakuru County, a focus group participant explained, “if you belong to a different tribe than that of the party leader, the members will push you out. They will say you are not one of their own... you are asked to leave the party by fellow members because you are from a different community... to them, “*kila*

mtu acheze kwao” (everyone must belong to parties from their backyards). And it does not matter if you are advancing the interests of the party leader. Party members from their community would still want to lock you out.”

Politics centered along ethnic lines disadvantages women the most. Their marital status is subjected to scrutiny to weaken their prospects of winning. Questions include ‘Does a woman belong to the community of her birth or where she is married? What will happen if she wins? Where will she focus her attention? In Kakamega County, one respondent said she had to establish her “home” and shifted her operations from Kakamega to Mumias, where she was born. She became active in the church, women groups, and other community activities to increase her visibility in the constituency. She did this to fight off questions about her marital status. She wanted to convince them that she was from the Wanga tribe in Mumias. Because of this, it is arguable that women face more obstacles in explaining who they are and why they want to be in politics. Indeed, in Kisumu County, respondents argued that a woman’s marital status disadvantages her right from the family level, where her brothers will come out and say

they cannot vote for a “Migogo” (unmarried or divorced woman) to lead them. How can she then expect support from the community if she is judged unfit to lead the basic unit?

Some fear electing a young unmarried woman into a leadership position due to fears that she can leave the community when she gets married and thus shift resources and power to her husband’s backyard.

Religion and associated cultural practices were also identified as avenues that limit women’s political participation, more so in

conservative backgrounds. The study found that there is a deliberate misinterpretation of religious texts to silence women and exclude them from leadership opportunities. A key respondent in Wajir County explained that her Islamic faith is good and protects the womenfolk, but it creates obstacles when intertwined with retrogressive cultural beliefs.



4.4 Violence and security - how they affect women - security is an issue.

Violence against women was manifested in various forms, from sexual harassment, online/cyberbullying, and threats of arson to violent campaign environments. Focus group discussions revealed a constant fear of getting raped while on the campaign trail or during strategic meetings, which sometimes would run late into the night. They had to pay attention to their dress code, not to give anyone an excuse to assault them. They added that no one is safe even if you dress modestly.

Female candidates are forced to give sexual favors in exchange for help to further their campaigns. One participant mentioned that she had to turn down several advances made toward her. She was keen on working hard and advancing on her merit, a concern shared in many counties. In Kirinyaga, some argued that male elites who dominate political parties use these forms of harassment to discourage women from the contests and to bring in their female friends.

In Wajir County, the women reported being vulnerable to attacks during the election season as they could not participate in night meetings as freely as the men. As with other counties, strategies and political agreements were done at night in far-flung locations, excluding female aspirants from effective engagement. Some left the party and ran as independent candidates or dropped out altogether.

Criminal gangs are also hired to intimidate women and force them to drop out of the race. The security risk posed means women cannot effectively campaign. They must use more money for security than others to ensure their safety instead of stopping the campaigns.

A Nairobi political aspirant went through a similar situation recounting how their male counterparts within the same party aroused violent attacks during campaigns to force her to drop from the

race. This was done in seemingly simple acts like restricting access to the podium, accessing the microphone, and speaking to supporters during rallies. But when one fights back, they are branded negatively. To secure their space, women must seek senior party leaders' protection. Those without access to such leaders pay for their security and seek favours from the police for protection.

Cyberbullying was rampant during the just-concluded election. Social media platforms were used to defame female aspirants using derogatory terms. This was not the case for male candidates. Bullying also occurred offline, where female candidates were termed weak and incapable of leading. Name-calling was

also prevalent, blackmail using negative images of the women, and propaganda was spread online to discredit them.

The candidate's close family members were also targets of violent acts. A participant in Nairobi County reported learning of incidents where a fellow candidates' children were kidnapped to intimidate them and force them to drop out of the race. The aspirant mentioned that she sent her children to live with her mother to protect them from a similar fate. In Kakamega County, a key informant recalled how hired goons waited for her to leave for a rally in a ward two hours away before attempting to set her house and children ablaze. The area officer commanding a police station (OCS) responded swiftly.



5.0 Conclusions and implications for UN Women programme strategies

5.1 Key drawbacks

Blockages have become complex; patriarchal structures remain but are not the main obstacles

The findings show that social-cultural practices and the patriarchal nature of society are no longer the main obstacles constraining the participation of women in politics and leadership. It is true patriarchy has played a protracted role as a challenge, but dynamics in the context of electoral politics have brought new and complex challenges into

place. The new challenges have been shaped and also shaped the patriarchal obstacles making the blockages even more complex. New challenges have found justification for patriarchal ideas and also reinforced patriarchy.

The cost of politics is increasing and is higher for women

Women incur more costs than men to break the patriarchal barriers and effectively mobi-

lize their support bases. They have to engage their networks outside of those by men.

Recommendation

- Support the development of innovative gender civic voter education content that considers the complex challenges preventing women participation in politics.
- Play a catalytic role and guide women-focused interest groups and CSOs to develop new relationships, including with the private sector (business community), to begin the dialogue

on how to resource the women agenda in politics.

- Strengthen the development of networks for 'collective action' to break the barriers. Supporting a coalition of interested and influential actors to continually sensitize society on the importance of inclusive politics.

Political parties both constrain and enhance the role of women; 'owners' of the political parties hold the key to the effective participation of women

The political parties matter. The political commitment of male elites who establish the parties matters too. Parties determine the nature of the participation of women in politics. The parties also determine how successful women can be in politics. In the 2022 elections, many candidates were pressed

to drop from other races. Some political parties required that they drop from these races with the promise of nomination after the elections. In other words, the political parties and control of the space by men combine to constrain the participation of women.



Recommendations

- Support continued convening of high-level policy dialogue among senior women political leaders and political elites identified for leadership and financing of the main political parties. UN Women can be convening and opening doors, including at the presidency level.
- Develop high-level briefing notes with evidence to support the case for increased participation of women in politics. These should be shared widely in meetings convened using the good offices of UN Women.
- Regular dialogue, including hosting the leaders in international conferences, usually unlocks the challenge to commitment.
- Establish informal contacts with 'movers and shakers' in all the main parties to influence political leaders at a high level to ensure lasting impact.
- Support initiatives that allow women leaders to increase their political influence to negotiate better. These initiatives include voluntary associations and groups that are led or are associated with women leaders.

There is growing sexual exploitation of women; this threatens to delegitimize gains made in increasing numbers through nomination to parliament and county assemblies

Unlike in past political campaigns, the 2022 electoral competition reveals increased sexual harassment of women candidates. Unfortunately, the sexual exploitation of women candidates has become more pronounced as more women seek political party nominations. In many county

interviews, some of those who ran for office cited instances where influential elites would seek to sexually exploit women in exchange for political favours, such as awarding party tickets to run for office and promises of nomination to parliament or the county assembly.

The use of vulgar and demeaning language on women candidates has increased mainly to prevent women from participating or disillusioning them altogether so that they withdraw from races. This new practice is

widespread and threatens to delegitimize and belittle gains made in improving the number of women in political positions through nomination lists.

Recommendations

- Support the development of policies to guide the responsible nomination of candidates for various posts by political parties. The discussion leading to the development of policies should be guided by growing evidence of biases in the nomination process.
- UN Women may consider convening high-level policy dialogue to address these challenges.
- It is proposed that UN Women convenes an annual **'State of Women in Politics and Leadership'** conference bringing together influential leaders and policymakers. This should be done to sensitize leaders on the challenges facing women, young and old, in politics.

Women politicians are not supporting new and younger women candidates; there is an intra-women conflict that constrains entry to politics by young women

Intra-women conflicts are on the increase as the participation of women increases. Some younger female candidates complain that they failed to get the support of experienced women political leaders. Sometimes, they were requested to work hard and struggle

as they did - *'inabidi upambane kama sisi tulivyo pambana'* (you must struggle and work hard as we did).⁷ In other words, the younger women were on their own without the support of experienced women politicians.

Recommendation

- This finding implies that women alliances that played an important role in defending against stereotypes and strengthening one another have weakened or disintegrated altogether. This is evidence of a need to form progressive alliances of women interested in politics urgently.
 - Strengthen civil society groups at the county level to develop county-based support networks of women candidates. Races should disaggregate the approach. Support separate networks for MCAs, Women Representatives, National Assembly, Senate and Governors.
- This will mean that local CSOs conduct a mapping of candidates, develop a directory of candidates, and begin supporting and encouraging them by building their capacity for campaigns. As we approach another election, this should immediately start for people to gain more skills and confidence.

Delegitimization of inclusion mechanisms through propaganda and misinformation

Ironically, the County Women Representative post in the constitution is now exploited to negotiate women out of competition in other races. The male political elites who control and own parties are often said to pressure women candidates to run as women representatives and drop from other races. The position of

Women Representative is now picked as a tool to reduce women's interests. Simply put, the Women Representative post is politically limiting women's options; male political elites are using it to restrict and confine women candidates.

Recommendation

- Support the generation and dissemination of studies and evidence on the positive impact of affirmative action measures for the inclusion of women.
- Support regular discussions with the media

to encourage and find opportunities for fact-checking misinformation about women inclusion mechanisms.

Limited access to information for women in politics

Access to information is also challenging. Many women candidates complain that there is no centralized place where women can access election-related information. In the absence of structured gender-based voter education, women candidates had to

find information about party fees, rules and regulations for the party primaries and the general election, among others, on their own. And what is available to them is on hard copies. They could not share these with ease.

Recommendation

- Support the development of relevant election-related electronic information (and hard copy publications) for access by candidates everywhere in the country. The information required includes party nomination rules, qualifications, requirements to run for different elective posts, election procedures for candidates, IEBC related information, among others.
- Establish a website with a portal where candidates can access or download required information from anywhere.
- Strengthen civil society groups to inform women candidates in the counties about the availability of information to prepare them as candidates.

5.2 A Positive course

These cold conclusions should not suggest that all is gloom for women's political participation. There are positive findings too. Firstly, there is evidence of what women need to participate effectively and/or win elections in urban or rural areas. The evidence is that **the more you run for a post in the same place, the more you become visible, increasing your chances of winning. Continued performance is especially encouraging if you get the message right.**

Secondly, political party matters. In the strongholds of the main political parties, women candidates win elections provided they get the party nomination. This implies that the political commitment of senior leaders of the party matters. **The party's elites can**

determine who to award the ticket and who to block from competing against women candidates. In many instances, the women who won appear to have had the backing of the main political parties. Political leaders can thus compel their parties to enforce the two-thirds gender rule.

Thirdly, there are many actors supportive of women's role in politics. Many individuals, agencies and particularly civil society organizations are keen to support women's participation in politics and have been involved in building the capacity of women candidates. **A few are involved in civic education to support the role of women in politics. But, the silos approach weakens the power of 'collective action' of these agencies; some**

adopt it because they operate in the counties without a connection to the national government.

Fourthly, women participation in politics and as candidates in elective politics has been on the increase over the years. Equally, the number of women in elective positions has risen since the adoption of the new constitution.

Finally, resources matter. Women candidates having their campaign finances or accessing a network of friends to support campaigns

adds value. Those with adequate resources can compete at the same level as male candidates. **Their money unblocks many obstacles and demolishes the patriarchal structures; men break these structures as they compete to proximate themselves to access these funds. Such women are seen as political leaders competing on the same level as male political elites.** Thus, efforts should be made to strengthen collaboration with the business sector for women to begin networking and mobilize resources for use in their campaigns.





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