

Gender Forum

Representation of Women in Political Leadership: Taking Stock

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Background

Kenya has since marked three years since the promulgation of the Constitution (2010) - which is hailed as one of the best across the globe due to some of its provisions on gender equality such as **Article 27(3)** which states that 'women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. The Article further states that 'the state shall take legislative and other measures including Affirmative action programmes and policies to redress any disadvantage suffered by individuals or groups because of past discrimination.' Moreover, the Political Parties Act (2011), a subsequent legislation of the Constitution is very clear on gender equality but this too did not serve to increase the number of women elected and nominated through their parties given the results of Kenya's General elections on March 4th, 2013. Whereas Affirmative action was meant to bridge the glaring disparities between men and women in political representation, the numbers are still dismal, at 20% which is a 10% increase from the previous parliament largely bolstered by the affirmative action seats of women MPs. With the legal framework for women's empowerment in place, it was highly expected that women will turn out in large numbers to actively participate in political processes – political party engagement, presenting themselves for elections and ideology formation among others. But as has always been the trend, political parties gave women a raw deal. Some were denied nomination certificates despite emerging winners of party primaries, the male-led campaign against women in the guise of preserved seats, violence and intimidation, retrogressive culture, educational qualifications, propaganda and inadequate finances combined to deny women rightful participation in the political process and elections as contestants in particular. According to the Independent, Electoral and Boundaries Commission (IEBC), out of a total of 1908 aspirants for the National Assembly seats, only 197 were women. And out of the 197 women, only 16 made it to parliament. In addition to the 16, there are 47 women county representatives who were elected to the National Assembly. At the County representative level, 623 women vied and only 85 were elected. 1365 of their male counterparts got elected, out of a total of 9,287 male contestants. In spite of their numbers, no woman made it to be elected to the seat of Senator or Governor. Only one woman contested for presidency out of seven men and she performed dismally.

The presence and visibility of women in the political process is of paramount importance if the gender agenda is to make headways. However, at the moment, very few women in the national, senate and county assemblies hold influential positions. For instance, the most senior position held by women in the national assembly is that of the Deputy Speaker, Majority Whip. Other positions are those of nine women elected to be Deputy Governors and three women country assembly Speakers. In essence, there is still the dominant idea that politics is to male and positions of visibility must be held by male politicians in the current Kenyan political climate.

In a bid to bridge the gender disparity in the political representation platform, quota system has been employed by many countries, for example, a report on the Implementation of Quotas: African experiences - by the International Institute for Democracy and Electoral Assistance (IDEA) shows that over 20 countries in Africa have either legislated quotas or political parties

have adopted them voluntarily. Among countries that have registered remarkable progress in the representation of women through quotas is Rwanda which currently stands at 64 per cent. Rwanda government has entrenched in the Constitution – Article 9(4) a requirement that ensures at least 30 per cent representation of women in decision making processes. Other countries that are doing well are Tanzania, Uganda, South Africa, Angola, Burundi, and Mozambique which stand at 36 per cent, 35 per cent, 42.3 per cent, 34.1 per cent, 30.5 per cent and 30 per cent respectively. This means that without quotas, it is difficult to achieve 50/50 gender representation in political leadership and decision making processes.

From the foregoing assessment of women's experiences with political leadership representation, Hbs Nairobi held an insightful and highly charged forum on women and political leadership in Kenya bringing participants across sectors, age and status. Insightful and well delivered presentations by a panelist and discussants sought to inform the forum on the historical background of women's representation in Kenya politics, gender interface in women and political participation in Kenya and the relevance of the Affirmative Action in realization of women's political leadership in Kenya as well as offer strategies for increased visibility of women in political leadership in Kenya.

Presentations

'Representation of Women in Political Leadership: Taking Stock' - by Prof. Maria Nzomo

Prof. Maria Nzomo opened her remarks with a brief history of the journey of women empowerment noting that the women's movement in Kenya has come a long way women must celebrate gains made thus far. She said that it is useful to remember and celebrate the heroines who pushed for the enlarged democratic space for more women to participate in political leadership and decision making processes. She observed that women such as Hon. Phoebe Asiyo, among others have not only shaped the gender discourse but also mentored many women and passed on the mantle of leadership.

While commenting on the theme of the day, Prof. Nzomo observed that it has only been about six months since the new regime took over power and it may seem too early to assess the performance of the women but it is of critical importance for women to take stock of how much progress has been made since the institutionalization of Affirmative Action. She said that this is because numbers alone are not enough, adding that many of the elected women are political 'novices' and may need some time to become seasoned and begin to make tangible contributions in policy matters. "While there has been an increase in the number of women legislators from 10 per cent to 20 per cent, the structural barriers that kept them away from office are still the same barriers to date. In fact, even after entrenching affirmative action in the Constitution, women are still being told that the 30 per cent representation will have to be realized progressively. This is big challenge considering the fact that there are no legislations in place that spell-out how this will be achieved." said Prof. Nzomo. According to her assessment, it is ironical that with Affirmative Action, lesser number of women got elected in the last elections (5.2 per cent) compared to the last Parliament (7.1 per cent). She noted that this is a sign that patriarchy is fighting back and it will not be an easy task. She however said that despite this, there is still something to celebrate about because the total number of elected and nominated women in parliament has risen to 86, which is equivalent to about 20 per cent representation.

In her presentation, she affirmed that Affirmative Action is critical in raising women's participation in matters governance. She explained that countries that have succeeded in achieving the critical mass of women in positions of leadership through affirmative action have had a shift in the mindset of society about women and leadership.

She added that more and more women are getting elected as opposed to before the implementation of affirmative action. She therefore concluded that Affirmative Action is a catalyst for change in perceptions that women too can lead. She further observed that whereas having more women in political leadership is a positive step, what makes the biggest difference is the collective voice and impact of these women on development and on important policy decisions. She said that unless the women are in influential positions, not much change can be realized. In her presentation, she raised questions such as; what is the power architecture of women in the different houses of representation? To whom do women owe their political allegiance? Is it to the political parties through which they were nominated and/or elected or is it to the women's agenda? Prof. Nzomo concluded that the nature of Kenyan politics is that women owe their allegiance to their parties especially on matters that are conflicting between the women's agenda and the party position. She however added that there was need for civil society to partner with and work these women to support them in forging a balance and being more effective.

Response by Hon. Phoebe Asiyo

Hon. Phoebe Asiyo opened her remarks with a brief historical perspective of the Women's movement in the 60's, using the example of the Marriage Bill, which she said was first tabled in the parliament in 1968 after 2 years of going around the country through the commission that had been set up by the late H.E Jomo Kenyatta. She observed that despite the Bill having good provisions it was defeated. She intimated that two years after that, Tanzania took the same Bill and enacted it into law. For this, she said that Kenya need to only come up with great ideas but also implement them. She added that that is the only way to societal transformation.

She reminisced that the women of Kenya first started agitating to be represented in Parliament one year before Kenyatta came out of detention. She highlighted that Hon. Priscilla Abwao led the team composed of the then Maendeleo Ya Wanawake Chairperson Phoebe Asiyo as well one woman from every province, to visit Kenyatta in detention. Their main mission, she said, was to lobby Kenyatta to include the women in the first parliament as well as in the cabinet.

"He did allow the women through the women's movement to make their voices heard on matters development programs and policies. They were able to push for new ideas especially on issues touching on women and children." she said. She added that some of the gains included the passing of the Affiliation Act in 1968 – though it did not last long because it was repealed. While speaking about the gains of the women's movement, she observed that one of the success stories of the women's movement was their clamor for a new constitution. She said that the process started at Ufungamano House where the women made clear and public their agenda. This was adopted by the Ufungamano group. Hon. Phoebe wound up her response with a call to the younger women parliamentarians move with speed and embrace the women's agenda as they sought to address issues that affected women and children, and the larger society as well.

Response by Sen. Martha Wangare

While commenting on the quotas and the women's political leadership in Kenya, Senator Martha Wangare contented that quotas are very important in promoting women representation in political leadership and policy making and that she is in fact a beneficiary of the quotas. She however was quick to note that despite the positive impact of Affirmative Action, women must keep pushing to go beyond the numbers and start engaging strategically to cause social, economic and political transformation. With respect to political parties, Martha noted that political parties were not very friendly to women especially during party nomination processes. She said that many women worked hard for their political parties but they did reap the fruits of their labour since corruption, cronyism, nepotism and sheer mismanagement took center stage.

In her opinion, the Constitution safeguarded the rights of women by requiring that the party lists be ready and submitted to the Independent Electoral and Boundaries Commission (IEBC) 45 days before election. This, she says, is what assured women of positions at the various levels of governance.

While sharing her story, she revealed that her journey as a Senator began as a young mother breastfeeding and attending to her duties. She says it was challenging because there was no provision that catered for women legislators and their breastfeeding children. She then moved a motion to ensure that crèches were established in parliament to take care of mothers like herself who needed to nurse their babies and work at the same time. They needed to make laws to cater for younger women who will get to parliament and the staff of parliament. She added that she is in the process of moving an amendment to anchor the provision of crèches into law to make sure this permeates civil service and is taken up in the Employment Act. Sen. Martha highlighted that one of the challenges facing women at the senate is that the senate has 18 women in total but they all have no voting rights because all of them are nominated. “Only elected senators can vote and all of them are men. So only the men can vote on motions, whether they touch on women and children or not”, she said. However, they are working to ensure an amendment is passed to allow all senators to have voting powers. In suggesting a way forward, she held the opinion that different stakeholders need to work together to train women and build their legislative power, if the impact of their presence is to be felt at all. She affirmed that members of the Country Assembly especially, need their capacity built to allow for effective participation.

Response by Baraza Nyukuri

Mr. Nyukuri Baraza began the conversation by elaborating more on the themes of gender and affirmative action, saying, that gender stereotyping is rife and is manifested in chores, education, child preference, cultural rites, and professional work among others. He said that gender is not about sexuality but about sociological and cultural roles and responsibilities ascribed by society. He added that it is not permanent, it is always changing according to time, resources, attitudes and opportunities. Speaking about Affirmative Action, Nyukuri observed that cultural orientation of the society is a big factor and it must be revisited in light of the Constitution. He added that affirmative action is about justice and positive discrimination. He said, “After independence, affirmative action had to be implemented to ensure power was put in the hands of the blacks and not just whites. It is about access to resources and power. It is a constitutional principle and it must not be progressive, just as clearly stated in Article 27 of the Constitution.” He added that there has been a general lack of political will and women must struggle to make this happen. He urged women to be offensive and take power, saying that power for women must be through inversion and not invitation. He affirmed that the minimum required number must be achieved first, after which matters of relevance and performance can be looked into. Baraza summed up his remarks by saying that society stands to gain when men and women work together as partners in government and development. The synergy between men and women is critical.

Recommendations and conclusion

The Forum therefore concluded that quotas are critical in increasing the number of women in political leadership and decision making processes. However, quotas coupled with women running for office on equal basis with men are most important. This notwithstanding, the presence and positive visibility of women is a key ingredient in sustaining equal representation of women in the public sphere.

1. The Forum observed that there is need for different actors in the struggle to document more the journey and the history of the women’s movement to be able to pass on knowledge to the

younger generation. A few books have been written but more remains to be done.

2. Older women must work hand in hand with younger women through mentorship and training to be able to sustain the momentum.

3. Women must keep pushing to have affirmative action fully implemented before 2017. In addition, the Forum resolved that it is also of vital importance for the women movement to begin to strategize on how to sustain the numbers of nominated women.

4. To sustain the gender agenda, there is need for the different actors within the civil society movement, government, development partners, academia etc, to work together to convert more men to champion gender issues.

Papers Presented at the Forum:

The Performance of Women in the Kenyatta (2) Government: Taking Stock 5 Months Later By Prof. Maria Nzomo. Institute of Diplomacy & International Studies.

Role of Affirmative Action Seats in The Constitution of Kenya by Barasa Kundu Nyukuri. Gender and Governance Consultant. TORCH AFRICA