

Where Women Are

Gender & the 2017 Kenyan Elections

Edited by:

Nanjala Nyabola

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This book is dedicated to Kenyan women

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Acronyms and Glossary

CIC:	Implementation of the Constitution
CCP:	Citizen's Convention Party
CMS:	Church Missionary Society
EU EOM:	EU Electoral Observer Mission
FGD:	Focus Group Discussion
FORD:	Forum for the Restoration of Democracy
FPK:	Federal Party of Kenya
IEBC:	Independent Electoral and Boundaries Commission
ID:	National Identification cards
IPPG:	Inter-Party Parliamentary Group
KANU:	Kenya African National Union
KAU:	Kenya African Union
KEWOPA:	Kenya Women's Parliamentary Association
KU:	Kenyatta University
KICAWOCA:	Kisumu County Assembly Women's Caucus
LEGCO:	Legislative Council
MCA:	Member of County Assembly
MP:	Member of Parliament
MYWO:	Maendeleo Ya Wanawake Organization
NARC:	National Rainbow Coalition
NEC:	National Executive Committee
NHIF:	National Health Insurance Fund
ODM:	Orange Democratic Movement
PAC:	Pan African University

SDP:	Social Democratic Party
TNA:	The National Alliance
UDF:	United Democratic Forum
UON:	University of Nairobi
URP:	United Republican Party
USIU-Africa:	United States International University- Africa
TUK:	Technical University of Kenya

<i>Chama:</i>	Self-help groups or associations
<i>Harambee:</i>	Pull together
<i>Kahawa:</i>	Coffee
<i>Kipande:</i>	National Identification
<i>Madrassa:</i>	Islamic school
<i>Minji Minji:</i>	Fresh garden peas
<i>Muguka:</i>	Khat
<i>Ndengu:</i>	Lentils
<i>Ngoma:</i>	Dance or dance group
<i>Uhuru:</i>	Freedom
<i>Ushago:</i>	Rural home

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Introduction

Women and Elections in Kenya

Nanjala Nyabola and Marie-Emmanuelle Pommerolle

In August 2017, three women made history by winning seats in Kenya's senate and three others as the first female governors. It should have been cause for celebration in the context of a long-running struggle to increase women's representation in politics in Kenya. Instead, against the widespread electoral fraud and intimidation of women candidates across the political spectrum, it was a reminder that the struggle was complicated and far from over. Should it matter that at least four of the six women, enter their new elective positions with major blights on their political record? Or is the mere presence of women enough? Should we celebrate devolution and forget that Kenya still has the lowest proportion of women in parliament in East Africa? Should we note that Kenyan neighbours with high records of formal female political representation are blatantly failing other human rights records? Should we have to choose between patriarchy and authoritarianism?

The 2017 election in Kenya is easily the most complicated election cycle in the country's history to date. In the build up to the August 8 vote, there were numerous legal and political challenges to the legitimacy of the Independent Elections and Boundaries Commission (IEBC)—the agency that conducts elections in Kenya. In fact, in October 2016, with less than a year to go, the entire Commission resigned and was replaced in a rushed vetting process that raised more questions than it answered. Weekly protests called by the opposition to raise questions about the seemingly partisan nature of IEBC routinely turned chaotic. The head of Information and Communications Technology at the IEBC was placed on compulsory leave two months before the election, only for his

replacement to be murdered with less than a week to go. By the time the results were announced on August 11, it was clear that something had gone terribly wrong.

And it would only get worse. On September 1, after three days of intense debate, the Supreme Court annulled the presidential election and called for a fresh poll within 60 days. In some quarters, this was seen as a reason for optimism as it symbolised the independence of the judiciary from the executive. A fresh poll was declared for October 2017, only for the leader of the opposition to declare that he would not participate, triggering a new wave of protests and uncertainty. Eventually, the incumbent won by an undemocratic margin of 98.6% of the ballots cast after over 60% of eligible voters boycotted the polls, raising questions about the extent of Kenya's democratic consolidation.

In the flurry of this unpredictable news cycle, the stories of women are getting lost. Although women comprise 51% of Kenya's population, they compose only 47% of registered voters, and not one has been involved in the high level negotiations that have surrounded the poll. They are absent on the front pages of the newspapers and in the boardrooms where decisions about the country's future are being made. The enduring images of the election cycle are press conferences led by men, handshakes between men, statements written by men -- a testament to the hold of patriarchy at the highest level. The story of Kenya's 2017 election is the story of a patriarchal oligarchy, where two sons of male leaders of the independence era are playing a high stakes game of chicken with an entire country: keeping the world watching while waiting to see who would blink first. Women are neither antagonists nor protagonists -- they are background. In fact, only special reports by human rights NGOs make us realize how much women have been the primary victims of this cycle of electoral violence.¹

The goal of this project is hold space in the archive for Kenyan women who are routinely written out of politics in the country, given its tendency to focus on the actions of men as the protagonists of Kenya's political story. What does it mean to hold space in an archive? To us, it means elevating the stories and experiences of women in all their

complexity as a baseline for future conversations about the broader themes. It also means adding to previous similar attempts to chronicle women's experience with elections (see bibliography), pointing out issues that arise from the law and practice, and once again taking on the repetitive litany of "factors" hindering women from being elected: violence, money, conservatism, among other monikers suggested to describe and justify the exclusion of women from public office. It basically means reminding us all, before we run off and say that this election was about X, that there was also Y. It is about reminding the people who think and write about elections and politics in Kenya that women are here and active. It is eventually an attempt to reflect, from a gender point of view, on other forms of marginalisation and disenfranchisement in the Kenyan polity.

The erasure of women in politics in Kenya happens at the intersection of patriarchy and ethnicity, where the social and political subjugation of women is one of the unspoken principles of ethnonationalist politics. It's not that ethnic groups in Kenya are inherently patriarchal. In fact, a cursory reading of the histories of a variety of Kenya's ethnic groups reveals that while many communities did have stark divisions of labour between genders, the idea of one type of work being inherently superior to another is not universal. What is considered "tradition" in Kenya, as in many other post-colonial societies, is a product of European, Victorian invention – grafting on ideas of womanhood onto an ill-understood foundation of political behaviour.

Rather, the challenge is that appeals to vague invented gendered traditions give patriarchy cover for aggressively seeking, protecting and propagating power. It narrows the playing field, handily reducing contestation for political supremacy in the society by 51%, through saying women and other gender minorities are ineligible simply because they are. And, by extension, that women's political candidacy is only viable in so far as it doesn't threaten the supremacy of men, meaning it's fine for women to fight it out for gender quota seats (provided by the 2010 Constitution), but it's another thing altogether for them to stand against men. The few women who dare venture in to these spaces often meet

physical and psychological violence. They are accused of betraying their ethnic groups and of that malleably defined concept: “African tradition.”

In this “African tradition,” elders, and especially male elders, hold social and political authority. Politicians from all sides seek “endorsement” from councils of elders, in a quest for legitimisation by the gerontocracy that exists across ethnic lines. The very few youths who made it during these elections were immediately rewarded with the attributes of a “genuine man.” One 23-year old newly elected MP, who campaigned exclusively on foot, was quickly granted a brand new car by the president as a “welcome” to the political realm because in Kenya, besides age and sex, wealth is the main symbol and tool of political legitimacy. And here too, women are losing. Either they are not part of the “big men” networks, as political analysts put it, and their access to party nomination, efficient campaigning, and elections is hampered. Or, as citizens, they are considered the mere recipients of this wealth, as the cynical distribution of subsidized flour showed during this campaign.

Yet since independence a steady - if low - number of women have dared the patriarchy in electoral politics in Kenya. They are outliers – the crazy ones – who believe that the risk is worth it. Some are able to get the support of family and friends, but many alienate their communities on the way there. Within their combined and interesting histories, there are stories of compromise and negotiation: of concessions to pragmatism and relentless defiance. There are pioneers like Priscilla Abwao, the first woman to sit in the colonial Legislative Council, whose political sojourns get papered over by masculinist narratives. There is also the stubborn refusal of women like Martha Karua or Sofia Abdi Noor who refuse to exit the stage quietly.

In putting together this project, we reflected on our experiences as analysts and participant observers during the 2007, 2013 and 2017 elections, and realised that if we didn’t make space in the story(ies) of this election for women, once again, they would be erased. Between us, we have worked with almost 100 women in politics in Kenya. We have heard stories of women being beaten, even by their spouses, for entering politics. We have watched the governor of Nairobi slap a nominated

woman member of parliament on television, only to apologise to her husband. We have seen Moses Kuria, MP of Gatundu South, threaten to insert a glass bottle into Millie Mabona's vagina for daring to criticise the president. We directly witnessed male MPs leaving the Chamber when the vote of the two thirds Bill was due. We have heard male MPs call women politicians "flower girls," and listened to many women who would go into politics in Kenya if only it were a little less violent.

But we have also heard stories of resilience and creativity. We met Bina Maseno who uses make up meet ups to mobilise young women voters in Nairobi. We heard about women who changed their wardrobe and embraced the "mother of the nation" trope in order to navigate sexism. We witnessed women seeking endorsement by councils of elders, and who got it even if it required that they tinker with gendered roles and attributes. We learnt about the IEBC registering women to vote at the Coast during hours when they guaranteed that their husbands would be out of the home, so as to make sure that women were able to vote even if in secret. We have seen high profile female politicians re-invent themselves, time and time again, in order to find and keep whatever little space is available to them.

This project is our effort to hold space for Kenyan women while the struggle for better representation pushes on. It adds to a number of reports, audits and articles documenting the legal framework promoting women's participation in politics and its violation during past elections. It also adds to the efforts of a number of NGOs, coalitions, individuals (some of them writing in this collection) who relentlessly voice the claims of women in the public space but also in courtrooms where they try to make the law -- one of the pillars of Kenyan political culture -- more of a tool of social justice rather than one of male domination. Our collection adds to all of this by elevating stories that would otherwise be erased from the archive of the 2017 election, as well as stories of women who have gone before and that are getting lost. Some of the articles are academic historiographies of specific political communities in Nairobi, Kwale or Nyanza. Some are high-level snapshots of the current situation facing women in politics, and some are first hand accounts from women in politics to allow them to claim their place in the story of the 2017

Kenyan election. But we have also gathered stories of ordinary women voters and politicians who might sometimes reproduce the patriarchal schemes, but also challenge it by refusing to play the role they have been assigned by male political elites. There's a very good chance that we are not telling the complete story of one part of a complicated election, but we have put these narratives together to hold space – to be a starting point - until the complete story can be told.

Kenya's political uncertainty will undoubtedly continue. The 2017 election has only made future elections more uncertain as the two heirs won't be candidates in the 2022 election while divisions between various ethnonationalist factions have deepened. The new majority, as the previous one, seems unconcerned that the cabinet, the parliament and well as the Supreme Court do not yet comply with the two thirds constitutional requirement imposing that “no more than two-thirds of the members of elective or appointive bodies shall be of the same gender” (Constitution 2010, article 27(8)). The use of technology to manipulate public opinion is on the rise. Millions of new young voters will come online having witnessed the flagrant violations of the electoral law. The 2017 Kenyan election was the most expensive election in the world: money will certainly continue to be a factor in shaping political behaviour, and be a hindrance to women's participation. Political violence did not reach the levels of 2007, but arguably enough of the unspoken compact between state and citizen has been broken so as to undermine Kenya's fragile democracy.

There's no telling how Kenyan women will respond to these and more challenges, but, for now, here are some of their stories from 2017 as a starting point to understanding the journey ahead.

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Gender & Kenya's 2017 Elections: The Legal Framework

The Constitution of Kenya, 2010

Part 1. Electoral system and process

81. GENERAL PRINCIPLES FOR THE ELECTORAL SYSTEM

Parent Category: Chapter Seven - Representation of the People

The electoral system shall comply with the following principles--

- (a) freedom of citizens to exercise their political rights under Article 38;
- (b) not more than two-thirds of the members of elective public bodies shall be of the same gender;
- (c) fair representation of persons with disabilities;
- (d) universal suffrage based on the aspiration for fair representation and equality of vote; and
- (e) free and fair elections, which are--
 - (i) by secret ballot;
 - (ii) free from violence, intimidation, improper influence or corruption;
 - (iii) conducted by an independent body;
 - (iv) transparent; and
 - (v) administered in an impartial, neutral, efficient, accurate and accountable manner.

Part 2. Rights and fundamental freedoms

27. EQUALITY AND FREEDOM FROM DISCRIMINATION

Parent Category: Chapter Four - The Bill of Rights

- (1) Every person is equal before the law and has the right to equal protection and equal benefit of the law.
- (2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms.

- (3) Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.
- (4) The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.
- (5) A person shall not discriminate directly or indirectly against another person on any of the grounds specified or contemplated in clause (4).
- (6) To give full effect to the realisation of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.
- (7) Any measure taken under clause (6) shall adequately provide for any benefits to be on the basis of genuine need.
- (8) In addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

Part 2. Composition and membership of Parliament

97. MEMBERSHIP OF THE NATIONAL ASSEMBLY

Parent Category: Chapter Eight - The Legislature

- (1) The National Assembly consists of--
 - (a) two hundred and ninety members, each elected by the registered voters of single member constituencies;
 - (b) forty-seven women, each elected by the registered voters of the counties, each county constituting a single member constituency;
 - (c) twelve members nominated by parliamentary political parties according to their proportion of members of the National Assembly in accordance with Article 90, to represent special interests including the youth, persons with disabilities and

- workers; and
- (d) the Speaker, who is an ex officio member.
- (2) Nothing in this Article shall be construed as excluding any person from contesting an election under clause (1) (a).

Part 2. County governments

177. MEMBERSHIP OF COUNTY ASSEMBLY

Parent Category: Chapter Eleven - Devolved Government

- (1) A county assembly consists of--
- (a) members elected by the registered voters of the wards, each ward constituting a single member constituency, on the same day as a general election of Members of Parliament, being the second Tuesday in August, in every fifth year;
 - (b) the number of special seat members necessary to ensure that no more than two-thirds of the membership of the assembly are of the same gender;
 - (c) the number of members of marginalised groups, including persons with disabilities and the youth, prescribed by an Act of Parliament; and
 - (d) the Speaker, who is an ex officio member.
- (2) The members contemplated in clause (1) (b) and (c) shall, in each case, be nominated by political parties in proportion to the seats received in that election in that county by each political party under paragraph (a) in accordance with Article 90.
- (3) The filling of special seats under clause (1) (b) shall be determined after declaration of elected members from each ward.
- (4) A county assembly is elected for a term of five years.

Part 2. Rights and fundamental freedoms

27. EQUALITY AND FREEDOM FROM DISCRIMINATION

Parent Category: Chapter Four - The Bill of Rights

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- (6) To give full effect to the realisation of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.
- (7) Any measure taken under clause (6) shall adequately provide for any benefits to be on the basis of genuine need.
- (8) In addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

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Tracing Kenyan Women's Involvement in Elections and Political Leadership from 1963-2002

Lanoi Maloiy

The chapter will construct an understanding of Kenyan women's experiences of electoral politics by examining the life stories and, subsequently, the emergence of women in political leadership from 1960 through to 2002. The chapter investigates the challenges women face when running for and functioning within elective positions because of a male dominated political landscape, where Kenyan women are caught between pre-colonial and post-colonial societal culture, and the private and public sphere. The life stories of a selection of Kenyan women leaders are to demonstrate how they navigate a male dominated political landscape while working to attain elected positions. As such, their life-stories present key political and social events that were critical to these women's journey towards elective positions. Against the backdrop of key socio-political events in Kenya's history, such as the Mau Mau insurgency, independence, and the institutionalization of multi-party – politics play a significant role in shaping women's experiences of seeking elected posts. These events and memories offer greater understandings of women's history in electoral politics in Kenya. This study, therefore, contributes to an underserved area in leadership literature employing memories and voices that are often marginalised. At the same time, due to a reliance on oral history in Africa, many histories are often lost. Therefore, capturing women's post-colonial history in written form is important in order to establish a Kenyan women's history, the study connects these personalities to the wider trajectory of Kenyan and African politics.

Introduction

In Kenya, politics and leadership are often perceived as a dangerous undertaking, primarily associated with men, and unsuitable for women (Kamau, 2010; Kassilly & Onkware, 2010; Okoiti-Omtatah, 2008). Furthermore, male dominance of political systems, culture and the economy, not to mention threats of violence, educational stipulations and gender stereotyping, present significant barriers for female leaders in Kenya (Kamau, 2010; Kassilly & Onkware, 2010; Nzomo, 1997; Okoiti-Omtatah, 2008). By 2018, Africa had only had two elected female heads of state, Ellen Johnson-Sirleaf (Liberia) and Ameenah Gurib-Fakim (Mauritius), while other female African heads of state have been nominated, were interim presidents, or succeeded after the demise of a male head of state (Chirwa-Ndanga, 2016).

The main barrier towards women in leadership stems from male dominance of power and the stereotype of women as less effective leaders than men (Brown 1996). Politics and political leadership in Africa remains a male domain (Kassilly & Onkware, 2010). As such, more attention is needed towards developing approaches that challenge male dominance of political roles. Moreover, underneath all this, is a paucity of literature that focuses on locating and implementing empowerment strategies for African women leaders (Nkomo & Ngambi 2009).

Certainly, there is recognition that women are absent from political leadership in Africa (Anigwe, 2014). That is why scholars such as Sara Longwe suggest that women participate at the local or grassroots level, but are less likely to be found in prominent political positions (Longwe, 2000). Culture, patriarchal structures, gender roles and socialisation are barriers to women's participation in political leadership (Maloiy, 2016; Nkomo & Ngambi, 2009), including the socialisation that girls undergo during their early years. In this regard:

...girls are socialised to believe that public decision-making positions should properly be occupied by men, and boys are socialised into believing that girls may legitimately be excluded (Longwe, 2000: 26).

Lawless and Fox (1999) had similar findings in their research on women political candidates in Kenya. They argue that socialisation creates the

belief that women belong in the private sphere -- that is taking care of the home, while men should perform the role of provider. Therefore, because of the delineation between the private and public sphere men tend to dominate political leadership roles. As such women who enter this domain face significant opposition (Sadie, 2005).

Research in Kenya indicates that women face opposition in the form of physical violence, intimidation and verbal abuse when they attempt to access leadership positions (Kassilly & Onkware, 2010; Okumu, 2008; Okoiti-Omtatah, 2008). Other studies also indicate that women in Africa are not provided with adequate security measures by the state, and thus are inordinately subject to abuse and violence (Chamley, 2011). This violence stems from patriarchy. To this end Okumu (2008: 83) claims that “*patriarchal power is fragile and it resorts to violence to guard itself against threats.*” Even when a woman manages to attain a political position, she can often be marginalised (Ifedili & Ifedili, 2009). This is part of what Longwe (2000: 26) calls the “*dirty tricks*” to prevent women from accessing political positions. Part of this strategy involves providing inaccurate information to women candidates, and attacking the moral character of female political leaders (Longwe, 2000).

The chapter examines the lives of a few women who shaped the political leadership and elections landscape in Kenya. These women are Grace Ogot, Wambui Otieno, Philomena Chelagat Mutai and Professor Wangari Maathai. They have been selected due to the connections between their activism and politics, their public persona and political endeavours. The three key questions guiding this study are:

1. What key events influenced the political context from between 1963-2002?
2. Who were the key women leaders during this period?
3. What kind of challenges and obstacles have the women featured in this research faced when vying for elective positions in Kenyan politics?

This chapter is based on a biographical method employed to capture the histories of key women seeking elective positions in Kenya. It

involved writing life herstories of four women who have vied for elective positions from the late 1960s to the late 1990s. Furthermore, the method allows the investigation of individual stories, while also constructing a collective history of Kenyan elections and of Kenyan women's post-colonial political leadership experiences. Memories and oral history are significant in creating Kenyan and African histories and therefore, utilizing this method is relevant for undertaking research in the African context.

Secondary data was collected for this study largely from archival data, and supplemented with biographies and other literature, including the political magazine *Weekly Review*, dated from 1975 to 1985. The *Weekly Review* articles were accessed through the Kenya National Archives, where a research permit was organised for a period of a year. This approach allowed for women's experiences and historical involvement in elective politics to be constructed against the backdrop of key socio-political events in Kenyan history.

Kenyan Women and Elective Politics: Life Herstories

The first female politicians who emerged in Kenya in the 1960s were Grace Onyango, and Ruth Habwe of *Maendeleo ya Wanawake* (Progress for Women). Later, other women like Phoebe Asiyu, Julia Ojiambo, Eddah Gachukia, Jemima Gichaga and Philomena Chelagat Mutai launched their political careers (Nasong'o & Ayot, 2007). Ruth Habwe was the first woman to vie for an elective seat (see timeline of Kenyan women in politics at the end of this chapter), and she faced patriarchal attitudes when she declared her candidature:

She was suspended from party membership for daring to contest the election without the party's mandate, and she was told by MPs to 'go back to the kitchen and cook for Mr Habwe's children (Bailey & Bundeh, 1993:170).

Ruth Habwe's venture into politics set the scene for women's leadership struggles from the late 1960s through to 2013.

Grace Onyango was initially the Mayor of Kisumu in 1960, before becoming a Member of Parliament for Kisumu. The *Weekly*

Review (1975b: 4) indicates that she became the first female Member of Parliament in 1969 and the same article suggests that Kenya lagged behind its neighbouring countries, with the authors arguing that “*the few that have made it in politics have been exceptionally successful, proving that there is a great deal of scope for Kenyan women in the political life of their country*” (The Weekly Review, 1975b: 4). During the 1960s through to 2002, there were very few women in the Kenyan parliament. The first parliament had only one woman, while subsequent parliaments had between two to six women, dropping down to two women between 1983 and 1992. This low representation of women in parliament can be attributed to the patriarchal attitudes of key political leaders and the one-party system in place (Thongo, 2017). Once there was a regime change in 2002, the number of women in parliament increased and has been increasing steadily from 10 women elected in 2002, to 23 women Members of Parliament and 47 Women Representatives elected in the current parliament. This increment is primarily due to the new 2010 constitution that implemented affirmative action for women.

Wambui Otieno: A Legacy of Political Leadership and Resistance

Wambui Otieno is best known for her struggle to bury her husband S.M Otieno. The family of her late husband wanted to bury S.M Otieno in their ancestral home in Nyanza, yet, according to Wambui, SM Otieno wanted to be buried in their family home in Ngong. The matter went to court and Wambui lost the case. As a consequence, despite her wishes, SM Otieno was buried in Nyanza. Wambui’s involvement in the public sphere and politics went beyond this court case however. She herself was part of the Mau Mau independence struggle, as well as the second liberation movement that fought for multi-party politics in Kenya. This involvement was influenced by her family legacy of political activism: Wambui was the great grand-daughter of Waiyaki wa Hinga – one of the first Kenyans to resist the British in their initial colonization efforts in the early 1900s (Presley, 2011). Highlighting this, Presley (2011: 215) shares that:

As a result of growing up in her immediate family and through ties with nationalist leaders, Wambui's political awareness and commitment matured after 1950. By then, a new nationalist organisation, called Mau Mau by the Europeans, attracted the impressionable sixteen-year-old girl with its radical call to expel the Europeans via armed insurgency. During school holidays in 1952, when oaths of loyalty to Mau Mau were secretly administered in her neighbourhood, Wambui took the step that secured her place in Kenya's history as one of its most prominent women leaders.

During the Mau Mau resistance and the state of emergency, Wambui was a scout and ferried firearms for the Mau Mau, and was also in charge of a group of women scouts (Presley, 2011). In her biography *A Mau Mau's Daughter*, Otieno relates how she disguised herself and gathered intelligence for the Mau Mau movement (Otieno, 1998). Unfortunately, Wambui was captured during one of these missions and was raped by a colonial officer. Despite this tragedy, Wambui continued to be involved in post-independence politics. She met SM Otieno in the early 1960s, but was hesitant to marry him. Presley (2011: 219) records that “*she refused because she was Kikuyu and he was a Luo, and there was historic tension between the two ethnic groups.*” Despite her misgivings, Wambui married S.M Otieno and continued to be involved in politics and activism. Speaking to this, Wambui states that:

I had been worried that marriage might curtail my freedom to participate in politics. To the contrary, I continued to take an active part in political and social activities. SM gave his full approval for me to continue being a politician (Otieno, 1998: 103).

From the late 1960s, she was a member of *Maendeleo ya Wanawake*. In the early independence era in 1969 Wambui Otieno vied for the Langata Member of Parliament seat (Otieno, 1998). However, during this time period ethnic politics had emerged and began to intensify. Wambui faced what Maloiy (2016: 122) describes as a “*no tribe land*”; when women face challenges because they marry someone from a different tribe or clan. Wambui was thus encouraged to leave her husband or at least separate from him for the period of the elections because:

I could be a successful candidate only if I abandoned my Luo husband. When this information was conveyed to me, I felt very dejected. All that I had done was now being measured by my marriage to SM. I had to make a decision, and quickly. I sent the messengers back with the answer that since Parliament was not going to be my husband

after the five-year term was over, I had no intention at all of divorcing my husband (Otieno, 1998: 104).

Wambui's situation echoes that of many women seeking elective positions. Women are often stigmatised because of their marriage choices. As described by a Kenyan female politician in Maloiy's study (2016: 122) who was speaking to the emergence of female political leaders:

It's not that area alone, the whole of the African context, when you get married as a woman, you cease to be from that tribe -- you are taken to the other tribe. When the other tribe sees you coming up with the leadership, they throw you back to your tribe, so it's a challenge for a woman to really set her pace and say: 'I can stand for this' yes.

This tension – when a woman's private situation becomes a matter of public discourse – makes evident the challenges that African women face when attempting to engage in politics while continuing to make and have “unpopular” private choices and responsibilities (Mikell, 1997). Wambui narrates how her bid for election was ill-fated (Otieno, 1998) since the ballot boxes had pictures of candidates, and it was, thus, easy to identify which were her ballot boxes and destroy them. In this regard, Wambui found evidence of half-burned ballot papers behind the Kibera district officer's premises (Otieno, 1998). This experience did not discourage her, and she went on to vie twice and to engage in various political activities. Wambui (1998: 106) states that:

Despite these defeats, I never abandoned politics and I continued serving our people in whatever capacity I could. I was never bitter about what had happened to me [since] it was part of the history of electoral politics in our country.

In fact, Wambui Otieno was very active in the struggle for multi-party politics, also known as the Second Liberation. Within this context, she was a founding member of the political party Forum for the Restoration of Democracy (FORD), along with other opposition leaders such as Jaramogi Odinga, Paul Muite and James Orendo (Otieno, 1998). While campaigning for the opposition during the lead up to the 1992 election, she was beaten severely and hospitalised, but she persevered. The opposition did not win the presidential election, but its actions opened the door to multiparty politics after many years of a one-party regime.

Wambui's life story demonstrates the inclusive nature of the liberation struggle in the 1950s and 1960s; women were very much part of the liberation struggle and resistance movements in Kenya during this period. Certainly, in Wambui's book we can see that various ethnic groups were involved in the resistance against colonisation. Only after independence did ethnic politics intensify, and it has since become entrenched in the nation's psyche. Yet gender relations altered during the colonial era, and some colonial policies marginalised women and prevented them from participating fully in the post-colonial context (Tamale, 2000; Parpart, 1986). Colonial power was arguably handed over from white males to African males (Ogot, 2012), perpetuating a patriarchal leadership model that has been difficult to eradicate. This handover also explains the current ethnic political landscape, as the colonial administration often ethnicised their local governance. The British colonial administration stereotyped various Kenyan ethnic groups and "*the stereotypes of the colonizer became important for the images of the ethnic groups were to have for the other*" (Mutiso, 1975: 47). While it is beyond the scope of this chapter to discuss the emergence of ethnic politics, it is important to note that it has become a clear element of the Kenyan political landscape. Overall, Wambui Otieno's life story demonstrates women's significant yet unsung role in the liberation movements, and highlights the gendered and ethnic political leadership topography of the Kenyan context.

Philomena Chelagat Mutai: Young, Resilient and Controversial

Alongside Grace Onyango, Philomena Chelagat Mutai was one of the first female elected Members of Parliament in Kenya (Rotich & Byron, 2016). Much of Mutai's life story is set against the backdrop of the nascent post-colonial era as she came into prominence a decade after Kenya had attained independence. During this time, across the continent, independence leaders had been assassinated while other countries endured coups. It was against this background that Mutai was elected to parliament at the age of 24 in 1974, as a protégé of Jean-Marie Seroney. The Weekly Review (1975a: 4) notes that:

Not only did Seroney defeat Cheruyiot with a huge majority, but he also managed to bring on his election victory coat-tails such an unlikely candidate as Miss Chelagat Mutai into parliament because she was considered to be a Seroney “girl.”

This statement highlights the patriarchal nature of Kenyan politics: in the assumption that Mutai relied on Seroney’s assistance to attain her position. The perception that Mutai was ‘Seroney’s girl,’ underscores the belief that politics is a male domain and men dictate how women and which women enter this sphere (Kareithi. 2014). It also reinforces Ifedili’s (2009) argument that when a woman attains a political position she can often be marginalised.

Seroney may have mentored Mutai but she was involved in politics from her time at the University of Nairobi where she was an editor of a student publication called *The University Platform* (The Weekly Review, 1976). During this time Mutai was vocal about issues facing students, including the actions by a heavy-handed police chief called Oswald (Kweyu, 2013). The Weekly Review (1976: 3) suggests that she had “*uneasy relations with the Kenya government*” since her student days. Further, Mutai and other students were removed from the university during an investigation of its closure. She returned to the university after a long absence (The Weekly Review, 1976), and would prove problematic for two post-independence regimes.

Not only did Chelagat have political experience from her university days, she was also popular and influential in her hometown of Eldoret. Before the 1974 election, Mutai conducted a grassroots campaign; as a student with very little funding walking from door to door, and village to village, asking for votes. Unexpectedly, she emerged the winner beating her closest rival by over 6,000 votes (The Weekly Review, 1976).

Mutai was young but was very vocal in parliament. She debated the deaths of prominent politicians and what this meant for the security of their colleagues. She was also vocal when two MPs, Martin Shikuku and Jean Seroney, were detained. Mutai was elected to two parliamentary committees, including the anti-corruption committee (The Weekly Review, 1976).

Despite displaying so much promise, Mutai's time in parliament was short-lived as she was jailed in 1976 for two and a half years after being accused of inciting supporters in Uasin Gishu (Lynch, 2011). She regained her seat in 1979, but in 1980 ran afoul of the government again and faced jail time after she was accused of filing inaccurate mileage claims (Lynch, 2011). Witnesses stated that the accusations were unfounded and seemed to be a *"witch-hunt against a popular and outspoken MP"* (Lynch, 2008: 34). Eventually, Mutai fled the country seeking exile in neighbouring Tanzania until 1984 (Lynch, 2011). As a consequence, her promising political career stalled.

Nevertheless, her short political career demonstrates courage, tenacity and resilience in the face of opposition. Mutai was a political trail blazer for women from the Kalenjin ethnic group (Kiprop & Chang'ach, 2016). Since her time, women such as Tabitha Seii, Linah Jebii Chelimo, Joyce Laboso, Alice Chelaite, and Gladys Sholeii won seats in parliament. Mutai's story is one of inspiring women from a highly patriarchal culture to access political positions.

Grace Akinyi Ogot: Nurse, Wife, Writer and Politician

Mrs Grace Akinyi Ogot, author, businesswoman and politician, is another Kenyan woman whose life story needs to be told. Ogot came from a strict Christian background and her parents were such strong propagators of girls' education that her father even did chores such as fetching water, habitually the work of young women, so that Grace and her sisters could complete their schoolwork (Ogot, 2012). With such strong support from home, Grace Ogot went on to become one of the first African women to travel abroad for further studies in Britain.

According to her biography, Grace Ogot *"earned a series of 'firsts' in the course of her life"* (Ogot, 2012). The first part of her autobiography reflects the colonial context and the place of African women within that context. African women's education was largely confined to nursing and teaching (Kanogo, 2005). These jobs were perceived as an extension of the caring role that women perform.

During this time young African men and women gained colonial educations and some were travelling abroad to pursue further studies. Ogot was one of them, travelling first to Uganda, then to the United Kingdom for her higher education. On her return to Kenya, Ogot worked in various hospitals. She also began writing professionally, establishing herself as a renowned author.

Grace Ogot's foray into politics began when she was nominated to parliament by President Daniel Arap Moi in 1983, after the MP of Gem was murdered in 1985 and the seat fell vacant. According to the *Weekly Review* (1985: 20), Grace Ogot was a key contender for the vacant seat:

The indications so far, however, are that Ogot, who hails from the area, may be interested in the seat. Ogot, has been in fact, been highly visible in the area of late, especially during Owiti's funeral, when she was the mistress of ceremonies. Informed sources say that Owiti's supporters, including the MPs from the district, consider Ogot the most appropriate replacement for Owiti in Gem, even as the parliamentary representative, and this they say is a suggestion that Ogot is finding quite agreeable. There is a snag, however in that Ogot is already a nominated MP and it is as yet not clear whether she will consider resigning her nominated position so as to seek an electoral mandate in the forthcoming by election.

Ogot narrates in her biography how women of the Gem area sent a delegation requesting her to run for the Member of Parliament position (Ogot, 2012), and she agreed. Women composed and sang songs in support of Grace's campaign (Ogot, 2012: 251), and an example of some of their lyrics are:

Do you know Gem has changed, Gem has changed, and wants to elect a woman, Do you know Gem has changed, Gem has changed and wants to elect a woman.

The women then began to run a grassroots campaign. Grace Ogot (2012: 249) states that

They (the women) agreed to conduct a home-to-home campaign, on foot on a twenty-four (hour) basis, working in shifts. And even more significantly, they never asked for monetary handouts, although this was to change later during the multi-party era in the early 1990s. I provided them with a large room in my house in Kisumu which they used as their resting place, and where they cooked their food. On election day, many of them were my agents who jealously guarded my votes. I will always remain grateful to Gem women.

The support from the women of Gem demonstrates women's solidarity and support was a significant factor in Ogot's rise to Member of Parliament for this constituency. Despite the common misconception that women fail to support other women as the reason for the lack of women in politics, Ogot's life story shows that women can be a core part of a woman candidate's electoral strategy.

Ogot's election bid almost came to an end before it truly began, since she found out the night before the nomination that she was supposed to tender her resignation as a nominated Member of Parliament to the Speaker before going ahead with the by-elections (Ogot, 2012). It is not clear whether Grace knew that she had to do this. This lack of information, or, sometimes, the provision of inaccurate information, is part of what Sara Longwe describes as dirty tricks to hinder women from vying for political leadership roles (Longwe, 2000: 26). Eventually, Ogot tendered her resignation to the speaker late at night, and she travelled back to Gem to take part in the by-election the next morning. She was successful and became one of two women elected to Parliament in 1985 thus beginning her political career.

Ogot inherited a constituency facing several crises: three previous Members of Parliament had met untimely deaths. Robbery and violence were also rife in the area (Ogot, 2012). Despite inheriting such a crisis filled constituency, she initiated many development projects: such as a Gem constituency bursary fund and women's development projects through the Gem Mabati women's group. Owing to her dedication and track record of development, she was re-elected as Gem Member of Parliament. It is only in 1992, during the onset of multi-party politics, that Ogot exited the political stage, and she managed to leave the constituency in better shape than when she was elected. She shares:

Finally in just over eight years, the kind of disillusioned constituency I inherited had been turned into a constituency of confident hard-working, and dedicated peoples (Ogot, 2012: 288).

Ogot's political career started in the context of a largely, male-centric post-independence era with the transfer of power was from white

colonial leaders to African male leaders (Ogot, 2012). Male leadership continued for most of the 1960s through to the late 1990s. Early leaders like Mzee Jomo Kenyatta believed that women were incapable of leadership (Thongo, 2017) and this gendered perception of women persisted in the political landscape and marginalised women until the late 1990s (Aubrey, 2001).

Wangari Maathai: Female Presidential Candidate and Nobel Peace Prize Winner

Professor Wangari Maathai is known as the first African woman to win a Nobel Peace Prize. Though she is celebrated mostly for her work as an environmentalist and activist, she also engaged in elective politics.

Maathai was born in the 1940s in Nyeri. Here, in this fertile region of Kenya, she developed an appreciation of nature where her mother instructed her about how to utilise and co-exist with the plant and animal life in the area (Maathai, 2007). This gave the Maathai motivation to conserve the environment for future generations. Similar to Wambui Otieno, Maathai came from a legacy of leadership. On this, she provides:

My clan, Anjiru, is associated with leadership. The daughters made the clans matrilineal but many privileges, such as inheritance and ownership of land, livestock, and perennial crops were gradually transferred to men (Maathai, 2007: 5).

This family legacy of political leadership has been found to be enabling for female political leadership (Maloiy, 2016).

Maathai's life story occurs primarily against the backdrop of the end of colonialism and the dawn of the independence era, a period that held much promise for many African states. This was a time of liberation from colonial powers and nation building (Adamolekun, 1988). Maathai, like many Africans during this period, studied abroad with the intention of returning back to her home country, first to the United States and later to Germany for her doctorate. In fact, Maathai was the first East African woman to attain a doctorate (Namulundah, 2014). In this regard, Wangari Maathai's life-story is similar to Ogot's since they both studied abroad. Furthermore, like Ogot, she represented a series of firsts: the first

East African woman to receive a doctorate and master's degree and the first African woman to receive an associate professorship and become the chair of a university department (Muthuki, 2006).

When Maathai returned to Kenya she encountered significant gender inequalities perpetuated by patriarchal structures – part of the colonial legacy. She says:

Many of the benefits given to male professional staff at the university were legacies of the colonial era, when young male teachers from Britain were encouraged to work in Kenya and other colonies and were provided with incentives in addition to their salaries (Maathai, 2007:114-115).

These benefits tended to benefit only men, supporting Ogot's (2012) assertion that the transfer of power and privilege during the independence era went from white males to African males. It is this power and privilege that Maathai and her female colleague Professor Mbaya stood against. They fought for equal rights; that is, for female academics to be entitled to the same benefits as their male counterparts. This fight for equality foreshadowed the larger more politicized battles that Wangari Maathai would face.

Maathai's entry into politics began rather innocuously in 1979, when she sought to be the chairperson of the National Council for Women of Kenya. This move met with resistance due to ethnic politics. She tried again in 1980, however, she states:

This time it wasn't my ethnicity that generated opposition, but it appeared that elements in the government took an interest in the election, especially through one organization, Maendeleo ya Wanawake. I realized I was involved in a political game, even though I believed I was not in politics (Maathai, 2007: 156).

Lisa Aubrey (2001) catalogues the use of women's organisation for male political power through claims that the heads of these organisations are often linked to male politicians through family ties or marriage. Aubrey (2001) adds that the control of women's organisations by men is often a means of maintaining power, and over time it works against women's empowerment.

In 1982 Maathai contemplated running for political office, but as a university employee she had to resign before she could run (Maathai, 2007). The day she was to present her electoral papers, Maathai faced eviction from the university house she occupied after divorcing her husband. This speaks to Tamale's (2004:53) assertion that to maintain power, various tools such as laws and regulation are used: to "*safeguard the public sphere as a domain of male hegemony; it will resist any attempts by women who try to make the transition to the public sphere.*" Maathai herself argues the same in her autobiography:

Imagine my disgust when, after I had submitted my official letter of resignation to the university, the authorities cooked up a technical reason why I couldn't run. The committee charged with overseeing the election told me I was not registered to vote [...]. According to the committee, however, I should have reregistered in the previous national election, in 1979. And because I hadn't, I wasn't eligible to run. It soon became obvious that politics was at play again. The ruling party didn't want me in Parliament and had figured out a way to stop me from getting there (Maathai, 2007:161).

This preservation of male power through the use of spurious rules and regulations recurs when Maathai tries to return to her position at the university after being locked out of the election process. She was informed that her job had been given to someone else the day after her resignation had been tendered (Maathai, 2006). This was a crucible moment for Maathai, as she subsequently formed the Green Belt Movement for which she would eventually receive a Nobel Peace Prize. Crucible events are key events that change the trajectory of women's lives, and propel them towards a path of leadership (Maloiy, 2016). Maathai's work with the Green Belt Movement would move her into the political sphere and later onto the global stage (Namulundah, 2014).

Through the Green Belt Movement, Maathai openly challenged the KANU regime in the late 1980s and early 1990s, including stopping the sale of Karura Forest to private developers. She also helped preserve Uhuru park and fought against the lengthy detention of political prisoners. For these stances she was subjected to constant scrutiny, harassment and even imprisonment. Yet she persisted in her quest for political freedom and conservation of the environment. Nixon (2006: 28) suggests that Maathai was a non-conformist since she had too many things against

her: she was “*unAfrican, unKenyan, unKikuyu, unpatriotic, ungovernable, unmarried, unbecoming of a woman.*” As part of this non-conformity, in 1997 Maathai vied for the position of President of Kenya. Her motivation for running was the connection between corruption, environmental degradation and poverty, and she believed that her candidature would be able to put an end to this. Speaking to this nexus she writes that:

Large areas of forest were still being logged legally and illegally, at a fast rate, or sold off to government cronies for development. These practices compounded the lack of water, fuel, wood, healthy soil, and nutritious food in rural areas that so many Kenyans still experienced (Maathai, 2007: 255).

Maathai garnered support from well-wishers and they assisted her with the financing of her campaign. However, like many women entering into the political arena, finances were still an issue, including the fact that the Kenyan media did not look upon her candidature favourably (Maathai, 2007). Maathai in the end faced the dirty tricks aimed at preventing women from attaining political leadership. The night before the election rumours circulated that Maathai had dropped out of the presidential race, resulting in very few votes from a few supporters who had either not heard the rumour or refused to believe it (Maathai, 2007)

Professor Maathai’s life history is representative of the struggle of Kenyan and African women to be recognised by the state. Muthuki (2006: 85) states that:

Maathai is therefore a symbol of the challenges faced by African women in convincing their governments of the need to give them equal space, especially in decision-making.

In 2002, Professor Wangari Maathai finally made it to parliament as the Member of Parliament for Tetu, and was also made an Assistant Minister in the Ministry of Environment in 2003.

The Nexus between Politics, Activism, Women in the Public Realm and Women’s Rights

The women’s life her-stories in this chapter demonstrate the interconnection, between activism, public struggles, women’s rights and politics, and underscore that the personal really is the political. When

documenting their her-stories, there is a tendency to concentrate on the private arena of women's lives. For instance, in the case of Wangari Maathai, she has not been covered in popular press and academic literature, primarily on her environmentalism and the Nobel Peace Prize but for her very public divorce (Anderson, 2014). Similarly, with regards to Wambui Otieno, and specifically in popular culture, the court case to bury SM Otieno in their Ngong home and her later marriage to a much younger man are what dominant writings about this personality. Yet, these women contributed significantly to politics in Kenya and advanced many women's forays into political leadership roles, both indirectly and directly. Little has been written about Chelagat Mutai, despite her achievements as one of the country's youngest ever Member of Parliament and as one of only three women in parliament in the 1970s. In contrast, male politicians who were equally vocal, such as Martin Shikuku, are remembered and written about. This emphasises the marginalisation of women in the wider Kenyan historical context.

There are more similarities between the women profiled in this chapter: strong associations between the experiences of Otieno, Maathai and Mutai since they did not fit in to the archetype of the 'typical' African woman. Both Mutai and Maathai run afoul of the state and remained out of favour for a significant part of their lives. They were both very radical in their approach, yet were steadfast in carrying out tasks which they saw as benefiting Kenyans. Both were also unmarried, even while marriage is often discussed as the pinnacle of success for women in the African context. To this end, Tamale (2004: 54) argues that:

In Africa, it does not matter whether a woman is a successful politician, possesses three Ph.D.s and runs the most successful business in town; if she has never married and/or is childless, she is perceived to be lacking in a fundamental way.

Therefore their unmarried state, and the lack of children in the case of Mutai frames these women as not underachievers relative to the African ideal, despite Maathai earning a Nobel Peace Prize, and Mutai becoming a Member of Parliament at the age of 24.¹ These experiences illustrate the contradictions and tensions that Kenyan and African women face: tensions that are often played out in the public sphere.

Otieno had an unconventional lifestyle. She married a man from a different ethnic group than herself, perhaps in a bid to demonstrate to Kenyans inter-ethnic harmony. Later in life she married a younger man. Ogot is an outlier as she was a conventional African woman married with children. Yet, she is also unconventional in her own way, since she was one of the first Kenyan women to travel abroad for further studies, was a prolific writer, and was one of the first women to be an elected Member of Parliament. The life her-stories of all of these women show that an African woman has different facets, and they depict the tensions African women face as they negotiate between various opposing factors including personal ambitions and private responsibilities, tradition and modernity, and, lastly, being conventional and unconventional.

Finally, all four women show evidence of authentic leadership, a type of leadership that develops over a leader's life-time and is often influenced by key events and mentors (Maloiy, 2016). Authentic leaders are principled and tend to use their own principles and values to inform their leadership (Shamir & Eilam, 2005). All four women had key events that changed the trajectory of their lives and propelled them into political leadership positions, and their principles and personal conviction can be seen in their lives. Due to their personal convictions, they wanted to make life better for their constituents and for the wider Kenyan society. For instance, Maathai wanted to ensure that Kenyans enjoyed a clean and green environment. Authentic leadership such as the one demonstrated by the four women featured here offers hope for Kenya and other African countries. It is a leadership style that can alter the trajectory of a country through the leader's conviction and focus on the needs of constituents (Maloiy, 2016).

Conclusion

Through the life her-stories of four women profiled -- Wambui Otieno, Philomena Chelagat Mutai, Grace Ogot and Wangari Maathai-- this chapter deepens our understanding of Kenyan women's experiences of elective politics. These four women's experiences of the political barriers due to various factors including patriarchal structures, ethnic

politics, and a male dominated political landscape show connections between their activism, public persona and political endeavours. These life herstories demonstrate key moments and developments in Kenya's history. Their lives demonstrate the complexity of many African women's lives as they seek political positions. As such, these life herstories make a much needed contribution to the underserved body of literature on women in leadership in Africa.

Year	Timeline of key events in Kenyan women's history
1902-1909	Wangu wa Makeri becomes a recognized leader and chief of her community. She is forced to resign in 1909 by the community due to the community's perception of her dancing inappropriately in public.
1907	Prophetess Moraa Ngiti leads the <i>Kisii</i> of Western Kenya in a resistance against the British colonial administration.
1911	Siotune wa Kathake an <i>Akamba</i> female spiritual leader leads a resistance against British rule through a dance called <i>Kilumi</i> . During this period Siotune instructs the people to stay home not working or attending to crops. This disrupted the colonial administration; subsequently Siotune and her assistant Kiamba were exiled to an Island off the Kenyan Coast, Siotune returned home after two years.
1913-1914	The <i>Giriama</i> of Coastal Kenya resist the British administration. The resistance was led by an elderly prophetess called Mekatilili . She and Wanje , a fellow elder are exiled to Western Kenya in 1914. They escape, and are recaptured and sent back into exile.
1922	Mary Nyanjiru led a group of women to campaign for the release of Harry Thuku . The women were also there to protest against the <i>Kipande</i> system and the forced labour of women and girls. During the protest four women including Mary Nyanjiru were killed.
1952	<i>Maendeleo ya Wanarake</i> organization is formed. In the beginning the organization largely constituted of colonial settlers' wives.
1952-1963	Women are involved in the Mau Mau resistance movement. Most notable was Field Marshall Muthoni who led her own troops and remained in the forest until independence in 1963.
1954	The first women Mau Mau fighters sentenced to death Wanja wa Johanna and Wangui wa Kimani . Wanja's sentence was overturned to life in prison, due to her youth.
1961	Priscilla Abwao from Western Kenya and Jemima Gecaga were the first women to be nominated to the Kenya legislative council which included Africans from 1944.

1964	One of the first women to run for political office is Ruth Habwe , however she is unsuccessful.
1969	Grace Onyango becomes the first female Member of Parliament, Mayor of Kisumu (Western Kenya) and Deputy Speaker of the National Assembly.
1974	Dr Julia Ojiambo becomes the first female assistance minister for Heritage, Culture and Social Services.
1974	Philomena Chelagat Mutai becomes the youngest person to vie for an elective position in Kenya.
1982	Mrs Effie Owuor becomes the first female Judge of the Kenyan High Court.
1985	The end of the United Nations decade for women is marked by the Nairobi World conference.
1987	Wambui Otieno a former Mau Mau freedom fighter is taken to court by her deceased husband's relatives. She loses the right to bury her husband in their family home, and her husband S.M Otieno is buried in his ancestral home in Western Kenya.
1989	Professor Wangai Maathai protested the building of a high rise building in a public park in Kenya. She also protests the use of Karura forest as a residential site.
1992	Mother of political prisoners campaign for their release in Uhuru Park resulting in an altercation with the police.
1995	Mrs Nyiva Mwendwa is the first woman to be made a full Minister.
1997	Charity Ngilu and Professor Wangai Maathai become the first women to vie for the presidency in Kenya - both bids were unsuccessful.
2004	Prof Maathai becomes the first African woman to be awarded a Nobel Peace Prize.
2012	Martha Karua vies for the presidency in the 2012/13 elections. She is unsuccessful.

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(Likimani, 1991)
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Endnotes

1 This value for marriage is a perception among many Kenyan communities, it is however not necessarily the author's view.

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A Seat at the Table: The Fight for Gender Parity in Kenya¹

Nanjala Nyabola

This chapter offers an overview of the importance of representative legislatures and the value of quotas in achieving such representation.

When Bina Maseno was 23, she decided to run for County Assembly in Nairobi and reached out to a few experienced female politicians for advice. She expected to hear suggestions for navigating party power dynamics or articulating her campaign messages for a broader audience. What she got instead was a primer in protecting herself from sexual assault by male politicians and putative voters.

“I was shocked,” she recalled:

One woman told me that I had to dress in a matronly way because voters always think that youthful looking women are sleeping their way through the party. Another woman advised that I should never go to a rally without wearing biker shorts underneath my clothes because, inevitably, the men in the audience would try to strip me.

In Maseno’s experience in 2013, this latter piece of advice was repeatedly tested and found to be accurate.

For women across the world, electoral politics can be a hostile and violent place. Women who stand for office can expect casual sexism and discrimination, ranging from snide remarks about their appearance to being propositioned by their male colleagues. In some countries, this psychological violence escalates to physical violence in which men seek to make the public sphere so inhospitable for women that they disengage from electoral politics. Minnie Kasyoka, a 24-year-old potential Kenyan candidate in 2017 who changed her mind about running, told me:

I opted out for mental health reasons. The backlash is crazy. Without [a support group], I don't think I have the mental acuity to survive the verbal abuse and threats. It's not safe ... and most people think it's okay that the job description includes constantly being afraid for your life.

Percentages of women in parliament reveal two interesting facts on global underrepresentation. First, although women make up roughly 49.6 percent of the world's population, only two countries in the world had parliaments that approximated that ratio as of August 2016. Rwanda leads since women make up 61.3 percent of its lower house of parliament, and Bolivia follows with 53.1 percent women in its national assembly.² Second, there is almost no correlation between a country's level of development and the proportion of women in parliament. Hence, the United States (19.5 percent) finds itself sandwiched between Indonesia (19.8 percent) and Kyrgyzstan (19.2 percent) (Inter-Parliamentary Union, 2017).

The countries that were able to achieve some measure of gender parity all have one thing in common: they initially or continue to rely on quotas to increase the representation of women in parliament. Rwanda's post-genocide constitution requires that 30 percent of all decision-making bodies be made up of women, while Bolivia passed a raft of measures in the run up to its 2014 parliamentary elections to increase women's participation in the electoral process.

In contemporary conversations about gender parity in parliament, there is little debate about whether quotas are the easiest way to create a space in which women can be heard. In a March 2013 press release, the secretary general of the Inter-Parliamentary Union (IPU), Anders B. Johnsson, said:

Although quotas remain contentious in some parts of the world, they remain key to progress on ... gender parity in political representation. There can be no claim to democracy without delivering on this.³

The same press release noted that nine out of the top ten countries with the highest growth in the number of women MPs between 2011 and 2012 had used quotas.

The disparate fortunes of East African countries like Rwanda, Kenya, and Somalia tell a story of how well quotas can work when supported with institutional will, and how resoundingly they can fail when patriarchal political spaces conspire to undo them. All of the eight countries that are traditionally thought to make up East Africa—Kenya, Uganda, Tanzania, Rwanda, Burundi, Somalia, Ethiopia, South Sudan—have quotas entrenched in their electoral systems.

These quotas take different shapes. Article 27(8) of the Kenyan constitution requires that no more than two-thirds of the legislature be made up of either gender. In Somalia, the Electoral Implementation Team—a donor-supported body that has devised and implemented the rules under which the 2016 election occurred—promised that 30 percent of all the seats in the incoming parliament would be reserved for women. According to the IPU, the final number was 24.4 percent.⁴

At 21.8 percent Kenya has the lowest proportion of women in parliament in East Africa. As noted earlier, Rwanda leads the pack with an impressive 63.8 percent. Ethiopia comes in second at 38.8 percent, followed by Tanzania at 36.6 percent, Burundi at 36.4 percent, Uganda at 33.5 percent, and even war-ravaged South Sudan and Somalia at 26.5 and 24.4 percent respectively. Kenya has largely failed to bring in large numbers of women into parliament and is at risk of not only continuing to fall short on numbers, but also of undoing existing meagre provisions that encourage women to participate in public life.

Kenya's patriarchal politics cannot be attributed to generalized violence. Rather, as corruption and brutal contestation in politics have become normalized, women have been crowded out for not organizing or participating in political violence. Consider that the current president and deputy president won the 2013 election by a landslide, despite the fact that both were facing charges at the International Criminal Court for instigating and orchestrating the 2007 post-election violence that left over 1,500 people dead. The ability to muster and marshal violence to intimidate opponents is known colloquially as "*mimi ni ndume*" ("I am a bull") politics, and is rewarded and admired. This has created a space in which most women—and non-elite men—prefer not to compete.

In fact Kenya's legacy of women's participation in politics is mixed. The first female mayor in Africa is Kenyan – Grace Onyango elected in Kisumu in 1959. Similarly, Nairobi had a female mayor in 1970 but not since. After the 2017 election, only 16 out of 274 elected members of the lower house are women, or 5.8 percent, while the constitutional quota brings the proportion of female members up to 19.7 percent. The 2010 constitution allowed, in Article 97 (1) (b), for “*forty seven women each elected by the registered voters of each county, each county constituting a single member constituency.*” These are the reserved women's seats, one representative from each county. But, although the 2012 elections saw a numerical increase in the number of women in parliament, no woman was elected to the upper house of the national parliament, and the vast majority of women came to parliament through the 47 reserved seats. A similar pattern persists at the regional level: only 82 women were elected to the 1,450 open county assembly seats in 2013, while 680 were nominated to meet the constitutional threshold.

Even though it is considered one of the core principles of the hard-won document, parliament has repeatedly failed to pass implementing legislation that would allow for Article 27(8) to come into effect. The constitution, passed in 2010, did not provide for a mechanism through which the two-thirds distribution would be achieved beyond the creation of reserved seats. Shockingly, according to female legislators in the house, at the last vote on a possible bill to operationalise the requirement, many male politicians simply left the house and went to the parliamentary bar instead.

Worse still, the reserved seats have had a deleterious effect on any gains of the last 20 years. In 1997, Charity Ngilu, the former MP for Kitui who has also held several cabinet seats, became the first woman in Kenya to run for president. Since then, at least ten women of various backgrounds and abilities have attempted it. But 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.

This ghetto of appointed representatives owes its existence directly to the violence of the electoral process in Kenya. As Kasyoka noted above, violence and intimidation are normalised in Kenyan politics. When women put themselves up for election, they not only face casual sexism but risk physical harm. Indeed, after the 2012 elections, a group of female candidates reported to parliament that their campaigns had been subjected to harassment, intimidation, violence and other underhanded tactics. Janet Chepkwony, a losing candidate in Kapsabet, a town in the former Rift Valley province, reported:

I received threats to my life, while my supporters were physically abused or intimidated. This made it difficult to access some of the areas and compete with my rivals on an equal footing.⁵

According to the Kenya Women Parliamentary Association (KEWOPA), women candidates in 2012 were forced to employ private security and pressured by senior men in their parties and ethnic groups not to stand for office. The men claimed that their political participation went against traditional gender roles.

Retreating to the women's representative seats may have ensured the political survival of strong female candidates during a period of upheaval, but it robbed the National Assembly of key voices, while allowing the patriarchal mainstream to capitalize on their absence. Many of the progressive provisions of the 2010 constitution have been rolled back, including protections for LGBTI groups, the disabled and other special interest groups. *Vis-à-vis* women's rights, crucial legislation like the Matrimonial Property Law was gutted so that women were not automatically entitled to 50 percent of the assets accrued during their marriage, but only to their "contribution," a formula that distinctly favours men.

This is the male-dominated space that generated two bills—both introduced by men—that sought to defer the implementation of Article 27 (8). The MP from Ainabkoi, Samuel Chepkonga, proposed a bill that would ignore the implementation deadline and defer the enactment of the two-thirds rule until 2037. House majority leader Aden Duale

pushed forward a bill that he called the “*top-up approach*,” which would allow parties to nominate women to parliament after the election, corresponding to the number of seats won by the party at the election.

Both of these bills are unconstitutional. The constitution mandated the implementation of quotas occur within five years—a due date that has since lapsed. The Chepkonga bill was arguably the more flagrantly unconstitutional of the two, but many opposition legislators see the Duale bill as a Trojan horse that would allow the ruling party to augment its presence in parliament without having to return to a vote. As of August 2016, both bills failed in the house, and when the Duale bill was introduced in parliament in early 2018, it was a version that proposed increasing the number of legislative seats available rather than addressing the systemic issues that lock women out of politics.

Very little of this jives with Kenya’s self-proclaimed image as the most progressive country in the region, but it makes sense when you consider the extent to which political life in the country is shaped by patriarchal institutions. Candidacy for elections in Kenya is not simply decided by political platforms but by a network of interests. For instance, all of the large ethnic groups in Kenya are headed by men-only councils of elders whose endorsement is required to secure support for a candidate by their respective ethnic community.

In the Somali communities of northeastern Kenya, councils of elders determine entire slates. This means elections are almost always decided before people cast their ballots. The council of elders in Mandera, a constituency on the Ethiopia-Somalia border, announced the candidates for all electoral posts in the county in the middle of 2016, and few outside candidates were able to unseat those chosen by this council. In July 2016, the Njuri Ncheke council of elders from the Meru communities of central Kenya threatened to disown and even curse politicians who excluded them from decision making. Among the Kikuyu community of central Kenya, the council of elders is lobbied—often financially—by various candidates over a number of months before securing their endorsement. Councils of elders in Kenya have rarely supported a female candidate for any national position, and have often intervened to discourage

women from running against men. This idea of negotiated democracy is supposed to protect the peace, but it subtly excludes those who are not represented in or do not wield influence over these councils—women, the disabled and the poor.

Highlighting the challenges facing female politicians in Kenya is not to say that women in the other countries of East Africa do not face sexism or violence when they choose to run for office. In Rwanda for example, Kagame's regime has arrested both women who dared to run against him for president. Diane Rwigara, his latest challenger, has also seen her mother and sister arrested, and their businesses and homes destroyed. Rather, the underlying assertion is that if governments choose not to protect the spaces created to increase the participation of women in public life, legislatures will never be fully representative. Kenya has failed to make gender parity a priority, leaving women vulnerable to the physical and psychological violence that locks them out of the public sphere.

There are many people who argue that leaders like Paul Kagame in Rwanda and Yoweri Museveni in Uganda court women as a political bloc, because they view them as more malleable or susceptible to influence. But the fact remains that these leaders view and interact with women as a political force. Women are part of the conversation in these countries in a way that they are not in Kenya, and women's rights issues have suffered because of it.

Consolidating the representation of women in legislatures is about more than simply increasing the percentage of women MPs, but where even that is absent getting the numbers is an excellent start. In the long term, it should involve creating spaces for alternative visions of inclusion: new conversations around belonging, democracy, progress and other big ideas. For women like Kasyoka, representation is also about hope:

There's so much negative press about politicians that creates hopelessness in the citizenry, and that kills progress. I want to change how people think about politics and politicians ... [it's about] taking back politics.

Endnotes

- 1 This article originally appeared as Nanjala Nyabola; A Seat at the Table: The Fight for Gender Parity in Kenya and Somalia. *World Policy Journal* 1 December 2016; 33 (4) 10-15. doi: <https://doi.org/10.1215/07402775-3812933>
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Women contesting in the 2017 General Elections in the Coast Region of Kenya: Success and Obstacles

Fathima Azmiya Badurdeen

Women's participation in Kenyan politics has increased in the last two general elections. For example, in the 2013 elections, a record number of 81 women were elected and nominated to the eleventh parliament. In the 2017 general elections, 21 women were elected to Member of Parliament positions, up from 16 women in 2013. However, this increase in the number of women in parliament is not evidence of democratization, and, in most cases, is a deliberate strategy by political parties to both adhere to the legal provisions of the constitution and attract a larger voter base in order to consolidate their power. Against this backdrop, this chapter investigates the factors influencing women's participation in the 2017 general elections in the coastal region of Kenya. The factors that determine women's political participation in this region go some way towards explaining the limited number of women involved in politics in Kenya broadly. As such, this chapter seeks to answer the following two questions: 1) What are the 'glass ceilings' faced by women in their political careers? 2) How successful were women politicians when campaigning in their constituencies? Based on qualitative interviews with relevant stakeholders, field observations and relevant secondary information, the article highlights the successes and obstacles faced by women candidates from the Coast in their journey towards the 2017 elections.

Introduction

Looking at the 2017 general elections results and the outcomes of the preliminaries, my colleague – a lecturer who had been monitoring the elections – raised two questions. First, why did so many women drop out from the MCA primaries in the coast constituencies? Second, what

motivated women to enter the more prestigious but also more difficult Member of Parliament position races, and what made some of them successful in these political journeys?²¹ What follows is a detailed analysis of the performance of women contestants in the 2017 elections in the Coast region of Kenya, prompted by the aforementioned questions. While international and domestic conventions, pressure group actions and legislation have increased the opportunities for women to participate in electoral contests, this dynamic suggests a top-down approach and does not, for example, reflect commitment from political parties, or county, ward or community perspectives. Rather, as one community informant put it, one can say that this approach makes evident the *“lacking community attitude, belief and perception of the need for women in political positions to serve their people.”*²²

At the Coast in 2017, some progress was evident as three women -- Ms. Aisha Jumwa Karisa from Malindi (Kilifi), Mishi Juma Mboko from Likoni (Mombasa) and Naomi Shaban, an incumbent from Taita Taveta, - won the MP positions they ran for after a tough contest against male counterparts. Yet, despite these notable successes, a majority of experienced women contestants, at various levels, dropped out due to structural factors that hindered their progress.

This chapter elaborates on the successes and the obstacles faced by women during their 2017 electoral bids in the Coast region. Given the limited number of women involved in politics in this area, it is important to reflect on the following question: what factors hinder women's participation in elections? And to answer this main question, the article raises two sub-questions: first, what are the 'glass ceilings' faced by women in their political careers? second, how successful were women politicians when campaigning in their constituencies?

The research comprised of qualitative interviews with relevant stakeholders; namely six women aspiring to political positions, four academics working on issues relevant to women's empowerment, and three female activists working with community based organizations. In addition, the author was an observer in two political campaigns for women aspirants, and four discussion forums related to women and

elections. Field data for a period of six months, from these discussions platforms and field observations, constitutes the primary references for this study. Relevant secondary information gathered from newspaper articles, websites, blogs and social media complemented the study. Some MCA aspirants were kind enough to meet the author – almost five times, and recounted relevant stories of other candidates and political issues in the coast. These discussions with informants were conducted at key moments: before primaries, after primaries, after nominations and after the elections. Despite these successes, the study faced more limitations than envisioned. For example, a majority of the selected women aspirants were unable to give interviews due to time constraints. They were also afraid of supplying outsiders with their personal details and campaign strategies. In some cases, after following the aspirant for many days, interviews were declined for no reason. Others contestants openly stated that they could not trust the researcher at this particular juncture of their political campaigns fearing that the information would be misused by their competitors. Despite this, other informants could, at times, provide much needed information about different stakeholders, in this way filling in some of the gaps enabled by the female political contestants who were unwilling to speak to the researcher.

The chapter is divided into four sections. Following the introduction, the first section contextualizes women's participation in Coast politics. The second section describes the factors which facilitate or hinder women's political participation at the Coast, taking into consideration the glass ceilings faced by women in their political journeys. The third section analyses how women strategized for their campaigns, and details the successes they experienced because of particular strategies. The final section has concluding remarks and a summary of the main findings.

Contextualizing Women's Participation in Coast Politics

Kenya's Coast region lies along the Indian Ocean, and has six counties: Mombasa, Kilifi, Kwale, Lamu, Tana River and Taita Taveta. The region is economically dependent on tourism, the port and the mining of natural resources such as titanium. Inhabitants of this region argue that they have

been victims of discriminatory policies by successive governments since independence, and this has hampered the socio-economic development of the region. This results in tensions including the following key contentions that: 1) The local community lacks title deeds for land and therefore land ownership and attendant economic investments benefit those from other regions; 2) There is mismanagement of government funds and coastal resources including port employment opportunities and revenue; 3) Unemployment and illiteracy are high and there are limited educational opportunities. As such, the Coast region of Kenya is characterised by tensions between ‘Coasterians’ (locals) versus ‘outsiders’ from other parts of the country and from the West (IPSOS, 2013). This underdevelopment has arguably led to the rise of a secessionist movement called the Mombasa Republican Council (MRC) (Goldsmith, 2011), the heightened recruitment of young people by the Somali terrorist group Al Shabaab and other vigilante associations like *Kayo Bombo*, as well as the formation of local gangs.

The region is in fact one of the most diverse in the country, and houses the indigenous Mijikendas (‘nine tribes’), Swahili (Arab Africans), and other Kenyan ethnic groups. Faiths such as Islam, Christianity, Hinduism and indigenous cosmological practices shape the religious space, although Islam dominates. Culturally, the religious, ethnic and indigenous structures shaped patriarchy in the constituencies, moulding perceptions and attitudes that widely affect women in leadership positions (Nordstrom, 2013). With modernization and exposure to technology and media, there have been changes in attitudes in the counties, demonstrated by the acceptance of women’s participation in politics (Alidou, 2013). Further impetus also comes from changes in the political structures, mainly with the national legal framework, which operationalized gender equality through the two-thirds gender rule. Women’s inclusion in politics became necessary because of the gender quota and women’s positioning as capable candidates for political positions (Kaimenyi et al, 2013). Just as in many other parts of the country, prior to the 2013 elections women were rarely considered for political positions in the Coast, but after the 2013 elections a host of

changes as MPs and, 2017 saw three women elected into parliament as MPs.

Devolution, triggered by the 2010 Constitution and officially implemented after the 2013 election, is often offered as a solution for underdevelopment and marginalisation, and since then there is considerable evidence of increased local ownership of development. One positive aspect of devolution has been its ability to provide political space to grassroots politicians, strengthening the role of locally elected representatives such as the Member of County Assemblies (MCA). In fact, the position of MCA has had a profound impact, since they are the closest politicians to the electorate. Consequently, there is a high level of dependency on the MCAs by MPs and Governors. Yet, paradoxically, interviewees also highlighted the weakened role of MCAs who are unable to do their work since they must remain loyal to their Governor.³

Devolution and the current political landscape have been particularly transformative of the Coast. The region is a stronghold of the opposition party, Orange Democratic Movement (ODM). This adds to the existing difficulty associated with political bargaining at the national level. Regular conflicts with the ruling party have impeded development initiatives such as the construction of the Nyalı-Mombasa Bridge.⁴ Within such a context, women require even more bargaining efforts and skills within the national government. Furthermore, the victory of women in at the Coast is tied to the popularity of their party in this region. Most aspirants intended to join ODM, as it made community acceptance easier. However, they had to manoeuvre party politics as aspirants before they could be selected at the primaries.⁵

Devolution has, however, triggered a new form of marginalization within existing socio-political leadership structures. Most of the issues point to the overall marginalization of the coast, or 'marginalization within' after devolution, where ruling elites take control and created ethnic favouritism in service delivery. This affects both men and women alike, however, much of this inordinately impacts women "*who are more involved in the micro unit of the community*" and take control of domestic spheres affected by poverty.⁶ Marginalization affects women differently

as most socio-economic constraints impacts the woman in her domestic role, as she seeks to fulfill basic needs such as, for example, children's schooling and family health issues. Women representatives are thus expected to be vocal on issues concerning the County, and issues affecting women: they are required to respond to the 'expectations of women' and be a 'voice for women.' Against this background, key questions are prompted in public discourse such as: have women politicians responded well to the expectations that they should represent both women and their counties? Also, how do local communities support these female politicians to enable them to perform their role adequately?

Factors Facilitating and Hindering Women's Political Participation in the Coast

The factors that contribute to the lack of female political representation in the Coast region are varied. In elaborating on the 'glass ceilings' that prevent women from running in elections, this section distinguishes between supply-side factors and demand-side factors within the social, economic and political context of this region. Supply-side factors increase the number of women available to contest in elections, capturing phenomena such as their will, financial resources, skills and their experiences running against men for political office. Demand-side factors focus on the political systems or parties and electoral systems that introduce women to political positions (Krook, 2010). In addition, a third cross-cutting explanation that affects both supply and demand is the existing culture, attitudes and beliefs of the respective constituencies in which they intend to contest (Awofeso & Odeyemi, 2014). Finally, institutional regulations, such as gender quotas, also play a prominent role in shaping women's access to political positions (Franceschet et al, 2012).

One obvious explanation for the lack of women in politics is supply: there simply aren't enough women trying to enter electoral politics. Many factors relate to this, for example: interest in political office, lack of ambition, sufficient knowledge of political roles and their constituencies, and availability of resources such as time, finances, civic

skills and networks. However, these factors are linked, above all, to women's socialization since this will dictate one's interest, ambition and knowledge, while also making evident structural impediments to, for example, education and employment (Krook, 2010).

Political ambition is key if women are to succeed as aspirants. Among the three women who won Coast MP positions in the 2017 elections is Aisha Jumwa Karisa Katana, who successfully claimed the Malindi Constituency seat for ODM. She had to wrestle her male counterparts to achieve her political ambitions: beginning as a former Woman Representative in Kilifi and then running against seven men for the MP seat in 2017 – beating all of them despite being the only woman on the ballot.⁷ At the same time, there are many stories of women losing. Mary Akinyi, an incumbent aspiring for the MCA position from Airport Ward, Mombasa, highlighted the importance of political ambition. Despite not making it in the party primaries in 2017, she had not given up stating that “*there was always a next time, this is going to make me stronger for the next time.*” To these ends, Akinyi was already focused on re-integrating herself into community projects in Mombasa, so as to foster rapport with her existing and future supporters in preparation for the next election in 2022.⁸

Apart from interest and ambition, women also had fewer resources to participate in electoral politics. One critical resource is time: women have much less time to spend in the public sphere than men, since they are often engaged in domestic labour including cooking, cleaning and child rearing (Haggart & Scheidt, 2005). All of the women interviewed cited ‘time’ as a glass ceiling in politics, principally because they were heavily engaged in their roles as mothers and wives, and, consequently, unable to campaign as much as their male colleagues.⁹ In contrast, men are able to spend more time in their constituencies with no adverse effects on their families, since they depend on their partners to take care of the domestic sphere.¹⁰ Grace Oloo, a political aspirant, affirms that women participating in politics may be trapped in their motherly roles unless men share parenting responsibilities and accept women as career women.¹¹

Women's political participation is also affected by the lack of financial and human capital needed to run for office, since this is tied to education, employment and other community networking skills. In the Coast, similar to other regions, women are treated as secondary when it comes to education. This enables a situation "*where many girls are easily left out by the education system due to cultural and economic reasons such as poverty.*"¹² These factors affect the interest in and knowledge of political positions women will have when compared with men (Fortin-Rittberger, 2016).

In addition, all women aspirants interviewed described their journey towards nominations at the primaries, as well as the final elections, as a difficult endeavor.¹³ This means that, overall, less women seek office or work behind the scenes in politics (Krook & Childs, 2010). For example, Mary Akinyi explained that she had to personally accommodate her voters at the primaries for a period of time due to her fear that they would be intimidated or have their votes bought. Highlighting this she said:

I had to keep my voters in my house. They were expecting that I should provide them with food and protection until the elections. They feared intimidation from the other candidate aspiring for the same MCA position. There was also the aspect of buying votes from the other candidate (Mary Akinyi, personal communication).

Further, she explained that after all the struggle, "*you may not make it to the primaries due to party politics.*"

Favouritism within political parties can affect women who, while are willing to serve their constituencies, lack party clout. Some explained that political parties favoured women who agreed with all of what the party members were saying, and anyone who offered a different critical perspective was not viewed positively. Women were expected to perform supporting roles rather than be active participants in the constituencies.¹⁴ Some expressed concerns that a woman's career in the party was directly tied to how they defended their leaders, even if the leader's approach may not yield results. An interviewee revealed how in one instance, an elected female official who had defended a party leader, was rewarded with a higher political position. Women are still expected to agree

with men's views since men are the putative leaders, and failure to do so may jeopardise women's chances in the party.¹⁵ Still, not all women were passive followers. Notably, Zuleikha Hassan (Woman Rep, Kwale) and Aisha Jumwa (MP, Malindi) confronted their bosses and their male counter parts in their journeys towards political positions.¹⁶ Hassan vocally blamed Mombasa governor and ODM deputy Hassan Joho for interfering with Kwale politics. She stated that, whether leaders are bad or good, Kwale people should be allowed to choose the ones they want. In addition she asked "*Joho to allow candidates to fight it out with their competitors during the polls*" (Just40days, 2017).

Political opportunities for women, enabled by factors such as gender quotas, political parties privileging women's participation, or community acceptance of females contesting for political positions, could facilitate the 'demand side' of women's participation in politics (Krook, 2010). In Kenya, women account for more than 50% of the population and require political representation. The 2010 Constitution contains gender quotas and, along with devolution, brought about more opportunities for women's political representation. Gender quotas allowed for the slow but steady increase in the number of women representatives in the country (Nordstrom, 2013). At the Coast, where gender quotas facilitated the entry of many talented women into the political arena.¹⁷ At the same time, it is important to distinguish between symbolic or substantive women's representation in parliament (Lawless, 2004). On this, Hadija explained that the increase in the number of women in parliament may not have an impact if they are suppressed by their male counterparts and do not have the power and capability to drive policy (Goetz & Hassim, 2003)

Akinyi explained that adhering to gender quotas increases the appeal of political parties to the public, since it shows that "*women's concerns are represented.*" Yet, this is often a double-sided situation. Reflecting on this, Akinyi shared that, in her role as an MCA she often spoke often on health issues like mismanagement at hospitals and other aspects of County neglect. This was not well received by the County Assembly, even if it was applauded by the public. Despite this, she concludes that "*we need to speak up and have the ability to negotiate, its important. It*

*can be painful for some members, but I said what I have to say.*¹⁸ All the same, “*women need to tread carefully in varied party political arenas, as it still is a man’s world. We are still seen as outsiders in a man’s world*” shared another female politician.¹⁹ In such a situation, for a woman to contest or run for office they must be selected and supported by a political party often dominated by men. Parties that encourage and offer resources to women lure talented women.²⁰ And if women hold prominent positions in parties, it works favourably for other women aspirants since they try to support their colleagues’ career in the party, for example, by introducing the candidate to the constituents or making financial contributions to facilitate their entry. This was the case for the elected women representative of Kilifi, Gertrude Mbeyu Mwanyanje, who was mentored by the former women representative Aisha Jumwa Karisa Katana (presently an elected MP in Malindi, Kilifi) (Daily Nation, 2017a). The fact that there are now three women MP’s from the Coast may further impact the number of women politicians, since this could influence political parties to involve women in greater numbers within their operations.²¹

Women Candidates and their Campaigns

Campaign resources, political ambition and favourable party opportunities shape women’s access to political opportunities. The 2017 elections at the Coast region saw strategic campaigns launched by women. In these campaigns women formulated key themes, while also working to overcome gender stereotypes, build their image, and integrate gender and other identities in their electoral efforts. Women also used social media in their strategies. Apart from campaign resources, which were considered a main impediment to contesting, gender stereotypes hindered women candidates from garnering sufficient voter support. Navigating the gendered terrain in campaigns was not easy, and each experience, though varied, was defined by factors such as political party reluctance, ethnic challenges and the challenges particular to the political position being sought (Dittmart, 2015; Bhalotra et al, 2016).

Strategic campaigning is core to shaping public attitudes and the perceptions of women candidates by community members (Aalberg & Jenssen, 2007). Like many other parts of the country, the acceptance of women as political representatives has not been easy due to prevailing cultural and religious beliefs in the Coast region. Such cultural arguments against women in leadership positions hinder women's participation in electoral politics (Awofeso & Odeyemi, 2014). The belief that a woman belongs to the private sphere and has no ability to participate in politics is still present in Kenya (Alidou, 2013) and these cultural attitudes affect women's access to political positions: it affects a woman's decision to enter politics, whether a party will select women candidates, and the decisions made by voters on election day.²² Despite all the awareness spread through national and local media programmes, women still believe that leadership belongs to men. Changing prevalent attitudes cannot happen when women themselves view other women contestants unfavourably.²³ Regina Chisenge, aspirant for MP seat in Kilifi North, said:

Slowly communities are changing to accept women, it's a gradual change, but it is positive. Women who were elected in the past should show what they could do as leaders. If they act as good role models, communities will learn to accept women²⁴

Women must also navigate cultural beliefs rooted in religion during electoral campaigns. Witness Tsuma, an aspirant, identified religion as the main source of cultural beliefs in her constituency. Most of the people are Muslims, and she believes that in Islam women are not traditionally favoured to participate in the political sphere.²⁵ At the coast, Islamic laws are interpreted to constrain the activities of women. This patriarchal view on the place of women in society is hard to break (Alidou, 2013). To resolve this tension other aspirants shared that:

We women have to first break the existing cultural beliefs about women by discussing Islam or religion in detail: by searching for Quranic or religious statements which discuss women's positions, and also by discussing who are Muslim role models. Sometimes we go to the extent of asking for assistance from Imam's and village elders to discuss the ability of women to be leaders. We are looking forward to bringing this change, which will change people's perceptions.²⁶

In contrast, Grace Oloo explained that religious leaders have been helpful in her campaigns:

“their role is important to change perceptions and attitudes.” Men in leadership positions who promote women aspirants can have a positive role in ensuring women access political opportunities. These same religious and cultural beliefs facilitate the political careers of female aspirants who run for positions exclusively reserved for women. Here religion and cultural beliefs can work to their advantage, as they did for the Asha Hussein Mohamed - the elected Woman Representative for Mombasa. That Asha Mohamed is a Muslim who understands Coast culture and claims party affiliation to ODM, certainly led to her re-election in 2017.²⁷

The ways in which contestants presented themselves in the 2017 elections affected their campaigns. Most campaigns by women conformed to societal expectations. In this regard, men were habitually associated with ‘toughness,’ while women were more likely to be viewed as ‘compassionate.’ As such, men were generally perceived as more emotionally suited for politics than women. Still, during actual voting some women were actually seen as equally tough, even while they still had keep up with the expectations associated with women for fear of being deemed ‘not feminine enough.’

Gender perceptions are also projected into the issues advocated by the contestants. Women are considered better when it comes to issues such as poverty, education, drug abuse and health care; at the Coast, women’s areas of expertise were considered to be health, education, water issues, the environment, women’s and youth empowerment and girl child education. Men are preferred for economic policies, agriculture or trade issues.²⁸ As mentioned earlier, sometimes these stereotypes work to the benefit of women aspirants on the campaign trail, and, it is important to note that despite longstanding stereotypes about women’s innate ability to lead, women do receive votes from other women (Brooks, 2013).

Walking the line between ‘not woman enough’ and ‘not politician enough’ is not easy for women political candidates (Aalberg & Jenssen, 2007). Some manage this delicate balance better than others: Zulekha Juma, the elected Women Representative in Kwale, portrayed herself effectively as simultaneously feminine, religious, tough and ready for the job. This hints at an important aspect: sometimes women vote

for other women not solely because of their gender but because of their capabilities.²⁹ For example, Asha Mohamed, the elected Women Representative of Mombasa, used her emotional appeal, humility and prior experiences to gain acceptance and launch a political campaign in her constituency.³⁰

The perception of women as emotional can be instrumental to winning the trust of particular constituents. Witness Tsuma highlighted that this “*nature*” helped attract youth who felt a “*mother*” could understand their plight -- the ‘mama’ role worked well with this demographic.³¹ This image building linked to gender stereotypes is vital, and allows women to create opportunities using a ‘mama’ profile. All the women aspirants interviewed made use of their profile as mothers in their campaigns.

Expectations about the behavior and dress code of women aspirants further shaped the campaign terrain. According to Dittmar (2015), women can take advantage of these gender stereotypes during their campaigns for instance by dressing according to the societal expectations. Regina Chisenge, an aspirant for MP, in Kilifi North, explained that during campaigns “*you need to change your wardrobe. It’s a costly affair. Your dress should portray maturity and a ‘fit for the job’ attitude.*” However, dressing properly is not equal to wearing brands and exhibiting catwalk behavior.³² Too much glamour when a community expects a conservatively dressed candidate will allow that aspirants be read as “*womanly in sexy terms,*” but unable to perform in political office. Speaking to this, Oloo, a political aspirant, shared that:

It does not mean overdoing it...we have cases, women overdo their physical appearance to the extent that party members and community members view them as models rather than politicians. We need women who think with their brains, not those that outdo others in clothes and makeups (Grace Oloo, personal communication).

Oloo also emphasized that with image one also needs to change the way they talk, address gatherings and conduct all affairs; ultimately, modify oneself to make sure you reflect the constituency you intend to serve.³³

The ways that candidates included their personal life in electoral campaigns also affected their candidature either positively or negatively. For some, there is a need to “*talk about your children*” or “*your husband*” so as to create the impression of being “*family oriented*” or “*supported by the family*.”³⁴ Asha Mohamed (Mama Mlenzi), a former nominated MCA and aspirant, highlighted the positive role her husband played supporting her journey as a woman aspirant (The Coast Counties Watch, 2017). Such portrayals paint a positive image and can translate to increased support from a diversity of community members.³⁵

Being aggressive can be a blessing in disguise for many women contestants. For some community members, it demonstrates that the candidate does not tolerate inefficiency in their constituency.³⁶ Aisha Jumwa had to change her strategy as she moved from being a Women Representative to an MP position in Kilifi, and, as a consequence, male candidates for the MP position made negative comments about her. To negotiate this, her campaigns became more expressive: she used strong rhetoric to portray her role as a woman who could understand her constituency, concretising what she wanted for the people, and she believes this helped her win.³⁷

For many political candidates, ethnic politics had a bearing on their electoral campaigns. Oloo, hails from the Western part of Kenya and suffered stigmatization in her campaigns because of her origins.³⁸ Her identity as a “*person from the west*” superseded a coastal identity despite her residence in this region for over fifteen years. Therefore, women contestants need to be cognisant of religious and ethnic dynamics within the populations they intend to serve, especially since “*people understand that a woman contestant would favour her tribe and religion [and] women voters may be divided accordingly*.”³⁹ These incidences illustrate that for women aspirants such as Oloo, geography mattered: where you were born affected one’s campaign chances and this inevitably illustrated the multiple layers of stigmatisation women, and particularly those not native to this region, underwent.

Women must gain support locally using community structures to be successful in politics. Apart from being educated and experienced

in community development work, the women interviewed here are all deeply embedded in their communities. All interviewees had ten to fifteen years of experience working for their respective communities and they used this social capital to develop new approaches for their campaigns. Speaking to this, one candidate shared that:

We have the same problems year after year, repeated throughout every election campaign by all contestants. It is important as women to highlight what we could do differently in our constituencies, that we understand community issues as mothers in the community [and are therefore] responsible. Hence my strategy was to constantly highlight the aspect of accountability by asking questions such as: Where does the money allocated into constituencies go? What happened to the promised projects? Will the cycle of deceit be continued or do we need change? I think this type of thinking is well received by many people. I come out with facts[...]⁴⁰

Integrity as a campaign caption is closely tied to good governance and democratisation, and in a context where more women in political office demand integrity, this means more democracy. Similar views on integrity were echoed by Akinyi who prioritised integrity in her campaign and touted it as a means to ensure development in her ward. Since more women are speaking about the absence of integrity in their predecessors tenure, there is more awareness about what has not worked, with regard to, for example, educational bursaries. In this breath of the issues women candidates prioritised centered on the family, since the impact of undue policies and practices are felt principally at the household level, and, therefore, inordinately affecting women.

Most successful campaigns were also dependent on prior electoral experiences founded on socio-economic development. This was the case for Naomi Shaban, as well as for Zuleikha Hassan, a former nominated MP, who set up a cashewnut factory to assist cashew farmers long in need of support. Zuleikha said:

I have already invested at least Sh4 million to set up the factory that will provide a source of income to the people of Kwale. I don't want my people to rely on the government for everything (Zuleikha Hassan, personal communication).

Besides setting up the factory, Zuleikha said she would invest heavily in empowering women and bring an end to the water shortage in affected areas, efforts that are intended to garner her votes in the future.⁴¹

Prior experience competing against men influences the campaign behavior of women. Grace Oloo, who was competing for an MCA seat in Tudor Ward for the second time, and this time against six male contestants, hints at the challenges she encountered in her nomination and the different strategies it prompted. She said:

The road has not been easy, it's not easy to be competing with men who have the ability to win due to their nature of contesting and strategising. Most of the strategic party meetings happen in the 'after meetings,' in settings women have less access to. This includes what I would like to refer to as 'meetings after 12pm,' in pub settings or in settings where party members are relaxed after a long day of meetings. Just tell me, how can we as women [with family responsibilities] be part of such informal meetings? How will we be viewed after being part of these meetings at these odd hours? Support by your immediate family is vital for the success of your campaigns. You need to be ready for these types of meeting, which needs a great deal of your family support...families need to be prepared for your endeavour (Grace Oloo, personal communication).⁴²

Difficulties around financing campaigns prevents many women from making it in primaries. Regina Chishenga, an MP aspirant for Kilifi North, highlighted the need for sufficient finances to boost her political efforts, since there is the expectation by many participating community members that they will receive money during these campaigns. Emphasising this, she lamented that:

You need money to give your community members as they await for money to be given. They even measure your caliber by how much money you can offer [and this then is an indication of] the positive changes you can bring into the community (Regina Chisenga, personal communication).

Furthermore, the logistics of traveling to distant constituencies, often at night, impedes women's campaign efforts. Reflecting on this, Witness Tsuma from Kilifi shared the following:

The timings you need to spend in the community during campaigns, it is a game of numbers. You ought to do whatever possible to retain or increase the number of supporters. This mainly includes door to door campaigns in the evenings, which often stretch long in to the night. If you need to meet community members, you need to go in the evenings due to their availability. In most of the areas logistics become the main issue when campaigning (Witness Tsuma, personal communication).⁴³

This candidate added that women need to be prepared to respond to sexist remarks from community members and, primarily, the opposition.

An academic observer explained that “*today social media is used extensively for propagating sexist remarks about female candidates during campaigns.*”⁴⁴ This affects their families since:

As women this becomes a difficult challenge, as it is these same community members that would gossip saying ‘decent women would not be out at this time of the hour.’ Such gossip usually affects our men, who feel we are not safe outside or we are humiliating them. We may have understanding men, but still, this type of gossip affects our families and our campaigns.⁴⁵

Conclusion and the Way Forward

Breaking the glass ceiling for women aspirants requires efforts at all levels: the community, county and nation. The effects of the glass ceiling for women contesting for political positions is evident at all stages and spaces of their campaigns; it is embedded in the socio-economic and political structures at the local, county and national levels. Like many other regions in Kenya, the Coast region also exhibits patriarchal norms that enable the political space to favour and be dominated by men. Women and girls aspiring to political positions have to counter these patriarchal norms within communities and their own families, and in so doing are even portrayed as ‘unfeminine’ since they are going against established norms.⁴⁶

Broader awareness will also help position women as leaders and as politicians. All interviewees agreed on the need for long-term empowerment programmes for community members, rather than capacity building initiatives solely for women contestants during the election period in the region. Witness Tsuma and Virginia Chishenga, both political candidates from Kilifi, conveyed the need for a long-term systemic empowerment strategy to help communities accept the leadership of women. In addition, women politicians need empowerment immediately after the end of an election period, as opposed to the empowerment programmes that begin only a few months prior to the ballot, to allow them to begin planning for the next election. According to them, such short-term empowerment and sensitization initiatives do not yield results because:

People need systemic change, which needs to be gradual, as attitudes take time to change and accept women in leadership positions. It is not an easy task that can be done by a few awareness programmes [that begin] a few months prior to the elections.⁴⁷

Capacity building programmes by NGOs and INGOs played a positive role in promoting women as candidates. Regina Chishenga explained how the empowerment programmes initiated by various non-governmental organizations, such as Muhuri and Haki Africa, enabled women to express interest in candidacy, and imparted them with various campaigning skills. However, there is much more to be done to facilitate the full political rights of women at the Coast. In this vein, Evalyne Odongo, a local lawyer, explained that capacity building should go beyond facilitating the development of campaign strategizing skills and should include training to make sure women know how to “*deliver*” when they attain elected positions. This involves skills for lobbying and advocacy on behalf of the people they represent.⁴⁸ Emphasizing this point Odongo shares that:

Women are vocal but not vocal enough if it does not reach the right corridors or the right person. It also entails how awomen maneuvers and articulates her position and the needs of her electorates (Evalyne Odongo, personal communication).

Gender socialization processes are embedded in culture, which is essentially molded by religion. Religion can facilitate cultural transformations that could change prevailing attitudes and facilitate voting for women.⁴⁹ Witness Tsuma discussed how she used religious leaders to talk to constituencies within church and youth networks to further her campaigns. Similarly, Asha Hussein Mohamed, the ODM elected women representative in Mombasa, framed herself as a “*soft-spoken woman Muslim*” in her campaigns, and this allowed her to appeal to the demographic she sought support from.⁵⁰

However, as with male politicians, women politicians were critiqued for the work they had been doing since they entered office.⁵¹ Some women in political positions had been very vocal, taking a prominent role in assembly committees and policy making. A good example of this is Naomi Shaban, an elected MP, who has had extensive experience working for her constituency. Yet, not all women elected to political

office brought change. Where many factors impede their ability to act while in political office, community members were unhappy with their performance. Akinyi explained that the functions of those in political office are usually dependent on budget allocations, favouritism and government dynamics. In her case, regardless of how vocal she was, it made no impact if the predominantly male members of the County Assembly did not support her. Oloo further reiterated that women may be present in assembly committees but will not voice their opinions, and will prefer to support the decisions made by their political leadership.

If the numbers increased could women influence policy better? On this question, the women interviewed were undecided. Hadija Salim, a community mobilizer, explained that it would be better to have more women as it could generate more legislation that directly affects women.⁵² In contrast, Oloo explained that it is the personality, talent and experience of the women candidates that counts more when it comes to passing legislation, rather than the numbers: numbers are needed but it should not lead to a situation where there is token rather than substantive representation.

More broadly, if more women were represented in a diversity of prestigious occupations, as, for example, lawyers and administrators in government institutions, there could be more female participation in electoral politics. These professions, beyond the experience they avail, could also provide women with the financial resources, social networks and skills needed for electoral campaigns as well as political positions when these were attained (Oxley & Fox, 2004). Witness Tsuma from Kilifi used her experiences as a teacher, as a former officer at the county education office and her elected position as the chairperson for women in Kilifi, among other pertinent roles, to make a transition to politics. Her activism, civic skills and networks greatly benefited her in this campaign.⁵³ Similarly, Chishenga, an MP aspirant in Kilifi North, used her volunteering and business networks to advance her campaign.⁵⁴ Hassan, the Women Representative for Kwale, was considered a role model in her County because of her prominent role in bringing new projects to the region.⁵⁵ She built her political profile on her educational and work

background in development, and this enabled her to be nominated for a Member of Parliament position in 2013. While in this position, she was part of various pertinent committees, including on youth affairs and agriculture, livestock and cooperatives, while simultaneously taking up advocacy roles for issues such as the mismanagement of the women saving funds (Kenya Women Parliamentary Association, 2017), and also advocating for opposition to the exploration licensing of the Base Titanium Company (The Coast Reporter, 2016).

The media also contributes significantly to women's political success. Akinyi explained that the media publicized women aspirants profiles, achievements and campaign themes. Community media forums provided more air-time for women contestants to share their strategies, and this permitted direct engagement with potential constituents. In addition, articles in websites such as Coastweek, have helped profile women contestants.⁵⁶ New forums such as the televised County debates have provided a new platform for women candidates, allowing their constituents to get a sense of who they are and the role they have played in their constituencies. Some candidates shun the media and related forums, and this has affected their campaigns since people can then view them as highly incompetent.⁵⁷ Therefore, Oloo urges women to strengthen their knowledge of and expertise on wider county issues, and beyond, and to share these views in wider fora in order to be successful with all constituents – both male and female.

In addition, women politicians need to work together to train and support the next generation of women aspirants. The mentorship of aspiring women candidates is important, since it allows a new cohort to learn from the experiences of current women politicians. This also requires the compilation of relevant information on women politicians as role models: to inspire and provide lessons for new aspirants.

Finally, optimism is important. The two new women MP's from the Coast, Aisha Jumwa and Mishi Mboko, show that when women run for political office they can win.⁵⁸ Therefore, it is the scarcity of women candidates rather than the poor performance of women candidates that

seems to explain the slow pace of women's representation and success in politics.

Endnotes

- 1 Field notes, during the final outcome of the 2017 elections, 10 August 2017
- 2 Ms. Hadija Salim, Community Mobilizer, Election Observer for 2017 elections, Kilifi County.
- 3 Field Notes, after the preliminaries, 17 May 2017.
- 4 Field Notes, after the preliminaries, 17 May 2017.
- 5 Field Notes, 12 May 2017.
- 6 Field Notes, after the preliminaries, 17 May 2017.
- 7 Field Discussion after the elections, 18 October 2017.
- 8 Interview with Ms. Mary Akinyi, Aspirant MCA, Mombasa, 12 March 2017.
- 9 Interview with Ms. Regina Chisenga, Aspirant for MP seat Kilifi North, 18 April 2017.
- 10 Interview with Dr. Damaris Monari, Lecturer, Mombasa, 22 May 2017.
- 11 Interview with Ms. Grace Oloo, Aspirant, 12 March 2017.
- 12 Interview with Dr. Damaris Monari, Lecturer, Mombasa, 14 May 2017.
- 13 Field discussions with women aspirants, 14 May 2017.
- 14 Field Discussion with MCAs, 12 March 2017.
- 15 Field Discussion with MCAs, 12 May 2017.
- 16 Field Discussions, 24 August 2017.
- 17 Field Discussions, 17 May 2017.
- 18 Interview with Ms. Mary Akinyi, incumbent, aspirant For MCA seat Airport Ward, 12 May 2017.
- 19 Interview with Ms. Regina Chishenga, Aspirant for MP seat Kilifi North, 18 April 2017.
- 20 Interview with Dr. Damaris Monari, Lecturer, Mombasa, 14 May 2017.
- 21 Field discussion after elections, 21 August 2017.
- 22 Interview with Ms. Maryam, Zahur, Student Leader, Mombasa, 20 June 2017.
- 23 Interview with Dr. Damaris Monari, Lecturer, Mombasa, 14 May 2017.
- 24 Interview with Ms. Regina Chisenge, aspirant for MP seat in Kilifi North, 14 April 2017.
- 25 Interview with Ms. Witness Tsuma, aspirant for women representative seat in Kilifi, 18 April 2017.
- 26 Discussion with Ms. Grace Oloo after the Preliminaries, 16 May 2017.

- 27 Field Observation, Campaign meeting 5 August 2017.
- 28 Field discussion, MCAs, Mombasa after nominations, 11 May 2017.
- 29 Field Discussion after the 2017 elections, 26 August 2017.
- 30 Field Discussion after the 2017 elections, 26 August 2017.
- 31 Interview with Ms. Witness Tsuma, aspirant for women representative, Kilifi County, 18 April 2017.
- 32 Interview with Ms. Regina Chisenge, 18 April 2017.
- 33 Interview with Ms. Grace Oloo, aspirant, 21 April 2017.
- 34 Interview with Ms. Mary Akinyi, incumbent and MCA aspirant, 12 March 2017.
- 35 Field Discussion Student Leaders, 14 August 2017.
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56 Interview with Ms. Mary Akinyi, 12 March 2017.

57 Interview with Dr. Damaris Monari, Lecturer, Mombasa, 14 May 2017.

58 Field discussion after elections, 24 August 2017.

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Women and Political Party Participation in Kenya: An Analysis of Gender Mainstreaming Efforts within Party Processes in Nyanza Region

George Odhiambo Okoth

Starting with the 2010 Constitution of Kenya, some progressive provisions have been made with the goal of establishing gender parity, and to change the way political parties include women within their operations. Inasmuch as these provisions have been legislated, compliance is low. It has been said that though political parties are the primary vehicles for the acquisition of public power, they tend to ignore legislation that guarantees the inclusion of specific interest groups and, in particular, women. This chapter examines women's participation in party politics in Kenya since the colonial period, and assesses the legislative interventions put in place to mainstream women into the country's party politics. The 2013 and 2017 party nominations in Nyanza region are used as a case study to highlight the challenges faced by women who are seeking to access party affiliation and support. This study highlights that though a legal framework has been established to guarantee the inclusion of women in political life, it is imperative that political parties adopt deliberate strategies to expand women's participation in politics.

Introduction

Pursuing gender equality in political processes, and specifically within political parties, continues to be a long struggle. Within East Africa, Kenya is highly rated for example in terms of developmental gains. However, when it comes to politics, women find themselves struggling to access politics and political parties. The struggle continues despite a gender quota instituted through the 2010 Constitution providing for “*not more than two thirds*” of the same gender represented in both

appointed and elected political office. There is also the Political Parties Act of 2011, which stipulates that political parties have to comply with this constitutional gender requirement before they can be registered (Ndonga et al, 2014). On 8 October 2012, the Attorney General of Kenya requested for an advisory opinion to investigate whether the two-thirds gender principle was to be realized by the first general election under the new Constitution in March 2013. On 11 December 2012, the Supreme Court delivered a decision that the two-thirds gender principle, under Article 81 (b), was to be achieved progressively. The Supreme Court mandated parliament to enact a law by 27 August 2015 to give effect to the two-thirds gender principle. To date, the Kenya government has not ensured compliance.

All of the fifty nine political parties registered by the Office of the Registrar of Political Parties in 2012, complied with the gender quota in preparation for the 2013 general election. While 57 participated in these elections, women's political representation did not improve significantly. Despite their inclusion within political parties as a result of the new constitutional requirement, the systemic constraints to women's equal participation continue to impede their access to formal political spaces (Ndonga et al, 2014).

One possible explanation for the poor performance of women in both the 2013 and 2017 elections is that parties remain unable to implement gender equality principles. Political parties take these up simply as emergency interventions, and not requirements to ensure substantive change. It may also be that systemic patriarchy continues to place women solely within the home, as mothers and as mothers and wives, leaving only men in the public sphere, in this way delegitimizing women's efforts for political life in the public domain (FIDA, 2013).

This chapter examines the compliance of political parties with gender quotas for political life as stipulated by Kenyan law. It begins by looking at the place of women during the colonial period in order to contextualize their present day political marginalization. The 2013 and 2017 ballot processes in Nyanza are a case study to document the challenges to women's participation in political parties. Profiles of a few

women politicians in Nyanza are offered to highlight their experiences within political spaces.

Colonial Legacies

Throughout the 20th century, African women have challenged any subordinate status both under European colonial rule and within post-independence contexts. Women have used protest action, membership in nationalist political parties, participation in national liberation wars, and the use of autonomous women's organizations to advance their political status. During anti-colonial liberation wars in Kenya, women were combatants, civilian activists and supporters providing non-combat services with the expectation of advancing their interests and acquiring new political rights after independence (Ghosh, 2004).

However, the vital contributions that some women had made within movements like the Mau Mau were easily forgotten. According to Elkins (2005), they were not considered in negotiations for an independent Kenya. Thus, even though Priscilla Abwao was the first African woman to sit in the LEGCO in May 1961, to date very little has been written about her pioneer role in legislative politics in Kenya (Kamau-Ruttenberg, 2008).

There are two possible explanations for this. First, the relationship between women and leadership in the pre-colonial history of this country was deeply patriarchal, run by councils of elders with no input from women whatsoever (Ogot, 1976). Second, during the wars of liberation, nationalist parties like the Kenya African Union (KAU), did not articulate a clear ideology of women's liberation or empowerment, but instead incorporated ideologies which regenerated traditional culture and negatively impacted women's political empowerment (Wambui, 2016). Furthermore, as the struggle for independence intensified, the participation of women was never considered a matter of importance. None of the pioneer African legislators considered it necessary to make space for women in the first independent government of Kenya.

Colonial Policy of Neo-Patrimonialism

Aubrey (1977) has located the origin of women's marginalization in Kenyan politics to the introduction of neo-patrimonialism by the colonial regime. McClintock (1995) also accepts that the establishment of British rule in Kenya had a diminishing effect on women, since it imposed a new gender order rooted in peculiar Victorian understandings of women as private and domestic beings. Women came to inhabit a domain that was, essentially, distanced from any political power or influence.

Indirect rule introduced neo-patrimonialism and the transfer of authority to local male leaders, facilitating the colonisation of the domestic realm, enabling local male leaders to manipulate meaning and redefine relationships, particularly with regard to women's roles (Bates, 2016). Under the guidance of the colonial state, local leaders engineered the gender discriminative laws, which legitimized not just the exclusion of Kenyan women from political life, but also their subordination in the private sphere. This set in motion the process in which gender reforms are motivated by a desire to strengthen elite patriarchal political power. Charged with adjudicating according to customary law, African chiefs and male elders invented customs that expanded their powers vis-a-vis women (Mamdani, 1986).

Consequently, what was codified as customary law emphasized the rights and authority of males and elders, while also reproducing the powerlessness and deference of women (Ghosh, 2004). The new policies laid the legal groundwork for negative social, cultural and economic changes in women's lives in Kenya. For example, the fact that the colonial labour market favoured male employees made men the primary income earners. This lifted men from traditional economies to tangible economic endeavours, while relegating women to the unpaid domestic work (Atieno, 2006).

This scenario not only altered gender power relations and marginalized women further, but also demonstrates the cooptation of gender relations and the elite control of women in the interests of state. These colonial-era developments laid the foundation for the exclusion of women from political leadership roles at all levels of government

(Wambui, 2016). In addition to entrenching and legitimating patriarchal norms, Kenya's post-independence patriarchal government also structured politics in a way that limited, if not prevented, the potential for women's leadership: politics was dominated by a predominantly male ruling class that was unapologetically masculinist (Kanogo 2005). In an attempt to achieve power, the post-colonial state also used women's subordination and the ideology of male domination as unifying factors that could galvanise support from men as a group, alongside the adoption of neo-patrimonial politics (Wambui, 2016).

Gendering Leadership: The Link between Politics and Education

The difficulties that African women faced were further compounded by the different goals and emphases the colonial government and the church built into education. In some areas, the first mission schools were for boys. In Luo land, for example, Ogot explains that mission schools were originally built for the sons of indigenous elite. It is in keeping with this tradition that the Church Missionary Society (C.M.S.) constructed a secondary school at Maseno in Nyanza to train young African men to be the future Christian leaders of their societies (Ogot, 2002).

This was a policy that lent support to the colonial government's efforts to create offices and install male leaders whom they hoped would be amenable to British policies (Ogot, 2002). This kind of secondary education in Nyanza produced the first crop of male African leaders who eventually formed the Young Kavirondo Association in 1922, a grouping that was the first African-led political party in the province and that was inspired by the Young Kikuyu Association formed in Central Kenya a few years earlier.

What's more, secondary schools such as Alliance High School, established in 1926 by a coalition of the major protestant denominations in the country, produced a large crop of African male colonial and post-colonial era leadership (Anderson, 1970). As a consequence, education served not only as a tool of socio-cultural indoctrination, but also further disadvantaged women through a gendered curriculum and by

concretizing their disproportionate access to the new system of learning (Atieno, 2006).

Women and Politics in Post-Independence Kenya

Kenya's first parliament (1963-1969) was composed entirely of men (Hansard, 1964: 448). It was only in the second parliament, 1969-1974, that a woman, Grace Onyango from Nyanza, was elected to the August House to represent Kisumu. She was re-elected in 1974 for her second term together with Julia Auma Ojiambo, representing Busia Central, and Philomena Chelagat Mutai, representing Eldoret North (National Assembly of Kenya, 2017). Kenyans have elected only fifty women to parliament between 1963 and 2012. This exclusion of women from formal political positions occurs even when women form the majority of the country's population at 51.4% (Government of Kenya, 2017).

According to Ghosh (2004), it is the establishment of British rule in Kenya that laid the foundation for women's exclusion from political space, since it was informed by Victorian understandings of women as private and domestic beings. Similarly, Bates (2016) argues that colonial institutions worked to distance Africans, and in particular African women, from formal political spaces due to the patriarchal and racialized nature of British rule in Kenya. Thus, when the colonial government organized elections in 1920 to structure the Legislative Council (LEGCO), only a small number of African men and no African women were included (Kenya Gazette 14 April 1920).

There was no African representation in the LEGCO until 1944 when Eliud Mathu was appointed to this house (Branch, 2006). For more than two years, Mathu sat as the only African representative, until Walter Odede joined him in 1947 (Kenya Gazette 21 March 1961). African numbers doubled in 1951 with the nomination of Wycliffe Awori and John Ole Temen (Maxon & Ofcansky, 2014), and in 1957 supplementary elections were held to elect eight African members for the first time. There were no national parties in these elections, and the key campaign platforms for candidates were their personal achievements, education

levels and their opinion on land and racial equality (Osborne, 2014). Based on these achievements, all the thirty seven candidates who competed for positions were men, enabling a cohort of solely African men in the LEGCO including: Jaramogi Oginga Odinga, Tom Mboya, Bernard Mate, Ronald Ngala, Masinde Muliro, Lawrence Oguda, James Muimi and Daniel Toroitich Arap Moi (Kenya Gazette 21 March 1961).

The first general elections after independence, held in May 1963, saw some important developments with regards to women's political participation. In the lead up to these elections, some women introduced the question of nomination, and asked the government to allocate them seats in the legislature. Their demands specifically targeted representation in local and internal organizations including the East African Common Services Commission and the United Nations. They also requested that the government establish 10% female representation on the planning committee for Kenya's independence celebrations (Maxon & Thomas, 2014).

Their requests were reported in the *Daily Nation* of 27 April 1963:

The government is to be pressed strongly to nominate a minimum of four women to fill seats in the new legislature. This was one of their solutions passed during the closing stages of the second Kenya African Women's Seminar which ended at Limuru yesterday.

According to Owuor (2016), these requests fell on deaf ears since and elicited no response from either the outgoing colonial government officials or the incoming African leaders: no allowances were made for female representation. Thus, from the outset, women seeking political positions could not count on any affirmative action provisions but had to contend with the vagaries and violence of institutionalized patriarchy in Kenya (Biegon, 2016:16).

In addition, Migiro (2013) documents that women were neither party officials nor amongst those cleared to contest in the 1963 elections. These elections, therefore, demonstrated how women were sidelined from politics even at the party level (Ghai, 2007). Following this ballot process, women's representation, no longer able to depend on Abwao

who had been nominated two years before, dropped to zero. The new independence constitution offered no redress for their exclusion, and, inasmuch as it displayed the language of inclusion and equity, systematically suppressed women in all spheres of their lives (Ghai, 2007).

In response to these challenges, Phoebe Asiyo, also from Nyanza, was quite instrumental in championing the need for the political participation of women through the Maendeleo Ya Wanawake Organization (MYWO). She was the first African woman to head Maendeleo Ya Wanawake Organization in 1961, and was gradually able to transform its agenda from addressing entirely domestic interests to furthering demands for women's political empowerment (Aubrey, 1977). Through her influence, attempts were made within MYWO to address broader issues of reform and representation (Ndeda, 2011), and, what's more, the organization was used to mobilize women's support for the KANU government.

Kenyan women first started agitating for representation in Parliament one year before Kenyatta came out of detention. Phoebe Asiyo and Priscilla Abwao led a team composed of women representatives from every province to visit Kenyatta while he was in detention (Ndeda, 2011). Their main mission was to lobby Kenyatta to include the women in the first parliament as well as in the cabinet, thus, through the women's movement, Asiyo was able to make women voices heard on matters of development and policy. This coalition was able to push for new ideas, especially on issues touching on women and children. Other gains included the passing of the Affiliation Act in 1968.

Asiyo joined politics in 1979, and in 1980 contested and won the Karachuonyo parliamentary seat on a KANU ticket. She held this position until 1983 when parliament was dissolved. In 1988 she campaigned on a FORD Kenya ticket, but lost to Okiki Amayo. During the reinstatement of a multi-party system in 1992, Asiyo bounced back to the political scene beating the then powerful incumbent MP, Okiki Amayo, who was the KANU national chair. She served in this position until 1997 when she lost to the Adhu Awiti, and thereafter retired from active politics.

Notwithstanding her resignation, she was the only woman to have served as MP for a substantial period of time (AWC, 2015). Despite this success she explains that:

It was not easy clinching the seat for the first, second and third time, because most of the electorate had negative perceptions about electing a woman. I believe that women should be involved in competitive politics instead of waiting for the benevolence of political parties, inasmuch as getting resources for campaigns is a big challenge for women (Phoebe Asiyo, personal communication, February, 10th, 2017).

Phoebe Asiyo is not the only woman that was instrumental to Nyanza politics in the early postcolonial period. During the second general elections in Kenya in 1969, Grace Onyango became the first Kenyan female MP to represent Kisumu town. Prior to this position, she was the Mayor of Kisumu town from 1965 – 1969, and had also been the first woman speaker of Kisumu Council Assembly. Grace Onyango was re-elected to parliament in 1974, and this win is attributed to the close relationship she had with MYWO and support from the KANU Government (Atieno, 2006). In 1973, Nyanza region also witnessed the election of former assistant minister Grace Ogot to the position of MP for Gem. Together, these three pioneer women from Nyanza - Grace Onyango, Phoebe Asiyo and Grace Ogot - are among the twelve women elected to parliament between 1963 to 1988 (Ogot & Ochieng, 1995).

The early 1990s saw an improvement in the numbers of women in parliament, and this is attributable to number of factors. Foremost on this list is advocacy by civil society to allow for the greater inclusion of women in public life. During the lead up to the 1992 ballot process a total of fifty women sought party nominations with the various political parties that were able to register with the return to multiparty democracy, of whom nineteen succeeded, and six eventually made it to parliament in 1992 (Munene, 2001).

As the 1997 elections approached, pressure for reforms continued to build. The opposition parties, together with civil society, threatened to boycott the elections if no fundamental constitutional changes were undertaken (Kanyinga, 2014). Reacting to this, the government convened the Inter-Party Parliamentary Group (IPPG), a forum to negotiate the

reforms required before the election (Afako, 2004). The forum agreed on a wide range of changes that were enacted before that year's election. Among other issues considered by the IPPG was the bid to amend the legislation preventing freedom of expression and assembly in Kenya. Through the IPPG negotiations, women advocated that six out of the twelve nominated MP seats be reserved for women (Kanyinga, 2014). As a consequence, political parties were required to take into account gender balance when nominating members to the National Assembly. Second, during this same electoral period, political history was made when Charity Ngilu became the first woman to contest for the presidency since independence. Sponsored by the Social Democratic Party (SDP), her candidacy was bolstered by the significant mobilization of women by women's organizations for her campaign (IDEA, 1998).

Even though voter turn out for women was over 55% in 1997, Charity Ngilu garnered only 469,807 votes out of the 6,099,479 cast, and this represented only 9% of the total ballot count. In addition, her party only managed to secure fifteen out of the two hundred and ten seats in the national assembly (IDEA, 2013). In these same elections, out of the four women who were elected to the national parliament, none were from the Nyanza region. Similarly, none of the nine women elected to parliament in 2002 were from this area (Cottrell & Ghai, 2007). At the same time, the level of women's participation in 2002 was significant, with one hundred and seventy nine women – the highest ever – seeking party nominations. Of this group, forty-nine secured nominations and, as previously indicated, only nine were eventually elected to the national assembly.

Political Party Compliance with Constitutional Gender Quotas in Nyanza: 2013 -2017

The 2010 Constitution of Kenya contains very robust provisions on gender equality. These are coupled with the related international, national and party legal instruments, which women can utilize to demand more space in party politics. These include the African Charter on People's Rights, Convention on the Elimination of all forms of Discrimination

Against Women, the Universal Declaration on Human Rights, Beijing Platform of Action, the Millennium Development Goals, and the Sustainable Development Goals. Kenya was a signatory to these legal instruments even prior to the promulgation of the new constitution. For these measures to deliver the constitutional requirement that not more than two thirds of members of elective bodies shall be of the same gender, a clear formula is required (Odote & Musumba, 2016).

In this regard, though gender equality and women's political empowerment provisions are entrenched in political party constitutions and manifestos – including election regulations and procedures – they are not taken up as core values. From my research, it is clear that the organizational culture of major political parties operating in Nyanza, for example the Orange Democratic Movement (ODM) do not adhere to these requirements for gender equality, offering instead a male dominated operations characterized primarily by rhetorical and emergency interventions to 'accommodate' women around the election period (Ndonga et al ,2014). Due to institutionalized patriarchy within them, national and local parties in Nyanza have not shown any interest in going beyond the inclusion of gender quotas in their documents; women, though may be included within party National Executive Committee's (NEC), are not enrolled within direct strategies that would enable them to develop gender constituencies and effectively tackle systemic disparities (Ndonga et al, 2014).

As evidence of these dynamics within political parties, only one woman, Milly Odhiambo, was directly elected to the national assembly from the thirty-six constituencies in Nyanza in 2013. Similarly, only ten female ward representatives were elected from the six counties in the region. Out of the ten, only one was from the National Rainbow Coalition (NARC) Kenya, while the others were from the ODM party. Almost equivalent results were seen in 2017, since ten female ward contenders successfully attained Member of County Assembly (MCA) positions. Eight of them were on ODM tickets, while the final two were from the Federal Party of Kenya (FPK) and NARC Kenya respectively. It is worth noting that in 2017 a record 2,077 women aspirants ran for

various electoral positions, and this number is over twice the number, 930 who contested in 2013 (NDI, 2018).

Against these national numbers, Angwenyi, (2017) observes that the number of women who sought electoral positions in Nyanza was low, and that, for example, in Kisii County's nine constituencies, only four women were cleared to run by the Independent Electoral and Boundaries Commission (IEBC). Moreover, in Kisii and Nyamira Counties, no woman has ever won a parliamentary seat since independence (Angwenyi, 2017).

Only three women from Nyanza, and principally Homabay County, attained parliamentary seats in the 2017 elections. These are Eve Akinyi Obara (Kabondo Kasipul Constituency), Millie Grace Odhiambo (Suba South Constituency) and Lilian Achieng (Rangwe Constituency). Neither of the five other counties in the region – Siaya, Kisumu, Migori, Kisii and Nyamira – had women directly elected to parliament. In addition, only one woman, Jacqueline Oduol, was nominated to the National Assembly, and two, Beatrice Kwamboka Makori and Rose Ogendo Nyamunga, were nominated to the Senate (Kenya Gazette, vol. CXIX. No. 121, August 2017).

While six women were elected as Women Representatives in Nyanza, it appears that these positions were used to get women out of the competition for other electoral seats. Male politicians were documented telling constituency members that women have their own seats “guaranteed” in all assemblies, positions that men can't contest for, and in this way invalidating women's claims to positions not “reserved” for them (Odote, & Musumba, 2016).

It is notable that no national or local party in operation in Nyanza practices any deliberate strategy to increase women's participation and equality in electoral processes. In contrast, without the support of UN Women a significant number of successful female contestants may not have won their seats. This agency arranged various training and endorsement opportunities for a large number of women candidates across the country including: media profiling, party agents training,

direct town hall meetings with voters and mitigation strategies to counter electoral gender-based violence (NDI, 2017).

Women's Experiences with the 2013/2017 Elections in Nyanza

This section focuses on the experiences of a few women legislators in Nyanza in order to highlight what they have gone through in competitive party politics. Their experiences can help us more concretely understand the challenges and achievements of women engaged in party politics in this region. I show here that female candidates in Nyanza faced the same challenges in 2013 and 2017, namely: 1) Inadequate political support from their parties and principally during the primaries; 2) Lack of financial resources; 3) Gender-based violence and; 4) Persistent gender stereotyping arising from deeply entrenched community patriarchal structures (NDI, 2017).

Women in Nyanza expected the 2013 and 2017 elections to be free and fair given their experiences in the 2007 elections, and the work they did for peace after the violence that ensued. For example, Phoebe Asiyo engaged in high-level negotiations with political party leaders in Nyanza to win their support and influence for peaceful elections. Despite this work to equalize terrain, the nomination exercises preceding the 2013 and 2017 elections in Nyanza were hostile for women aspirants. There was physical violence against women candidates, and they were also largely excluded from the nomination process. In addition, dispute resolution mechanisms at the party level, required to resolve the marginalization of women within party structures, was unavailable (KNHCR, 2017). While Article 81(b) of the Constitution recognizes that not more than two thirds of any elected body shall be of the same gender, political parties did not use this legal opportunity to increase women representation at the nomination stage.

Women who participated in the 2013 and 2017 elections confirmed facing many challenges. Though Lilian Gogo garnered 20,584 votes against her male competitor who only received 2,187 votes, and subsequently became MP of Rangwe Constituency, her win was not without obstacles. She said:

I have to mention to you that it was not an easy task to win that race. I had to fight hard amid threats and violence by my opponents. In some polling stations my agents were even chased away but that did not stop my victory (Quote taken from Juma and Godia, 2014: 15)

Grace Akumu, the leader of the Citizens Convention Party (CCP), endured similar challenges. She accused opposition parties of discriminating against women party leaders at the 2017 meeting that was meant to jumpstart the formation of a united opposition front – the National Super Alliance (NASA) – ahead of the August elections. In addition, she also stated that her party, CCP, was unable to field candidates for positions in Nyanza because they feared violence from other challengers (Oduor, 2017). In this regard, while article 91(b) of the Constitution prohibits political parties from engaging in or encouraging violence by, or intimidation of, its members, supporters, opponents or any other person, women aspirants in many wards were discouraged by the violence they endured during party nominations, and this had a direct bearing on their choice to disengage from competitive political processes. Speaking to the widespread use of violence in these ballot processes, Akumu shared that:

As a mother with deep attachment to humanity, I found it absolutely impossible to organize male gangs, mostly men, to perpetuate violence in my favour. As women we could not rely on hired gangs to secure our votes during party primaries in the wider political constituency (Grace Akumu, personal communication, February, 10th, 2017).

Corroborating these experiences, in their 2017 survey on party nominations in Nyanza, the Kenya National Commission of Human Rights established that there were seventeen incidences of violence reported in the six counties monitored, and which resulted in, at least, two deaths and ten persons seriously injured. Furthermore, twelve cases of intimidation and harassment were reported, including one case of a female aspirant banished from her home for participating in the primaries (KNCHR, 2017).

Christine Ombaka, who vied for the position of women representative in Siaya County, shared that after winning the ODM Party ticket her nomination certificate mysteriously disappeared and she had to travel

to Nairobi to trace it. In her opinion, these events illustrate the ability of political parties to act as gatekeepers who decide which candidates are in or out, and this is a situation intensified by a first past-the-post “winner-take-all” voting system that works to impede women’s access to elected positions (Onyinge et al, 2014). Ombaka’s experiences within her own party further illustrate the interplay between structural patriarchy and the “old boys club” control held by male party elites (see also Ndonga et al, 2014).

At the same time, Ombaka acknowledged that while she received overwhelming support from both men and women during campaigns, it was women voters who criticized her the most. She shares that:

The men were interested in knowing what my plans were for the people of Siaya, but most women were concerned about my character and family background. I learnt that it was easier to convince men by relating with history and visualizing for them what I would achieve. I would remind them that Nyanza region elected the first woman in parliament and history had indicated women were good leaders (Quote taken from Onyinge et al, 2014:12).

Ombaka recalls that her opponents tried to intimidate her and frequently verbally abused her; groups were mobilized to heckle her whenever she addressed a public gathering. Despite this harassment, she received significant media attention, and speaking to this she shared that:

One of the national dailies did an elaborate profile about me [...] I was also interviewed several times by Mayienga FM, and during the radio shows I had the opportunity to talk about my agenda. During the interviews, I elaborated on my focus areas which were education, economic empowerment and health, and especially maternal care and HIV and AIDS. My message touched many hearts because Siaya County has very high rates of infant mortality, which I expressed commitment to resolve (Quote taken from Onyinge et al, 2014:12).

In view of these challenges, her advice to aspiring women politicians is that they should start preparing early, be strategic when choosing both the political party they run with as well as the position they choose to contest. This is since the party that women identify with will inevitably shape the extent to which they ascend to elective and senior party positions.

Against these challenges, Ida Odinga condemned the propaganda targeted at women candidates by their rivals, and stressed that women should not fear men (FIDA, 2013). Similarly, both Ruth Odinga, a younger sister of Raila Odinga, and Rosa Buyu, the ODM deputy organizing secretary, encouraged women to take advantage of the affirmative action provisions in the Constitution to contest for political positions.

In Nyanza, prevailing gender stereotypes have been challenged by the successes of, for example, former Homa Bay women's representative, Gladys Wanga, who shocked many when she was elected the County's Orange Democratic Movement party chairperson. In her own words, Wanga shared that:

Men have dominated the political arena in Nyanza, formulating the rules of the political game and defining the standards for evaluation. The existence of this male-dominated model has contributed to either women rejecting politics altogether or rejecting male-style politics. But this was not my take on politics (Quote taken from Onyinge et al, 2014: 28)

Despite her resilience, akin to the experience of Ombaka, Wanga shared that the campaign was intense: she was verbally abused and also went through great difficulty to raise the resources needed to cover the vast terrain of Homabay County. Since politics is increasingly monetized, significant amounts of money are needed to participate in politics. Many women lack access to and ownership of financial resources, as well as social capital because they are often not heads of communities and this limits their ability to attain political roles. Fortunately, Wanga was able to mount a successful campaign due to the support of friends who gave small amounts and volunteered their services (Onyinge et al, 2014).

Since overcoming these obstacles, Gladys Wanga's influence has grown both in the region and nationally, confirmed by the number of aspirants seeking her endorsement for various seats. Within her campaign, she advocated for the empowerment of women, youth, and education for the girl child. In this regard, together with several private sector and civil society groups, she mobilized local women to register for national identification cards, the National Hospital Insurance Fund (NHIF), birth and death certificates, and other required documents that

are not easily accessible to those in rural areas (Onyinge et al, 2014). Wanga's advice to future women contestants is that they should not be limited by their financial inability to carry out serious campaigns, and should focus on convincingly articulating their vision in order to get the support they require. At the same time, she acknowledges the significance of the Legislative Strengthening Programme training provided jointly by the Kenya Women's Parliamentary Association (KEWOPA) and the State University of New York. This support, implemented in the national assembly, allowed her to understand parliamentary procedures and the various roles of a legislator.

While in parliament, Wanga has been active. Speaking on this she shares:

I moved a Motion on road safety with my colleague, Hon Priscilla Nyokabi. I have also made several statements and moved many amendments on the floor, as well as making contributions at the Parliamentary Service Commission where I serve. My other achievement is spearheading the creation of the Information and Public Communication Committee which I chair (Quote taken from Onyinge et al, 2014:28).

Benter Akinyi Ogola Ndenda won the Seme Ward Member of Parliament seat in 2013, defeating three male candidates to take up this position as the first woman ever to do so in this area since independence (Onyinge et al, 2014). When interviewed before the 2017 party nominations, Ndenda shared that she *“did a lot of lobbying and mobilization among friends, especially men, to accept and support [her] candidature as an equal candidate.”* In addition, her robust networking skills, perfected over the years as a business woman and community worker, *“came in handy when she mobilized people to help her during the election campaigns”* (Onyinge et al, 2014).

The KNCHR (2017) report on electoral violence documented that the ODM party led in terms of the most violence witnessed during party primaries. Considering that ODM is the dominant party in Nyanza, it is safe to conclude that violence had a great impact on women's participation in party nomination procedures. In this regard, the European Union Electoral Observer Mission findings showed that many female candidates from large parties such as TNA, ODM, URP and UDF paid for their own security while campaigning (KNCHR, 2017).

According to the constitution, political parties are prohibited from engaging in bribery or other forms of corruption. Despite this, KNCHR report registered at least twelve cases of open bribery by aspirants in several parts of Nyanza. Though most of the recorded cases were those of male contestants or their agents in polling stations, and specifically targeting those coming in to vote, this negatively shaped the environment that women aspirants contested in (KNCHR, 2017).

With all the difficulties encountered by women during the 2013 and 2017 elections, one would have expected many of these political aspirants to seek legal redress. The Political Parties Dispute Tribunal adjudicated over many cases arising from contested party primaries in 2013 and 2017, and frequently referred these back to the relevant political parties (ORPP, 2016). In the end, Article 91 of the 2010 Constitution, which strengthens the principle of representation by requiring political parties to respect the right of all persons to participate in the political process including minorities and marginalized groups, was not respected.

Many of the aggrieved female candidates in Nyanza were unable to pay the litigation costs. Under section the Elections Act, a person who presents a petition to challenge an election result is required to deposit one million in the case of a petition against a president, five hundred thousand for a Member of Parliament or Governor, and one hundred thousand against a Member of the County Assembly (Mumo, 2013).

Caroline Awino Pamela Owen grew up in the political shadows of the Odinga family, keenly following political dynamics as the lakeside region shifted from party to party. While Jaramogi Oginga, her mentor, wanted her to become a teacher, since “*as a teacher, one developed in terms of career,*” Owen entered into politics bolstered by the need to “*serve people.*” After winning the ODM Party nominations in March 2013, Owen was assured of a smooth time at the general elections. Yet the party gave its ticket to a loser. This development propelled her into a whole new set of events that eventually led to her winning the Kisumu North ward seat on the little known Reform Party of Kenya (RPK). She later observed when interviewed that:

Because of this, my supporters realized that the most important thing is the individual, not the party agenda. My strong will, hard work and determination saw me beat all odds to overcome the ODM Party wave and get elected on the RPK ticket. I trounced eight men (Quote taken from Juma et al, 2014:13).

Highlighting the difficulties she endured she adds:

Indeed the challenges came which were abrasive. In an attempt to scare me out of the March 4, 2013 general election I was even branded a prostitute at the onset of my campaigns, but I did not flee from any of it. Instead, I surprised both friend and foe when I simply accepted the title, and joked that my relocation from my ancestral home in Siaya County to my matrimonial home in Kisumu County was not to be a 'catholic nun,' and if prostitution is the word for it, then that be my fate as a woman! I never let the insults and vulgarities intimidate me. Instead, I kept my eyes on the prize and won (Quote taken from Juma et al, 2014: 13).

Prior to the 2013 elections, Owen was elected unopposed as the councillor for Kisumu North Ward in 2007. In addition, she later served as the minority whip in the Kisumu County Assembly in 2013, and as the chairlady of the Kisumu County Assembly Women's Caucus (KICAWOCA).

The experiences of nominated MCA's are also instructive for this study. Building on her work with Shinnars Centre, a community based organization, in 2013 Caroline Awuor Ogot set her sights on a nominated post since she "*feared*" the ballot process. However, when she applied for nomination to this local assembly, Ogot realized that there was no difference between elected and nominated positions since both required spirited lobbying, public visibility and strategic alignments with a popular party and male candidates favoured for top seats. It also necessitated participation in party activities, and also use cross-party platforms as powerful avenues for uniting women beyond party lines, in order to allow for their mobilization around a common agenda (Juma et al, 2014).

In her opinion, it is the new constitution which opened up space for women to be more involved in politics and, undoubtedly, it is the affirmative action provisions that prompted Ogot to try her hand in the 'dirty game.' Emphasizing this she shares:

I only got interested in politics in this new era of devolution that allows us [county assembly representatives] to pass policies that touch women's lives positively, and be able to speak for the voiceless. The previous political system did not offer such an opportunity and to me this politics was not worth it (Quote taken from Juma et al, 2014:20).

Ogot later adds that:

The devolved system of governance has given us an opportunity to do a lot of oversight to ensure that budgets are gender sensitive and monies utilized properly. It has also given me a platform to extend the work that I'm doing in the community (Quote taken from Juma et al, 2014:20).

The personal experiences documented here of a select number of women politicians from Nyanza call attention to the obstacles they face when seeking to enter politics, but, above all, also make evident their long and determined struggle to ensure representation for all in Kenya.

Conclusion

Based on these findings, I posit that then internal organization of political parties should respond to the different needs and interests in society, respect the principles of the constitution, and provide space for women's participation in political processes through deliberate interventions. Women members of political parties are also encouraged to utilize party rules and civic education to uproot deeply entrenched obstacles to their participation in leadership. They have to agitate for inclusive governance for the participation of all marginalized groups and influence change from within.

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“Jesus Can Afford it, We Can’t!” Samantha Maina’s 2017 Campaign for Member of the County Assembly in Kileleshwa Ward, Nairobi

Nanjala Nyabola

Kileleshwa Ward Statistics

County Assembly Ward No.: 1374

County Assembly Ward Name: Kileleshwa County Assembly Ward

County Assembly Ward Population (Approx.): 27,202

County Assembly Ward Area In Sq. Km (Approx.): 9.00

County Assembly Ward Description: Comprises Muthangari and Kileleshwa Sub-Locations of Nairobi County

Samanthah Maina didn’t always want to be in politics. One of three children raised by a single mother in a Nairobi middle class suburb, she mostly wanted to help her family become financially secure. But while at university and dabbling in business and employment, she began to realise that the odds were stacked against people like her – people who had no powerful connections or shortcuts to prosperity. For example, Maina was forced to drop out of university because her family could not afford it. Well before her thirtieth birthday, Maina sensed that in Kenya the balance was stacked against ordinary hardworking people, and she wanted to do something about it.

“I was inspired to join politics by the lack of credible leaders,” she says, “but also by my life. We were really going through it as a family once my father left us, but we just couldn’t get space to breathe in Kenya.”

At the same time, she always knew that she wanted to serve and lead, so when the opportunity arose, she did not hesitate.

At 26, Maina would be one of the youngest candidates up for election in Nairobi, standing for the seat of Member of County Assembly for Nairobi's Kileleshwa Ward where she grew up. Maina completed her primary school studies at the Loreto Msongari School and Jaffery Academy, both of which are in Lavington—an affluent neighbourhood that abuts Kileleshwa. After completing high school in Thika, Maina came back to Nairobi and started at Daystar University, which has a campus site neighbouring Kileleshwa. In view of her background, Kileleshwa was a natural fit for Maina's campaign.

"I am Kileleshwa," she says, "I have lived there and I am a child of Kileleshwa and I see what it is becoming".

Yet, the choice of Kileleshwa was also strategic. Kileleshwa is by many metrics the most prosperous ward in the city; one of the few that does not have a large informal settlement and therefore one, she thought, that would be receptive to her message of improved service provision from the County Government. She banked on more residents who engaged with issues, and were not swayed by ethnicity or money. In addition, Maina knew too well how unresponsive the County Government was to the concerns of middle class Nairobi, focusing instead on politicking in informal settlements during election years, and on the needs of upper class suburbs in the intervening years. Given the size of Nairobi's middle class, issues like the lack of water, high taxes but low service provision, and unsafe construction were increasingly important but simply not priorities for the governor. Maina felt that adding her voice to the county assembly would go a long way towards getting these concerns heard.

But, more broadly, Maina saw herself as one of the many Kenyan youth who were being left behind by the illusion of progress in the country. *"I see myself as a hardworking person,"* she says, *"but the opportunities are becoming rarer and rarer."* Like other Kenyan students in the public education system, between high school and university, Maina was forced to take two years off. During this time she got a job in airport security,

and it was supposed to help her save for university. Instead, it ended up being a major part of her family's income. *"As a family we were going through a difficult time after my father left us,"* she says, *"so I worked to help pay the bills and, when things got better, I finally went back to school."* After that opportunity ended, Maina was unemployed for another two years before she started working in their family business as an office manager.

In the end, Maina took a semester off from her studies to join politics and try and do something for young people and for the neighbourhood. *"I just got sick and tired of being sick and tired,"* she says. *"We complain and complain but we people who can make a difference don't enter. There is a lack of credible people in the political space in Kenya."* She initially planned to run as an independent candidate, inspired by former US president Barack Obama and his campaign for the US presidency. *"Obama said grab a clipboard,"* she says, *"so I grabbed a clipboard and hit the road."*

For Maina, the decision to enter politics was also an act of faith. She didn't have a great deal of money nor an affiliation with one of the larger parties, but she believed strongly in her own capacity to make a difference in a small but significant way.-- she felt that she was responding to a higher calling. In September 2016, she was attending a service at Mavuno Downtown, a youth oriented evangelical church, when she heard a sermon titled *"when good people do nothing, evil prevails."* This message challenged her personally, she remembers, and prompted questions within herself: *"why aren't I doing something?"* she wondered, *"how about we just try?"*

But her decision was also triggered by something less abstract. *"There was a pothole on Siaya Road in Kileleshwa that I kept hitting,"* she remembers, *"and I couldn't get the current MCA to do anything about it."* That MCA, Elias Otieno, had no number listed for his office and had never campaigned in Kileleshwa. When she couldn't contact him on the phone, Maina tweeted at the former Governor Evans Kidero, a method that has sometimes worked in Nairobi, but there was no response. *"He was completely inaccessible,"* Maina says, *"and if I can't reach them then what about everyone else?"*

While the idea was loosely forming in her brain, Maina was watching the candidacy of Boniface Mwangi, then 33, who launched an unprecedented political campaign. Eschewing major political parties, and alongside key activists, Mwangi and some friends formed their own outfit, the Ukweli Party, and spearheaded a digital first political campaign premised on changing both the content and the conduct of politics in Nairobi. By 2017 when he ran for Member of Parliament in Starehe, Mwangi had already made a name for himself as a photographer and an activist, using creative protest and the power of social media to advocate for social change. Having succeeded in cultivating a strong online following, he decided to go into politics and do things differently. In addition to a strong social media presence, Mwangi, for example, refused to hold large rallies and instead conducted face-to-face campaigns in the constituency. It was Mwangi who started the now common practice of handing out high-vis jackets to *boda boda* riders with his face and campaign slogan printed on the back.

Maina looked at Mwangi's website and found that the principles that the Ukweli party stood for resonated with her own. But that wasn't the thing that convinced her; it was what they did. "*I was sold on them because they did something that none of the other parties did,*" she says, "*they vetted me.*" Before her candidacy was approved, Maina had to complete a survey and an interview about her politics and principles. "*They want to know who you are before they attach their name to you,*" she remembers, "*in other parties you just pay a nomination fee and you are on the ballot.*"

Maina officially started her campaign on 5th July 2017 after the mandatory wait period put in place by the IEBC. Like Mwangi, her strategy focused on a door-to-door campaign supplemented by social media. She had a hard time gaining space on traditional media however: "*they don't care about me,*" she recalls, "*and they would always ask me why I needed an interview.*" Maina was shocked to find that many stations wanted candidates to pay for coverage, including Christian or religious radio stations. Three English language gospel radio stations told her team that they wanted 50,000 shillings to interview her on air. "*We couldn't afford to share a platform with Jesus,*" she laughs, "*Jesus can afford it. We can't.*"

As a result the campaign relied heavily on social media to get their voices heard. “*We were stalking people on Twitter!*” she laughs. “*Boniface Mwangi is already a public figure, but as a new person, I felt I had no brand recognition.*” Moreover, the role of MCAs remains ill understood by the voting public. Maina also noticed a significant lack of civic education in voters: “*people don’t care about the MCA role and yet the governor can’t do anything without MCAs*” she says.

In the first few days of the campaign there was incredible optimism, she believes, “*because everyone in Kenya wants change.*” But there was still a lot of confusion about their approach and, for the most part, ordinary voters struggled to process her campaign. For instance, Maina’s campaign team was almost entirely female and, secondly, they had a door-to-door campaign that approached people at bus stops and other public platforms. “*People would always ask us ‘why are you walking and why are you so many girls together?’*” she remembers, perhaps because the voting public is accustomed to thinking of politics as a man’s game. “*One time we were talking to a man who was selling maize and he said ‘mnaonekana sana lakini hamtatushawishi’*” (“*You are very visible but you will not convince us*”).

The campaign trail yielded many surprises related to her gender. As a female candidate, she found many male voters would insist on invading her personal space and touching her inappropriately or in a manner that was overly familiar. There was also an unexpected level of attention directed towards Maina’s appearance. “*I don’t think people take me seriously because I don’t look like [the way they think] a leader [should look],*” she said. “*There is a certain ‘politician look’*” she adds, “*you wear a weave, you are married, you put on weight and that’s how people take you seriously. Apparently, I have a more private sector look.*” Maina found voters unusually focused on her naturally curly hair and her contemporary mode of dress.

Other voters struggled with Maina’s age. “*Unakaa mtoto,*” another man told her, “*wewe ni msichana*” (“*You look like a child – you are a young girl*”). At a campaign stop near the high end Park Inn hotel in Westlands, another man asked “*kama huwezi simamisha nyumba utawezaje*

simamisha ward?” (‘If you can’t keep a household, how will you keep a whole ward?’). Many voters felt comfortable offering her unsolicited advice, particularly in the vein of “*forget integrity, politics is dirty and you must play dirty.*” Some people called her “*minji minji,*” a now derogatory term referring to her light complexion but also associated with youth. “*Wait another five years and then you’ll be ready, they told me, and I had to keep saying ‘I’m here now.’*”

Maina’s experience was also punctuated by the disillusionment of voters. “*People like complaining but they don’t seem to want to work for change,*” she said as she recalled the cynicism she encountered on the campaign trail. In addition, there was the constant statement “*wapi ya macho*”; when voters ask candidates to offer them a small token simply to look at or engage with their materials. Moreover, as with other women and progressive candidates, money was a major problem. “*The big organisations offer us training but no one is offering us money,*” Maina said. Yet everything in the campaign costs money, from making posters to paying for transport: “*everyone wants to train us but no one wants to pay.*”

Surprisingly, many of the most cynical were equally young voters. “*Politics is tribal,*” they told Maina, “*and this place is very ODM.*” Young people said they might support her in the end, but at the time of speaking they were more interested in supporting their party of choice. Churches were also sites of cynicism. As a Christian, Maina knew that these were potent sites for organising and she tried to use that in her strategy. But she was surprised to find that churches were resistant. “*We went to two churches in Kileleshwa,*” she remembers, “*and at one church the priest we met said that he had a problem with young girls running for office.*” Throughout the interview, the older man would not even make eye contact, and his body language was turned away.

A second evangelical church was extremely apathetic. “*We don’t see you,*” they told her, “*and we don’t see the country as ready for your kind of leadership.*” According to Maina they then gave her “*a long lecture on the community history,*” overlooking the fact that she was local. Eventually the church allowed her to stand at the corner of the compound during

Sunday services to talk to interested people -- this was the best reception she received from religious communities.

Kileleshwa's demographics presented another challenge. Although recent zoning laws have opened up the ward to commercial construction, it is still primarily residential with almost all individuals living behind high electric fences in gated communities. "*Kenya's middle class don't want to be disturbed,*" she laughs. Maina believes that her door-to-door strategy was greatly hampered by problems of access because security officers at the various gated communities simply would not allow them in. "*The only way I can get to Kileleshwa voters is through social media,*" she says, "*even though many people are not on social media.*" This social media first strategy produced mixed results. Certainly, there was some interest generated from Mwangi's pages but the platform just wasn't designed to be the primary site for political campaigning in Kenya. "*Maybe we are clueless at it compared to the people who do social media strategising, but those professionals don't come cheap*" she says.

Other challenges came from unexpected places. "*The IEBC was a poor communicator,*" Maina recalls, "*for example, we started collecting signatures to support my candidacy on random pieces of paper but then they told us to start again on branded paper issued by them.*" Because of the delay in getting clarity on this rule, Maina ended up having to collect 1000 signatures in one day, since she was unaffiliated to any party at the time this directive was issued.

She also received minimal support from her family. Maina's immediate family supported her, but her extended family struggled with her campaign. "*They didn't even offer to fundraise for me,*" she remembers, "*they would send vague messages of support on SMS or WhatsApp but [offered] very little actual support.*" She believes that one reason for this was that they struggled with the fact that she wasn't affiliated with either Jubilee or NASA, the two major parties. "*The Ukweli party is seen as anti-government,*" she said, "*and because Uhuru Kenyatta is handing out jobs to people of our ethnic group, people feel like if you support him you might also get a job.*"

These sentiments were reflected amongst voters: *“people would always ask me who I was supporting for president, or say things like ‘I hope you are voting for Uhuru.’* Maina thinks that the assumption was that because the Ukweli Party’s most visible candidate, Boniface Mwangi, was against the government, that she was inevitably affiliated with NASA, the opposition. Maina also found voters to be somewhat hypocritical. *“We say we want change but we don’t understand the change we want. We say we want new blood but aren’t prepared to give youth a chance,”* she expressed.

But there was also some positivity. Some voters noted that she was the first candidate that they had actually met, because most ward-level candidates were relying on the popularity of their parties to carry them through. The best reception the team received was at the Kileleshwa police station canteen, a high traffic venue that is also one of a handful of places where Kileleshwa’s invisible, low income, workers can purchase affordable meals. That was where she got many of the 500 signatures she needed to secure a spot on the ballot.

Maina did not endure any specific threats or intimidation. *“Campaigning for a student leader position is in some way more demanding”* she said, *“except that in this campaign I am paying my own way and I can’t even work because it’s so time consuming.”* But there was an awkward incident with one of her opponents: *“he called us to meet at a restaurant and we went”* she remembers, *“and then he started to claim that they had all the numbers and that we were wasting our time.”* She believes that that unwelcome lecture in her mother tongue, Kikuyu, was designed to intimidate her and her campaign team.

In the end, Maina came third in the hotly contested Kileleshwa race. *“It sucked losing, why lie,”* she says, *“but I was proud of myself because I came in third with my integrity in check.”* She remains content that she didn’t come last, which meant that her message reached someone in the electorate. While assessing the losses of the party, which failed to win a single race, she thinks that the problems of ethnicity made the challenge more intense. *“I think Ukweli candidates didn’t get elected because the voters refused to see beyond tribe and party... and maybe handouts.”*

Still, Maina remains hopeful for Kenya. *“I hope we start interrogating people more on their character than their ethnicity”* she says, and she urges more young people to consider entering politics. *“We can’t scream no representation and then not step up when the opportunity arises,”* she maintains. *“Youth is an asset and a liability,”* she says, *“those who are ready for change will give [us] a chance.”*

Exploring Feminine Political Leadership Attributes and Women's Campaigns During the 2017 General Election in Kenya

Maria Arnal Canudo and Fatuma Ahmed Ali

Despite the fact that women are almost half of the population of the world, they are under-represented in political leadership across the world. Only 20% of parliamentarians were women in 2011 and only one country in the world has women-majority parliamentarians and that is Rwanda. This research analyzes and compares the gender component in terms of leadership style, performance and the characteristics desired among Kenyan youths. Twelve focus groups discussions (FGDs) were conducted in six different universities in Nairobi with undergraduate and graduate students as a method of collecting data for the study. In addition, a content analysis of media was undertaken as part of the research method. Among other findings of the study, participants of the FGDs concluded that women in Kenya are still treated differently in comparison to men especially in the political sphere despite the increase of women vying for political positions.

Introduction

In Kenyan politics, leadership as concept is linked to attributes associated with masculinity because of the social, cultural, religious and patriarchal constructs creating a misleading narrative about women's ability as political leaders. Therefore, what voters expect from leaders overlaps with masculine characteristics and not with supposedly feminine characteristics. Indeed, most women leaders are framed in masculine roles (Arnal, 2012). That is why, Sjoberg (2014) states, leadership becomes gender-specific rather than sex-specific. For example, if a woman leader makes a personal or collective decision, she is more likely to be questioned than a man because of her gender. In addition, some studies about female leaders have shown that women's private lives receive more

attention during their tenure in government and also during campaigns than men's (Tickner, 2001).

Several dimensions have emerged from research on women and politics in Africa. Much of the research has focused on the biographies of African women leaders, political participation of women in the continent and consequences of the inclusion of gender discrimination in the legislative scope of the countries. Little has been done on the leadership attributes of women leaders in Africa (Kamau, 2010; Mari Tripp et al, 2009); scanty research is available on feminine political leadership attributes in Kenya. Hence, there is a clear need to academically explore the feminine political leadership attributes and women's campaigns during elections in Kenya.

This chapter explores feminine political leadership attributes and women's campaigns during the 2017 general election in Kenya. It also specifically analyses and compares the gender component in terms of leadership style, performance and the characteristics desired among Kenyan youth regarding Kenyan women leaders. The study examines the campaigns carried out by women during the 2017 general election in order to map out their leadership attributes and compare them with the attributes used to describe Kenyan women leaders. This chapter answers the following questions: What are the different attributes of women political leaders in Kenya and which ones are more desirable or suitable for women? How are those attributes different from men political leaders? Are those attributes reflected in women's campaigns during the electoral period in Kenya? What are the different features of women's campaign compared with men's campaign?

Due to a range of disciplinary perspectives from which leadership has been studied, there are many existing research methodologies on this topic. In addition to a broad approach, interdisciplinary approaches have also been employed. To explore the feminine political leadership attributes and women's campaigns during the 2017 general election in Kenya, a qualitative research methodology has been employed. This method is particularly useful and suitable for analysing processes, and why things work the way they do, or why they do not. In summary,

a qualitative research method aims pre-eminently at clarification, interpretation and, to a certain degree, explanation of the phenomenon being examined (Tymstra and Heyink, 1993: 293). The study also uses an exploratory research method to obtain and analyse secondary data, in order to gain a better understanding of different dimensions of the problem especially in subject area where either no information or little information is available.

This research used both primary and secondary data collection methods. Secondary data was primarily acquired from scholarly publications on the concept of leadership, women's leadership, women's political leadership, women and politics in Africa. The primary data was obtained through Focus Group Discussions (FGDs) with participants from six universities based in Nairobi. The participants were both undergraduate and graduate students between the ages of 18 and 30 years old who were selected using a random and snowball sampling method within their institutions. The purpose of this approach was to encourage conversation and discussions in order to generate an understanding of Kenyan youth opinions regarding feminine political leadership attributes and women's campaigns during the 2017 general election. FGDs were also used to gain more insight into the current Kenyan situation regarding women and political leadership.

Twelve FGDs were conducted: two focus group discussions per university, which brought it to a total between 72, and 120 youth who were interviewed. The focus group discussions were organised and conducted during the three electoral stages that is, some were done during the primaries or nomination of candidates to get the opinion of the students on the kind of political leadership attributes women demonstrated. The second FGDs took place during the campaign period to understand how women campaigned and which attributes did they employ. Eventually the third FGD was conducted one week after the elections held on 8 August 2017, to discuss the various attributes used by women aspirants and their outcomes. The discussions were audio recorded and then transcribed. The transcriptions of the audio-recorded interviews were analysed thematically based on the research objectives and questions.

Based on the number of universities located in Nairobi, the study combined both private and public universities as the site for data collection. The following universities were selected during the process of sampling; United States International University- Africa (USIU-Africa), Daystar University, Pan African University (PAC), University of Nairobi (UON), Kenyatta University (KU) and Technical University of Kenya (TUK).

In academic research, ethical issues are of utmost importance and have direct bearing on the overall integrity and protection of the participants. Therefore, all participants were provided with a consent form detailing and disclosing all the relevant information pertaining to the research. A disclosure of what the research will be used for and how the information will be handled was shared. Prior to the activity, the participants were informed about the nature of the study, the expectations related to their participation, the voluntary nature of their participation, including their rights to either decline to participate or withdraw at any stage if they felt uncomfortable and wished to discontinue participation. As part of the confidentiality agreement, it was decided that the names and identities of the respondents would not be revealed in order to safeguard their privacy. At the end of each FGD, the participants were given a debriefing form in case they had any concerns regarding the questions presented to them during the discussion or they may want to seek counselling for support. However, no participant experienced any risk of emotional and physical discomfort. Furthermore, one of the limitations of the research was that it only used the opinion of University students and the public opinion of non-university students/youth and women were not included due to logistics issues and the politically tense ambiance during the electoral period.

This chapter is divided into four parts. The first part is the introduction above. The second part provides a theoretical review to understand the concept of leadership, to contextualise the situation of women in political leadership in Kenya in order to be able to explore the feminine political leadership attributes and women's campaigns during the 2017 general election. The third part illustrates the findings of the

research thematically based on the analysis of the research objectives and questions from the focus group discussions with university students who participated in the process of primary data collection. The fourth part is the conclusion.

Understanding the Concept of Leadership: Women's Leadership and Women in Political Leadership in Kenya

A leader is a person who knows the way, who has been through the way and can lead the way. A participant's definition of a leader.

Political leadership is difficult to define due to the number of issues involved, including psychology, maturity of the society or the biography of a leader. To understand it better, political leadership has been approached from several perspectives and fields such as political theory, psychology, history, public administration, anthropology or sociology (Rhodes and Hart, 2014). Each of these mentioned perspectives and fields focuses on different techniques and methodologies to study leadership, but all of them have the common denominator of analysing leaders to understand the causes and consequences of their behaviours.

Leadership has existed since human beings developed their first societies, and the concept of leadership is linked with the type of society and context where it is applied. For example, business leadership is different from political leadership (Keohane 2005). Furthermore, leadership is a cross-cutting concept that is suitable for a wide range of fields such as politics, business, social groups or international relations.

Burns (1976), differentiates between transformational leadership and transactional leadership. A transformational leader engages followers in a project in order to create a mutual process of raising one another. In contrast, a transactional leader creates a structure where the followers are motivated by reward and punishment. For some authors such as Rotberg (2012) or Bolden and Kirk (2009), transformative leaders have a determining role in creating new political culture and building institutions in some countries. Other authors such as Kuada (2010) argue that transformational leadership does not match with some

aspects of African cultures and certain African leaders might exhibit autocratic attitudes towards their followers rather than motivate them.

According to Hyden (2006), African leadership is more linked to the community than with individualism. This means that there are some private and cultural patterns that are transferable into the governmental institutions. However, in contrast, Kamau (2010) asserts that the definition of political leadership in Kenya and in many other developing countries in Africa covers issues such as ethics, values or certain expectations from the leaders that include: development of the home community, financial assistance to certain groups, policy formulation and inclusion of constituency issues into legislation and institutions.

Despite the different approaches to leadership and its process, the relationship with followers is vital to build the leadership style and get the support of citizens. In this relationship the character of the leader is essential. Meanwhile, the personality of the leader has been approached mainly from two different perspectives: the personality itself (Lasswell, 1963; Barber, 1977; Verba, 1968) and the perception of the leader by the followers (Gardner and Laskin, 1995; Neustadt, 1991; Renshon, 1996). For instance, Barber (1977) establishes four types of personalities, which are active-positive, active-negative, passive-positive and passive-negative in order to predict the performance of the politician according to their character. On the other hand, Neustadt (1991) makes a distinction between the character and the perception of the leader and ensures that the performance is limited by the perception of the leader. Based on the citizens' opinion about the leader, they support the leader more or less. This perception is shaped not only by the depiction of the leader in the media, but also by social and cultural norms.

Feminist scholars have established two approaches of understanding women's leadership (Mari Tripp et al., 2009; Sjoberg, 2014). The first one is the idea of a good leadership from a gender perspective and the second one is the women stereotypes in theories of leadership, which is the most common. Women are underrepresented in politics, but also femininity since when women hold a public position it is either they are treated

differently from men or dismissed in leadership discussions (Sjoberg, 2014).

Women leaders feel compelled to cultivate a style that conveys strength in traditional male terms, or women who mimic men prove more likely to succeed as national political leaders, in either case responsibility for their reputation rests with the women leaders (Genovese, 1993: 225).

The definition of a good leader is therefore often connected with masculine attributes or what we consider as being a good man while being a good woman is not alligned with being a good leader (Sjoberg, 2014). Thus, many women who hold political or public positions are more prone to play masculine roles than feminine. Women are marginalized twice, because they are women and secondly for being politicians (Kasomo, 2012). Moreover, this issue provokes a biased depiction of women in media in which they are judged by attributes such as beauty, private life or academic background.

Women have been marginalised from public life and decision-making in most cultures and societies across the history (Moghadam and Haghghatjoo, 2016). Despite the fact that women are almost half of the population of the world, they are under-represented in political leadership across the world; only 23% of parliamentarians are women in 2018 and there are a few countries in the world that have women-majority parliamentarians such as Rwanda (61.3%), Cuba (53.2%) and Bolivia (53.1%) (Inter-Parliamentary Union, 2018). Since the 90's women have mobilised in Africa to include their rights in either constitutional laws or norms. As a result, currently 21 out of 46 African countries have constitutions that protect women's representation, for example all countries in East Africa have gender quotas in their constitutions.

To this end, gender plays a role in the definition of leadership and its attributes. Guzmán Cuevas and Rodríguez Gutiérrez (2008) argue that women have different attributes from men. Women usually tend to support a more transformational leadership style – based on democratic decision-making process and interpersonal relationship – rather than transactional style – based on hierarchical structures. Moreover, based

on the research conducted by Alexander and Andersen (1993: 536) in the United States, women are seen by voters as “*more compassionate, moral, hardworking, and liberal*” and faced more challenges to move forward since they have to deal with their job task and family responsibilities. However, according to these authors male voters perceive men as tough, crisis managers, emotionally stable and decision-makers.

Patriarchal culture also contributes to defining women’s political attributes because it is presumed that only men make good leaders because of their character (perceived as strong, focused, assertive and dominant) vis-a-vis women’s perceived non-leadership characteristics (emotional, careful, timid, etc.). These factors have played a big role in determining the expectations of political leadership that the electorate/citizenry place on their chosen leaders (Kamau, 2010: 25-26).

At the same time, the personality of the leader depends on their background experiences, and their lives. Studies have shown that women who eventually participate in politics build their leadership styles according to their experiences and personal challenges such as family issues, or a lack of resources and gender discrimination within political parties (Kamau, 2010). Moreover, Okumu (2008) points out that in Africa, a man could feel threatened by a woman politician because it is perceived as his domain. Men’s reaction to this perceived intrusion is using violence against women in order to discourage them from participating in politics (Okumu, 2008).

In many societies the role of women is limited to the family and household maintenance. It therefore becomes more difficult for women compared to men to join politics which in turn feeds into a negative attitude towards women leaders. Yet, African women have historically played important roles in economic, social and religious spheres. Women have been peace builders, mediators in conflicts, and resource managers (Ahmed Ali, 2015). They have also played an important role during the last years of colonization as fighters and supporters (Peterson, 2001). Indeed, Moghadam and Haghghatjoo (2016) argue that the inclusion of women in decision making and leadership positions brings different values to the table and increases awareness of women’s concerns,

ensuring the development of networks among women to enable them to take part in the public life and access power. Accordingly, Wittmer and Bouché (2013) point out that women's inclusion in the legislature raises the number of laws introduced pertaining to women's rights. However, other studies show that women inclusion in politics in Kenya does not benefit women's concerns (Lawless and Fox, 1999).

A woman's political career cannot be neutral since some political issues do not only rest on gender balance but also on other factors such as class, status, ethnicity or religion. Yet, in certain societies these factors are used as the tools to restrict women's political career development. For example in Kenya, married women living in cities for long periods face difficulties in being accepted as leaders in both their home constituency and in her husband's constituency since they belong to the husband's home after marriage. Women therefore need to develop a political career without the community support – a major disadvantage. Moreover, in many parts of the country, the role of women in politics in Kenya has depended upon elders of the community (Mathangani, 1995).

Even though many countries have introduced norms and legal reforms to protect women and empower them to participate in politics, challenges such as poverty, lack of education, cultural barriers or unequal access to services thwart the full inclusion of women in public life. Women also suffer from family pressure, threats of death and sexual violence and assassination which are also extended to their families and friends. As a consequence, their political leadership attributes are stereotypically distorted by their experience and their role is seen as passive.

The inclusion of women in the public sphere has an impact on the economy of the country and on individual's economic behaviour. According to Akerlof and Kranton (2000), allowing women to take part in public life affects the economic outcomes in areas such as political economy, organizational behaviour or demography. In addition, some studies show that inclusion of clauses for women in constitutions have had a positive effect for women rights in several countries in Africa. These rules allow women to take part in the public life and display their leadership styles in the positions they hold. In addition, the more women

run for public positions, the more common this phenomenon becomes in the society in order to modify certain culture patterns. It can be argued that sometimes the law plays a role in enforcing certain social behaviour and developing societies.

Thus, the most significant changes in Africa with respect to women's rights have occurred when there are opportunities to rewrite "the rules" of the political order, which generally occurred after major civil conflict" (Mari Tripp et al, 2009: 6).

For example, Rwanda and Mozambique have some of the highest rates of female legislative representation due to their commitments in legislation.

Since Kenya attained independence in 1963, only around 50 women have been elected for a seat at the parliament. In 2010 the Parliament had only 10% of women representation, far from the global female representation figure of 18.8%. The few examples of women in political leadership in Kenya have displayed their leadership styles through masculine attributes or what have been considered masculine roles and most of the women have built their leadership style based on their life experience and the challenges they faced before becoming a politician.

In Kenya the implementation and operationalization of legislation on gender parity is a challenge. For instance, Article 81 b) of the Kenyan Constitution on the general principles of the electoral system states that: *"not more than two-thirds of the members of elective public bodies shall be of the same gender."* This means that women should occupy at least one third of the elective bodies in Kenya. Historical prejudices and stereotypes have ensured that a bill that would enshrine the law has twice failed to get the numbers in a male-dominated House. Sadly, the 2013 Parliament has struggled to give life to the requirements of this rule and the failure further demonstrates the complexities of negotiating and upholding democratic principles, people's wishes and constitutional imperatives (Akala, 2017).

Although the law establishes the number of women's representation for public bodies, it was expected that this number would increase in this 2017 election. Unfortunately, women's representation in the Lower House in Kenya falls behind the sub-Saharan average of 23.1%, even though it

has risen in the last decades since the 1998 (Inter-Parliamentary Union, 2017). At that time, women were elected to 8 seats to 68 seats in 2013 and to 75 seats (3 Governors, 3 Senators, 47 Women Representatives and 23 Members of Parliament) in the 2017 general elections. Women represented around 60% of the electorate in the 2017 elections and the number of female candidates running for seats was higher than in previous elections.

In addition to the law, education plays a key factor in women's political representation in Kenya. According to Awuor (2013), women with stronger academic qualifications attain higher political positions. Furthermore, once they hold a position, they are "*very active in sensitizing the other women to ensure their effective participation in political parties*" (Awuor, 2013: 65). Akala (2017) claims that having more women in leadership positions will also motivate young girls to strive for leadership positions when they grow up. This is based on the premise that the younger generation will grow confident that society is fair and does not impose limitations on the basis of gender.

Findings

The research findings of this study are based on the analysis of the focus group discussions that were conducted during the primaries, campaigns and post-election period. The findings are organised thematically. These themes were extracted from the discussions with the focus group participants, research objectives and questions.

Leadership attributes

Most of the participants agreed with the leadership attributes that any politician, either, women or men should possess. These attributes can be divided into two main categories: attributes regarding the personality of the leader, and attributes about the relationship of the leader with his/her followers. Attributes related to the personality of the leader include: integrity, honesty and vision, including being knowledgeable, proactive, charismatic and educated. Integrity was the most preferred attribute.

However, its definition differed from one respondent to another. Some of them linked integrity with the rule of law while others defined it as the coherence between the private and public life of the leader:

In Kenya integrity is part of the constitution, a leader has to have integrity according to Chapter 6 [of the Kenyan constitution] but the applicability of that chapter is more of a mirage. That is what we are facing today; all leaders are facing integrity concerns.

or

They need to be consistent with their lives let's say their private life they need to put it to the public because most of the politicians live two lives so sometimes the citizens would judge them on the life out there in public because they are different people out in public who all relate to them. They need to maintain that consistency because that consistency will bring trust and accountability.

On the attributes linked with the relationship of the leader with the followers, the participants noted that the most important attributes were empathy for the people and interest in the problems of voters they represent including commitment to their work and constituencies. In addition to these attributes, a few of the respondents added aggressiveness as an imperative attribute in Kenyan politics. However, they compared it with wealth in order to justify why some people in Kenya are not running for a public position:

Aggressiveness should be your action which is what you are doing and should depict what you are saying. We have good leaders who are not joining politics because they are not able to compare themselves with those who have money. There are those who want to be [a] leader but they think they do not have the resources such as money to buy people which is bad for leadership.

There were several responses that were received from the participants on the attributes of leadership such as: consultative, articulate, original, presentable, respectable, persuasive, effective, efficient, and honest, a good listener, positive, tolerant, motivated, action-oriented, responsible, understandable, transparent, appealing, accountable, selfless, humble, tactful, progressive, assertive and patriotic. While some of the participants argued that there should be a clear distinction between a good leader and the issue of integrity, other respondents emphasised that these attributes should cut across both men and women.

Women's leadership attributes

On women's leadership attributes, the participants were divided among those who thought that women and men have the same attributes and those who do not. Some of the participants believed that both women and men should have the same leadership attributes since they hold a similar position in the public sphere:

If you are a leader it doesn't matter if it is from the physical or political angle, there is a need for these attributes and qualities we are talking about. As much as we would want to look at roles and what one can do, I think in terms of attributes there should be a standard for as long as someone is a leader.

Meanwhile, the other respondents argued that gender implies a difference in the leadership style since men and women have different attributes as human beings:

We [women] are more of emotional beings than men you find that at times we make decisions out of emotions but not really out of our intellect. I guess we women find it difficult to balance both.

Participants frequently discussed emotions as a feature of women's attributes in support of the idea that women have different attributes from men. One male respondent stated that women are very emotional and are unable to handle security matters appropriately. Another respondent disagreed with him, stating that handling of security matters depended on the personality of the individual. It was argued that some women do not reveal their emotions in leadership because they react to issues differently. Therefore, the assertion that women are very emotional cannot be generalised. Some participants concluded that some women's emotional state is determined by their upbringing and social influences.

Discussions also centred on the societal stereotypes and prejudice around the displaying of emotions. An example was cited of the Deputy President Mr. William Ruto who cried in public and demonstrated the agony he experienced during the 2013 general election. This reveals the context of stereotypes on displaying emotions in public as socially constructed. That is, when a man cries, it is considered empathy, while if a woman cries, it is seen as weakness and being emotional. Hence,

the idea that women will find it difficult to hold a security portfolio or position due to their emotional tendency does not hold water, as several examples globally discredit that claim. It is important to note that there are institutional procedures and processes for decision-making, which do not necessarily depend on the personality of an individual. For instance, Defence Ministers receive regular security briefings, thus, decisions are reached through a group-think process comprising of relevant security chiefs.

On the other hand, participants who viewed women and men having different attributes, outlined qualities such as determination, perseverance, aggressiveness, persuasion, responsiveness, confidence, moderation, modesty, integrity or assertiveness as desirable features for women leaders. Most of these attributes are associated with masculinity and not femininity, and women have to “*work harder*” than men during campaigns to portray themselves as authoritative and strong leaders if they want to achieve their goals in politics. Women have to work harder because they do not have the same privileges, opportunities, and resources as men:

I think for women, one of the issues they face is that of integrity. Once you are a woman in leadership you are scrutinised more than any other person, they will look at your family, yet, for a man they will not look at his family or background. They will scrutinise you to the core so I think women need to have more integrity because they are women.

Also:

An independent woman is a threat. So women grow up being known as the helpers and women are not supposed to overtake the men, they should stay behind and watch. Being an independent and strong woman, is viewed as being too masculine and that is unacceptable.

During the post-election focus group discussion, participants agreed that most of the women who succeeded in the elections were charismatic or assertive in telling their mostly male competitors that they are ready to bring change. For instance, the current Nairobi women’s representative Esther Passaris was cited as a good example of a leader who used her charisma to promote and brand herself as *Mama Taa* (Mother of lights)

and this was because of her 'Adopt a Light' project. There were also other women who were assertive enough because they wanted to be elected in the 2017 general election rather than being nominated. Another attribute that women who won the election demonstrated was resilience because they have been through a lot of political setbacks but they were confident and assertive to win. Joyce Laboso of Bomet county, Charity Ngilu of Kitui county and Anne Waiguru of Kirinyaga county defeated male incumbents in part because they were resilient. Additionally, women contestants strategically aligned themselves with powerful figures who endorsed their political ambitions before the elections, enabling their victory at the polls. Some women also deliberately positioned themselves as 'mother figures' in order to appeal to the youth vote.

Women made a lot of strategy changes between 2013 and 2017. In the previous elections, women were under-estimated but during the 2017 general elections women contestants paid attention to details, including public communication and persuading and convincing voters. They also demonstrated improved communication skills because they were able to persuade and convince their constituents. Branding was used to differentiate between the attributes of the different women contesting for the same position. For example, in the Kirinyaga gubernatorial race of Kirinyaga where two women (Anne Waiguru and Martha Karua) contested against each other, they developed slogans such as *Minji* (fresh garden peas in Kiswahili) based on a pejorative term *Minji Minji* which Waiguru was given because she is fair skinned and new to the political arena. Its origins are sexist but it played well with young male voters. Waiguru embraced it but Karua tried to reclaim this through the *Ndengu* ("Lentils" in Kiswahili) moniker associated with her toughness and experience in politics. There are of course layers to this and is worth further exploring this dichotomy, for instance women who embraced the sexist labels and those who rebelled against them. Moreover, this practice was more predominant between women candidates competing against each other for the same position.

Women also demonstrated a great deal of determination and aspiration in their leadership campaigns. For instance, Sophia Abdi

Noor won the Ijara Parliamentary seat, becoming the first Somali woman to win a non-quota election in Kenya. Inspired by the precedent of women in previous leadership positions (Ministers, legislatures etc.) women reached out to the masses in their political campaigns. There was an interesting mix of aggressiveness and gentleness leading some of them being classified as either soft or aggressive. Therefore, most of the participants agreed that women were able to demystify the myth that only men can contest or do politics, especially in Bomet County where there was a fierce race for the gubernatorial seat.

Kenyan Women Political Leaders

During the focus group discussions, Kenyan women political leaders were classified mainly as: flower girls (those women who just clap and follow their party leaders as cheerleaders), activists (those who advocate for certain issues/rights), pseudo-masculinist (women who are apparently masculine in certain aspects) philanthropic (those who are charitable and promote the welfare of others), professional, charismatic, aggressive, loyal, modest, simple and conservative. These classifications are based on women's roles and personality in politics. Often the media constructed these typologies of Kenyan women leaders. Moreover, most of the participants argued that, it has not been an easy journey for women leaders in their quest for seeking political leadership in Kenya because they have experienced several challenges. These include the cultural belief that leadership is traditionally associated with men, balancing their private and public life, fierce competition for political leadership by men; the idea that women should be confined to private/domestic leadership, lack of financial power and access to resources.

Some of the participants claimed that women leaders in search of political power often showcase their physical features instead of the articulated agenda to persuade their electorates. They also believed that the physical attributes of a woman and her social constructs play a vital role in being elected. Participants argued that women have been unable to articulate their agenda and aspirations as leaders, and perceived requirements for men in leadership are therefore different from those of

women. Hence, it is assumed that women are incapable of holding serious positions of leadership in Kenya, for instance the role of president.

The participants knew quite a number of women political leaders and almost all of them agreed that there were more women vying for seats in the 2017 general election than in previous elections. However, despite general support for women in terms of their participation in public life, participants held that culture must be developed in order to successfully incorporate them as leaders in their own right.

Media Depiction and Evaluation of Women Leaders

Although some participants believe that women and men have the same leadership attributes, most of them agreed that the media depiction and the evaluation of leaders by citizens are influenced by gender. They recognised that women and men are not judged equally in terms of their performance or background. For instance, issues such as personal life (status), beauty or character are used to criticize or praise women leaders, while their male counterparts are evaluated based on their performance in terms of delivering their promises:

It is so sad because when you talk about women in leadership it is associated with how good you are at managing your home as a woman. If you are able to keep your husband or whether you are married and if you cannot keep a husband then you cannot be a leader.

Moreover, participants asserted that women would be evaluated according to their personal life in case she vies for a public position:

When a woman goes to the podium the things they would see is [if] she has been divorced twice, she has three husbands and not anything relevant.

Most of all, the participants in the study claim that due to stereotypes, novice women politicians take advantage of their feminine attributes in order to get votes or achieve better positions:

This has now affected our generation in politics where women now associate themselves with their physical attributes to appeal the masses with slogans like “msupa na works” (a pretty girl who works).

Also:

Women leaders have to blame themselves for the names they chose to use for their campaigns to be referred to as like “bae wa Nairobi” (meaning: the girlfriend of Nairobi). The female leaders define themselves using their feminine attributes hoping to get votes. They need to change how they campaign for themselves first for voters to view them for their leadership attributes and not their physical attributes.

Conclusion

The findings reveal that women in Kenya are still treated differently in comparison to men especially in the political sphere. Thus, some women vying for political positions present masculine attributes in order to be as visible and audible as their male counterparts. This masculinization of women leadership has a negative impact on women since they have to portray themselves in an inauthentic manner. Moreover, masculinization of women’s leadership slows the change in mentality within the society where women leaders are depicted not as their authentic selves but as society constructs them. As such, feminine attributes remain negative qualities in comparison to masculine qualities.

Even though the past few years have seen a great improvement for women and political leadership in Kenya, there is still a lot to be done. In these focus groups, opinions were divided in regards to women’s leadership attributes. Mainly, respondents pointed out during the discussions that it is essential to educate the society to change the mind-set of both, women and men. Some respondents also argued that often, women did not trust women politicians because of gender issues such as beauty or clothing. Part of the group argued that women have different leadership attributes than men while others thought the opposite. Yet most of them believed in equal opportunities for both men and women in politics, even though they realised that this was still a utopian ideal in Kenya.

The findings of this chapter suggest that the ideal women’s leadership attributes are not the same as real women’s leadership attributes. For example, previously leadership attributes were based on aggression and competency while currently women tend to showcase beauty and the

ability that is domestic value-skills which appeals to men. The media also portrays women's leadership attributes using their beauty or personal life. This practice of feminizing women's leadership attributes and subsequently constructing the idea of a model of beauty as highlighted in the extract below:

Actually a few weeks ago there was an interview on Jeff Koinange Live on Citizen's Television and they had Chris Kirubi and Orio Rogo Manduli and there was a question asked about the Nairobi women's representative competition between Rachel Shebesh and Esther Passaris who will win? This is what Chris Kirubi said: "That both women are beautiful so they both stand a chance." I think in the African context people rarely look at what the candidates have done. I for one I only nominated a female MCA because there were so many male representatives. Even if she did not qualify I only thought it is fair to give her my vote because she was a woman.

For women in leadership, there is a struggle to maintain feminine identity in a dominant masculine world. In this regard, there are two competing stereotypes of women leaders, either as conservative or as radical. Moreover in the context of community expectations of perfect families, women in leadership therefore experience challenges if they are single, widowed or divorced. In addition, women also face resistance if they portray themselves sexually and display interest in beauty and fashion. This goes against the perceptions of the community with preconceptions that women must be considered decent, yet feminine.

Women are also disadvantaged in asserting political power in the parliament, even though they are elected, due to lack of funding. For example, women helplessly watched as the male parliamentarians passed a bill that granted men the right to marry many wives – which has been illegal in Kenya since independence notwithstanding some cultural exemptions. Women in the legislature also tended to show more affinity to men than to women voters. This strategy disconnects them from their core constituency. In some instances, women are voted into power on the basis of leadership dynasty, family, spousal name, ethnic and social affiliations and not based on merit but political patronage.

Another relevant finding for this study is the nexus between culture and women in electoral politics. Only one group claimed that African culture must be considered in the inclusion of women in political

leadership. However, the group also said that there should be a balance between the African and Western cultures when empowering women politically. Besides the fact that the majority of the participants did not mention or refer to culture in their answers, shows the universalization of gender problems beyond Kenya and the agreement that certain issues do not belong to culture but to human rights. Therefore, a future area of study could be to *examine the impact of culture on women in electoral politics in Kenya*.

In conclusion, the emergence of women in leadership coincides with the demand for change by the people of Kenya. That is why changes have culminated in the election of three women as Governors, three women Senators, forty seven women representatives and twenty three women Members of Parliament. This hints at a change of attitude towards women that is expected to continue to increase in subsequent elections in the future, bringing hope and inspiration for women to seek more political offices in Kenya.

Endnote

The participants' quotes reflect their authentic voice and thus, are unedited.

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“During Elections They Do Not Refuse That We Exist!” Urban Borana Women, Structural Violence and the 2017 Kenyan Elections

Wangui Kimari

Often silenced within the broad category of ‘woman’ are other dynamics such as class and ethnicity. In this paper, I examine how Borana women who live in Kiamaiko ward in Mathare, one of Nairobi’s most marginalized constituencies, participate in electoral politics. As part of an ethnic community who have to struggle even to get national identity cards, I am interested in tracking their ideas about and practices for the 2017 elections. Three main questions guide this work: What do Borana women in Kiamaiko think about elections and mainstream political processes? What spaces do they use to intervene in both constituency-based and national politics, if at all? How do situated experiences of poverty, patriarchy and ethnicity impact their political practices? The answers to these questions can inform future scholarly and policy work directed towards enhancing inclusive electoral practice and representation. This chapter brings to the fore voices of a demographic often made invisible by categories such as ‘woman’ and ‘North Eastern,’ in order to convey their political agency within and beyond normative electoral spaces, and the impact this has in their marginalized urban communities.

Urban Borana Women

I am sitting with Mama Amina and Rahma in the latter’s house in the far end of Mathare constituency, close to where Outer Ring road is being developed to become another of Nairobi’s superhighway arteries. Both are key members of the Borana community in Kiamaiko ward, and I am lucky to have found them available and amenable to my inquiries. This is my second visit in a few days, and I arrived knowing that I would

be drinking cups of *kahawa* (coffee) as surely as the neighbours who would drop in to socialize, gossip, share resources or just deliver a friendly hello. To come here I have navigated the goat slaughterhouses and markets owned by Mathare's Borana community. This is the place, it is rumoured, where the best and cheapest goat meat in Nairobi can be found; an enterprise that bridges numerous businesses, histories and kinships along the dusty road that runs from Moyale to Nairobi.

Situated at the far eastern corner of Mathare constituency, for over forty years Kiamaiiko has been home for the Borana women I am interviewing. The dearth of academic and journalistic literature on the Borana genealogies in this location has rendered invisible generations of this community who have carved a space for themselves in this part of Nairobi for decades. From a brief internet search (since an academic survey is not productive), the two most frequent references to Kiamaiiko are meat and crime: "*Nairobi's gun supermarket*" and its importance as the city's foremost goat abattoir. Certainly, a "*gun supermarket*" indicates the territorial stigmatization¹ of poor urban neighbourhoods in and beyond the city of Nairobi (Wacquant et al, 2014). These negative references, fastened onto place, work to spatially lock in particular life chances primarily for the young men of this urban locale, and this has bearing in their lives on both public and intimate scales. While the women I met experience the wide reaching penalties of these negative framings of their children, an impact that extends from, for example, being prevented from accessing national identification cards to police harassment for supposedly being 'Al Shabaab,' they also know how the hard work and industry of their community is masked by these popularized pronouncements about the deleterious character of Kiamaiiko.

In the ten years I have worked in Mathare constituency I have come to appreciate the unique din of this particular quarter: the traditional Borana music filtering out of shops and homes, incense and coffee perched on or close to small charcoal stoves, the iridescent green of the ever present *muguka* (a stimulant similar to khat) leaves, and the bustle of a language from 'North Eastern'— a signifier of pastoralism and an arid landscape, but mostly of distance from the cultures long associated

with Nairobi's urbanity. Since then, I have made friends with many of its women, children and men. They pierce the lazy blanket social category of 'Muslim' applied so easily to some communities in the East of this capital city – an 'ethnic' grouping taken to brush over a variety of different origins – and live a life shaped by long-standing urban tenure, traditions and the structural violence widespread in this part of Nairobi (see Wario, 2007).

The women that I have come to meet are the backbone of the Borana community in Kiamaiko, and I am here to find out their ideas and political practices for the elections we are not being allowed to forget. Never mind the doctor's strike, the paralyzed universities or famine in the now habitual locations; our national fervour, it appears, can only be for elections.

In a seminal article, Wario (2007) states that much work needs to be done to document the comprehensive histories of urban Borana in Nairobi and beyond. As I revisit and add to my experiences in Kiamaiko ward since 2007, I am keen to heed his injunction. The task I take up, however, is more gendered, and my work is guided by the following questions: What do Borana women in Mathare think about elections and mainstream political processes? What spaces do they use to intervene in both constituency-based and national politics, if at all? How do their situated and connected experiences of poverty, patriarchy and ethnicity impact their political practices?

This chapter is organised into three main sections. I begin with a brief history of the Borana in Nairobi, informed by interviews conducted, participant observation and the scant journalistic reportage that attends to this community in the city. Thereafter I look at the elections, those of both August and October 2017, and discuss what they meant for the Borana women leaders of Kiamaiko, and how they engaged with electoral politics against the backdrop of structural violence intersected with both ethnic and national patriarchy. I conclude by summarizing my main findings and by suggesting directions for further research in this area.

Borana in Nairobi

When asked when they got here, the older of the two women leaders I am meeting with states that she arrived in 1964. The goal was to escape the famine in Moyale with her two children, and so she came to Nairobi with nothing but her offspring. She knew, however, that she would find kinsfolk in what is now Kamukunji constituency, and particularly in the areas of Majengo and California. For that reason, on arrival she went immediately to this part of Eastlands where, as she expected, she found many Borana who welcomed her and helped her settle in the city.

Mama Amina's arrival in Nairobi corroborates the historical narrative set-up in a recent newspaper article that traces Borana residence in Nairobi to the violent dislocations propelled by the 1963 Shifta War,² but her description of the community she found in Nairobi reflects much longer histories – perhaps since before independence – of this ethnic community in Eastlands. Emphasizing her long tenure in Nairobi, Mama Amina recalls how she was in town shopping with her husband when Tom Mboya was shot—they both were only a few metres away from him when he was assassinated on the street that now bears his name. As a consequence, she describes how Nairobi has been their *ushago* (rural home) for a long time: they ate the first fruits of independence when life was cheap and you could buy unpackaged butter and milk from the shops, but now she is “*crying*” because she feels that she doesn't live in the “*prosperous*” Kenya she once knew.

In contrast, Rahma, the younger of the two women, was born in Kiamaiko a few years after independence. Her father lived here from 1964 until his death in 2017, and came to escape the violence of the Shifta war. Her mother, however, had been in Nairobi since 1962. Now, together with her siblings, their families and even great grandchildren, the descendants of this pioneer couple constitute a crucial part of the 3400 Borana living in Kiamaiko ward.³

In their navigations in this part of Nairobi throughout the years, this urban Borana population has managed to establish a goat slaughtering industry that is the economic hallmark of this area. Some residents

say that this business, which is the heart of this ward, has transformed Kiamaiko and improved an image long associated with crime, since its profits have led to more jobs for young people and the development of better residential, transport and business infrastructure. At the same time, there are also complaints by non-Borana about the high rents in Kiamaiko, seen as a consequence of the profitability of the goat abattoirs, and these grievances are documented to have enabled increasingly tense inter-ethnic relations.

What do these layered geographical relationships that extend from the borders of Ethiopia to poor urban settlements in Nairobi —encompassing particular experiences of ethnicity and economic enterprise— mean for the politics of urban Borana women in Mathare?

Elections

During our meeting, when asked to talk about the impending national vote on 8 August 2017, Mama Amina looks resigned and declares that talking about the elections gives her [*high-blood*] “*pressure*.” From the time she arrived in Nairobi in 1964, and as a founder of one of the most influential Borana traditional dance groups in the city, she has individually and in a performance troupe campaigned for numerous politicians locally and nationally -- much more than she would like to remember. “[*Charles*] Rubia, Andrew Kimani Gumba, Maina wa Nguku, Maina Wanjigi” and other successful and not so successful aspirants for Member of Parliament have all drawn upon her largesse in Eastlands to get them elected. Despite these efforts, “*the next day they just pour shit on you... I am tired*” she said unimpressed. But even before they can think about voting, Rahma, the younger of the two women, says that they first need to access IDs.

Historical neglect and stigmatization of the North-Eastern region, as well as poor urban settlements and their residents, makes getting identity cards an arduous, if not impossible, feat particularly for young people. National identity cards are important since they are the most important document needed to affirm citizenship and belonging to Kenya, opening

the door to both voting rights as well as the few public goods that exist. Lochery (2012) attends to these “*graduated citizenship*” struggles in an article discussing the historical uncertainties and violence governing the citizenship rights of Somalis in Kenya. Here she argues that:

Due to the way the Kenyan nation state has been constructed and negotiated since colonial times, some groups have more rights and protection than others. Somalis, other ethnic groups in northern Kenya, and groups like the Nubians in Nairobi are lower down the ‘citizenship ladder’ and more vulnerable to persecution and neglect (Lochery, 2012: 617).

Certainly, due to historical and ongoing “*patterns of marginalization and alienation*” (Lochery, 2012: 618) in Northern Kenya, the Borana remain low on the “*citizenship ladder*.” This is a situation that also coheres in the lives of those rendered invisible—in both public discourse and academic literature—non-Kenyan populations that have been creating diasporic communities in the East of Nairobi for a number of years. Examples of these diasporas are the Buganda migrants in Mathare, urban refugees from Somalia in Eastleigh, as well the small, but growing, population of Nigerians and Congolese refugees in Kayole. What’s more, the situation is compounded by the prevailing context of ‘Al-Shabaab’ and ‘counter violent extremism’ interventions, which exacerbate the precarious conditions for Borana, especially young males, who are “*thrown together with Somalis*” and so have to be “*vetted*” before they are allowed to apply for documents such as passports and national identification cards. For Rahma, these identity document struggles have much greater meaning; they symbolize the generational gradations of Kenyan citizenship. Highlighting this she asks: “*Does it mean that we are outcasts from Kenya or that we are something new in Kenya or that we have come to Kenya illegally? I want to know the meaning of this vetting!*”

It was these very pronouncements that got the younger of the two women, Rahma, kicked out of the Chief’s office: the basic assertion that their Borana children are Kenyan even if “*Kenya has not agreed,*” is not willing to consider them citizens. In the past these women would perform traditional dances for state house guests (until this assignment was withdrawn without explanation in 1984) and felt that they had

some audience with the government then—*some* political opportunities. Though they continued to be engaged in local Eastlands elections in the subsequent years, both as performers and as community contacts, these women say they have never seen any benefit from all of this hard work.

As such, although they are undoubtedly the demographic and economic majority in this ward, the Borana population has never had any of their own elected as a political representative of Kiamaiko ward. They have tried but, as Mama Amina explained, “*entering the system is hard.*” What’s more, the increased poverty, insecurity and uncertainty that envelopes their neighbourhood makes them wonder whether any of their previous politico-cultural contributions to local electoral processes was even worth it.

When I met them in March 2017, the two women declared that this year they would do something different. Though they were being looked for “*like money*” (and everyone it seems is zealously looking for money) by every possible aspirant— Member of Parliament (MP), Member of County Assembly (MCA) and even Women Representative candidates—they did not seem too interested in participating in the campaign machinations of these ambitious contenders. Instead, they had the more radical intention to call a meeting for all Borana women in Kiamaiko to discuss whether they were actually going to vote.

The relevant people had been notified. And they even told the male community chairman that he needed to give them the space to decide what they want for themselves. Adamant, Rahma stated:

If any aspirant wants to come to us then we need to draw a collective strategy and they need to say what they are going to do for the Borana women and community. Since 1964, and our mothers have been voting from that day until now, they have not gotten anything done for them.

Though I am certainly biased, I am inclined to think she is right: since my arrival in Mathare over a decade ago I personally have witnessed the struggles that Borana engage in to try and receive many basic services, and the sinister ways in which a radicalization narrative is tightening its grip around their children. Moreover, because of violent contentions

over land, influenced by an autochthony narrative, many Borana have been displaced from Ruai, Kasarani and Njiru in Eastlands. For these reasons, against the backdrop of the looming elections, their fears of possible eviction from Mathare were more pronounced.

In March 2017, these experiences were being discussed in their many collectives and were high on the agenda of the meetings of Borana women in Kiamaiko. They had also declared that until they had a conclusive decision as a community, neither Mama Amina or Rahma would be organizing or performing traditional dances for any aspirants: they would not be endorsing anyone nor taking their phone calls.

“During elections they do not refuse that we exist” Mama Amina exhorted. Without a doubt this was a loaded statement, an indication that though at other moments their political existence was on unsteady ground, during elections they were affirmed as citizens, urban residents and a voting bloc worthy of courtship by politicians. Away from the ballot period, they remained poor Mathare residents with what were regarded as tenuous claimants to the city despite their long tenure here, while also embodying the phenotype of what we have normalized as dangerous foreigners. The intersection of both of these phenomena—precarious urban and citizenship rights—had a huge bearing on their thoughts for and practices of politics. And as these women leaders and their community were inevitably remembered by political candidates for the first time since the previous election period, they were keen to show that though they are still around, this time – mirroring the absenteeism of the political representatives they had voted in during the previous election but who they had not seen since – it is their votes which may refuse to exist.

August and October Elections

Reflecting on the historic voting patterns of Kenyans in North Eastern, Carrier and Kochore, (2014: 137) argued that: *“elections could therefore be said to be one national ritual in which the residents of Kenya fully participate.”* Interestingly, during both the August and October elections,

the Borana residents of Kiamaiko both confirmed and disproved this assertion.

Since the two women leaders had boycotted doing all the campaigning that they had habitually done for candidates – the dancing and mobilizing on their behalf – I had assumed that they and large segments of their community would also shun the election. They did in large numbers, but just in Kiamaiko. The August elections, instead, saw the whole community, save a hundred or so people, taken in “*buses and buses*” from their bases in Nairobi to go and make sure that they elected a Borana governor in Marsabit County. Referring to this spectacular exodus, a non-Borana interlocutor told me: “*it is true! They started leaving a week before elections!*”

When we met again in November 2017, I asked Rahma about the motivations behind this community electoral strategy, why roughly only a hundred Borana remained to vote in Kiamaiko, while the rest went in bus loads to Marsabit County. Though born in Nairobi, she shared unreservedly that they had decided to vote in Marsabit because they felt that they should go “*home*” and elect one of their own who could hopefully “*do something*” for them since in Nairobi they were barely recognized. Notwithstanding the spiritual, social and economic bonds they had with Marsabit that would motivate their investments in who was to take up political leadership in that County, what is also important to note is that in Nairobi they remained neglected, with memories of votes of one of their own stolen in both 2007 and 2013. For these reasons, Marsabit was an opportunity, however ephemeral, to change their political fates, especially with the multiscale promises conferred by devolution.

In an analysis of the 2013 elections in Northern Kenya, Carrier and Kochore (2014), speak of the importance of ethnic allegiance as well as how:

In the multiparty era, candidates have gone to great lengths to ensure that the numbers from their own ethnic groups or clans were maximized, often by transporting large numbers of their fellows from other regions to their constituency to register, ultimately promoting an instrumental “ethnic strategizing” (2014: 138).

I would add that in the case of the Borana in Kiamaiko, what also impacted their voting (or non-voting) decisions in August 2017 was the structural neglect they encounter in their everyday lives in the city and nation at large. For mothers such as Rahma, this is evident in the absence of political representation, since political parties do not support urban Borana in party primaries and are understood as “*stealing*” elections, but is more acutely felt in the distribution of services, including the “*CDF [community development fund] and [school fees] bursaries,*” where this community is not recognized. Though, the Gabra vs Borana duel that was evident in the Marsabit gubernatorial contest may have further emphasized the importance of ethnic allegiances, I would suggest that the urban precarity they face and the constant reminders that Nairobi (and, indeed, Kenya) is not their home, played into the apathy they channelled towards the elections as a whole. These combined violences are formalized through what Lochery (2012: 615) refers to as the “*way specific social relations are embedded within the structures of the state [which] affects the distribution of rights and resources within different groups of citizens.*”

Their failure to get, for example, national identity cards, political voice, and unthreatened tenure security in Nairobi, exacerbated by increased surveillance by security forces during this era of terror, evidences the institutionalized discrimination that impacts their willingness to engage in formal political processes. Against conditions of increasing precarity in Kiamaiko, these women leaders and their Borana community are “*tired*” of the seemingly vacuous nature of electoral contests. So much so that when asked what she did during the 26 October presidential re-run contest, Rahma shared that she and her neighbours “*just stayed at home.*”

Conclusion

The dearth of both academic and journalistic literature that examines the long tenure of urban Borana in Nairobi is noteworthy. Certainly it must also speak to the essentialized correlations between territory and lineage in Kenya: the problematic understanding that people from North Eastern Kenya cannot be urban or have longstanding tenure in

Nairobi (see Lochery, 2012).⁴ Much of what has been written about this ethnic community, in both Kenya and Ethiopia has portrayed them overwhelmingly as pastoralists, a framing that does not recognize their presence and various industries in urban neighbourhoods such as Kiamaiko and Kayole.

Furthermore, there is an inordinate focus on men and their activities, and these women remain in the shadows of broader categories such as Borana and North Eastern. What's more, even when the political experiences of women in Nairobi are foregrounded in a variety of discourses, they remain largely unaccounted for in this gender grouping, a phenomenon which also, perhaps, inadvertently gestures towards the marginalization of Muslim voices in local academic work, as well as in mainstream women's formations in Kenya in general.

This brief ethnographic paper has attempted to shed light on the political ideas and practices of urban Borana women in Mathare constituency, and specifically in Kiamaiko ward. It tracks the dynamics that impact their political choices: historical neglect and ethnic allegiances that are engaged with in a variety of gendered ways. Though recognizing that some of the political decisions women make may not be different from that of male members of their community, due to the scaffoldings of local and national patriarchy that still shape their decisions, this chapter makes apparent the crucial enterprise of urban Borana women who are approached by candidates to influence electoral outcomes in this 'swing vote' location. The cultural work they do through music and dance groups, and that is coupled with situated political mobilizing, evidences their role as leaders who steer their communities in ways that negotiate institutionalized state violence, patriarchy and the inequalities that layer Nairobi.

Since the election period of 2017, these Borana women from Kiamaiko have been involved in a number of grassroots initiatives. These are efforts for community advocacy and justice that take place in both Mathare and in Marsabit County. Future research can attend to how these leaders suture gendered cultural and human rights objectives in their work within and for alternative political spaces in Kiamaiko,

Marsabit and elsewhere. Although constantly struggling with structural conditions that reproduce their vulnerability, and still reeling from and trying to forget the state violence that they saw and heard in Mathare during both of the voting periods,⁵ these women defiantly work to increase the spaces for political redress and practice beyond any election. In these activities, they recognize and chip away at the marginalization facing Borana and Mathare as a whole, an incredible feat for urban women rarely taken to exist.

Endnotes

1 Territorial stigmatization is discussed as “action through collective representation fastened on place” (Wacquant, Slater and Pereira, 2014: 1278).

2 The Shifta War refers to the Kenyan government’s military action against Kenyan Somalis in the North Eastern Region of Kenya between 1963 – 1967. This war was started because Kenyan Somalis had threatened to secede from Kenya and join Somalia. Other ethnic groups in this region were impacted severely by the violent measures the government used, including enclosing communities into forced villages, to put down this secessionist threat. A recent newspaper article suggests that the dislocations catalyzed by this war could have motivated Borana to move to Nairobi and settle in Kiamaiko, although there is no explanation given for why Kiamaiko was the neighbourhood of choice for these Borana migrants. See more here: *The Nairobiian*. “Did you know how Kiamaiko, Eastlands, became city’s meat capital?” *The Nairobiian*, 2017. <https://www.sde.co.ke/thenairobiian/article/2000229565/did-you-know-how-kiamaiko-eastlands-became-city-s-meat-capital>

3 This population estimate is given by Rahma.

4 Lochery explains how this plays out in the case of Somalis since 1989.

5 See Kenya National Commission for Human Rights reports (2017a; 2017b) for more on the police violence that occurred in Mathare during and after the ballot processes of August and October 2017.

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Winning Women's Hearts: Women, Patriarchy and Electoral Politics in Kenya's South Coast

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This chapter explores Digo women's participation in the 2017 Kenya general elections. Contrary to scholarship that overemphasizes how patriarchal mechanisms keep women out of the political sphere, the chapter explores the experiences of women in their local context to show the reality of how the interplay between patriarchal structures and processes within the realm of Islam and state projects, and the persistence of matrilineal practices and ideologies has contributed to the way women navigate the political space in Kwale. I focus on how women negotiated the patriarchal electoral terrain in their positions as political 'managers' – as mobilizers and convincing agents. I argue that women's political participation has been shaped by historical, social and cultural processes, and continues to be informed by gendered maternal ideologies that formed a crucial ground for negotiation and renegotiation of women's political performances in the 2017 general elections. I conclude that while the prevailing patriarchal climate in Msambweni (inspired largely by religion and kin relations) limits women's ascension into elective positions, it complexly provides them an opportunity to perform public politics.

Introduction

Women hit the headlines on different media platforms as the biggest winners in the Kenya general elections of 2017 following the significant increase in the number of women elected to various positions in many parts of the country. It was the first time in Kenyan history, and particularly since the promulgation of the 2010 Constitution, that women were elected as governors and senators. The media also applauded the

notable increase in the number of those elected to the National Assembly -- an increase from 16 in 2013 to 23 in 2017, and 96 elected as Members of the County Assembly (MCA) compared to 84 in the 2013 elections. While this emerged as the state of affairs at the national level, in some parts of the country such as Kwale County, the situation was quite the opposite. Male contestants outshone in the various elective positions and women were, as a colleague put it, “hugely sent back ‘home.’” In Kwale, women were elected only in the positions of Deputy Governor and the woman only seat (that is, the Woman Representative position). This paints a picture of electoral politics in Kwale as, to use Nyokabi Kamau’s words a “no go zone” for women (Kamau, 2010: 27). Of course, the trend is not new in Kwale. Since Marere wa Mwachai, the first Digo and Muslim woman to be elected to Kenya’s Parliament in 1997 lost in the 2002 elections, Kwale did not elect any woman until the election of 2013 when two women entered Kwale’s political landscape through the positions of Deputy Governor and Woman Representative, just as is the case for the 2017 elections.

While this trend provokes questions about women’s political representation, as much feminist scholarship would be quick to point out, it also invites an interrogation of women’s political performances as drivers or agents of political activities, especially in a Muslim context with a history of matrilineality such as Kenya’s South Coast. Writing about Muslim women and political leadership in Kenya, Ousseina Alidou (2013) provides a brilliant account of Muslim women leaders in the coastal part of Kenya and narrates their experiences of multiple forms of gendered marginalization due to religious and cultural related concerns. She argues that Muslim women’s political leadership is largely constrained by the continued patriarchal interpretation of Islam regarding women’s participation in public leadership. Islamic discourses and practices continue to propagate participation in political/public leadership as an exclusively male affair. This works alongside male domination and discrimination of women through other forms and platforms, including political structures and institutions that seem immune to any gender reform, persistently indicating that women, and particularly Muslim

women, still have “*difficult penetrating the patriarchal decision-making structures and processes of the state and the party,*” culture and religion (Nzomo, 1997: 232; Kamau, 2010).

Yet women’s political leadership goes beyond representation in the parliament or other political spaces to include women as voters and those who champion election campaigns. For instance, speaking to women and men in Msambweni of Kwale, I was severally told that women are the ‘managers’ of elections in this part of the country. The implication of this is that women are active drivers of electoral activities in Kwale. Indeed, since multiparty system dawned in Kenya in the 1990s, Muslim women took advantage of the new terrain of democratization to “*participate as political actors*” in electoral politics, both as contestants and campaigners (Alidou, 2013: 114). In Msambweni, for instance, women spearheaded Marere’s campaigns and election, and continued to be the target of many political contestants who sought their art of political support and ‘guidance’ in subsequent elections. Interestingly, the women’s art of ‘managing’ or ‘guiding’ electoral activities is not only inspired by patriarchal notions of leadership, but also embedded with it.

This chapter explores Digo women’s participation in the 2017 elections as political ‘managers’ - in their positions as mobilizers and persuasion agents - to demonstrate that while the prevailing patriarchal climate in Msambweni (inspired largely by religion and kin relations) limits women’s ascension into elective positions, it paradoxically also provides them an opportunity to perform public politics. I begin the chapter with a historical overview of Digo women’s place in the political sphere in the pre-colonial, colonial and post-colonial periods to show how Digo traditions, especially those based on matrilineal ideologies, and Islamic and colonial patriarchal ideologies informed women’s political and economic performances that set ground for the political climate in the post-independence period. I will then demonstrate how gender and patriarchal ideologies inform the form women’s political participation has taken in contemporary Msambweni through an exploration of women’s participation in the 2017 elections. I conclude that although patriarchy limits women’s ascension to elective positions, maternal

ideologies provide a platform through which women in Msambweni are able to negotiate patriarchal ideologies to their advantage. This, in turn, provides women a greater opportunity to remain central in electoral politics in this part of the country.

Women and the Political Climate in Kenya's South Coast: A Historical Perspective

According to popular narratives of the Digo past, like their Mijikenda counterparts, the Digo lived in fortified villages (*kaya*; pl. *makaya*) (fortified villages) prior to nineteenth century. The Digo *kaya* was highly structured and territorially divided on the basis of matrilineal descent. “Descent, inheritance and authority passed through the female line” to the hands of men (typically the avunculate, that is, mother’s brothers) who held decision-making authority, especially with regard to political and economic matters (Spear, 1978: 57). The reproductive potential of the *kaya* depended on women, but decision-making resided with men. Indeed, matrilineal organization is known for the matrilineal puzzle (Richards, 1950), the practice where “*matrilines have to maintain connection with their female members, as bearers of the future generations, but also their male members who are the ‘decision-makers’*” (Gottlieb & Robinson, 2016:6; Schatz, 2002).

In the *kaya*, decision-making was organized around a “*centralized and relatively cohesive political structure*” overseen by a male council of elders (*ngambi*) (McIntosh, 2009: 37; Spear, 1978: 49). Men were initiated to *ngambi* through age-set (*rika*) rituals, which were ranked by seniority into sub-sets of *rika* (ten sub-*rikas* among the Digo) (Spear, 1978). The senior elder (*mwanatsi*; pl. *anatsi*) of the *kaya* was chosen on the basis of matrilineal descent of the founding clan (Sperling, 1988:31). As *kaya* elders, men were associated with crucial political and economic matters and resources of the *kaya*: they were consulted in times of war, disputes, trade, distribution of inheritance and marital issues. In the nineteenth century, for instance, elders controlled items of trade such as livestock and agricultural products (including women’s farm labour), and monopolized the returns from trade such as cloth and ornaments

(Spear, 1978:106). Additionally, kaya elders oversaw “*the Mijikenda role as middlemen in the trade between the coastal towns and the interior*” (McIntosh, 2009:39), and dominated domains of perceived specialized skill such as attraction of rain as *kubos* (rainmakers) (Oendo, 1987).

In addition to *ngambi*, men were members of various special societies (*chama*) whose membership was through payment of fees and undertaking of associated rituals rather than passage through sub-rikas. These societies were endowed with various roles and statuses that included distribution of resources, judicial and policing functions, and custody of secret knowledge of the kaya (McIntosh, 2009; Parkin, 1991; Spear, 1978).

Women did not belong to either *ngambi* or the male special *chamas*, both of which were the platforms for direct participation in political affairs of the kaya. However, women exercised some considerable control over important aspects of the organization of kaya life including its productive and reproductive affairs. For instance, through their farm labour, women contributed significantly to sustaining agricultural production for both trade and subsistence, and were the custodians of *kaya's* reproductive potential through *chifudu* (women fertility cult) (Gerlach, 1960; Udvardy, 1990; 1992; Wamahiu, 1988). In fact, Digo men remained significant in the economic and political circles of the coastal economy and specifically that of the kaya villages through their relations with women's productive and productive roles. For example, since agriculture (*chirimo*) and trade was the mainstay of the Digo economy in the pre-colonial period, and since men participated in long distance caravan trade (trade was a prestigious male affair in the matrilineages), it is likely that women assumed responsibilities to influence high yields for their matrilineages such as managing others' farm labour as senior lineage members (especially grandmothers) or within networks of communal/cooperative support (*mwerya*) - often comprising women of a matrikin group (Waijenbeerg, 1993).

Additionally, women whose husbands participated in caravan trade not only assumed household responsibilities through their farm labour as members of kaya residences, but also managed separate fields

for their particular domestic units, both as individuals and as co-wives. Scholarly accounts describe polygamous marriages within the realm of women managing separate fields and domestic units as a result of absent men in the households due to both polygamy and trade (Gerlach, 1965; Gillette, 1978; Spear, 1978). Yet women did not simply perform responsibilities or exercise influence or authority because their kinsmen or husbands were absent. It is noteworthy that the various domains and roles and responsibilities performed by men and women were not only complimentary, the strategic place occupied by women provided them an opportunity to pursue power and influence. As I show elsewhere, today, this is well captured in women's notion of collaboration (*kusaidiyana*) in contemporary Digo society (Muinde, 2018).

It is not surprising, then, that during dispersion of people from *makaya* in the eighteenth and nineteenth centuries, both men and women cleared and retained land, known today as *dzumbe* (father's land) and *konho* (mother's land) respectively. As such, women were not subordinate to men. Women exercised control over their own fields (both self-acquired (*konho*) and inherited) and also influenced performances associated with *fuko* (matrilineal clan) land and the proceeds from these fields (Ng'weno, 1997). As an everyday practice too, senior women (especially grandmothers and senior wives) "*stored and distributed the harvest... and coordinated work of women [especially juniors]*" within their matrilineages and influenced the way land and other resources were distributed (Waijenberg, 1993:24). According to one of Bettina Ng'weno's informants, in the pre-colonial past "*women had complete authority and freedom in regard to their konho. They could plant and harvest anything that they wanted and made all the decisions regarding this land*" (Ng'weno, 1997: 63). This still remains the case today.

Women's statuses and roles are also revealed through the women's fertility ritual, *chifudu*. Within the rubric of *chifudu*, *kaya's* reproductive potential was vested with women as its custodians and those who ensured continuity of matrilineages. *Chifudu* was a women's society and matrilineal women's affair managed by women (Udvardy, 1990; 1992; Wamahiu, 1988). Each matriclan had a *chifudu*, and "*as custodians of*

fertility-awarding powers of ancestresses, ... women [were] perceived to have the greatest control ... over the reproductive potential of [their] people” (Udvardy, 1992:290). Furthermore, *chifudu* was not only a metaphor of health and fertility, but was also perceived in terms of wholeness of the kaya society, whose survival was importantly attached to women (Udvardy 1992).

Because this role was vital to the perceived perpetuation of the kaya and its peoples, it remained a source of female authority and influence on significant matters of the Digo. I was severally told that women associated with such authoritative rituals were/are respected within their matriclans and beyond. I vividly remember one of my informants explaining that her mother’s persistent illness during pregnancy was associated with a particular ancestress, and as part of her health restoration, she had to be ‘nice’ to both the ancestress and the woman who performed the ritual. To be ‘nice’ involved women influencing male matrikin to provide gifts to the ancestress (I was told the ancestress asked for gifts) during ritual performances. Historically, scholars have shown that male matrikin maintained their relations with women by financing such women’s exorcism activities (Gomm, 1975).

What is significant here, however, is to underpin the forms of women’s authority and roles in the pre-colonial past of the Digo. The tendency by scholarly accounts to overemphasize *ngambi* or male *chama* and lack of women’s participation in these domains draws on little attention paid to the significance of women’s influence and their authority in particular crucial spheres of pre-colonial Digo society, which clearly contributed to the very survival of the male domains. Furthermore, both men and women had their particular spheres of influence, and as Monica Udvardy holds, “*there is no evidence that these [women] spheres were less important, subordinate to, or in any way less valued than the domains of men*” (1998: 1756). My contention is that the political dynamics of Digo pre-colonial past, when understood in relation to gender relations and matrilineal organization of the Digo reveal that women had great opportunity to inscribe authority and influence in various ways and in the different spheres they occupied including some male-supervised ones. This, too,

was in spite of earlier scholarship's emphasis on the guardianship role taken by men, particularly the avunculate (*adzomba*), to act on women's behalf in political and economic matters. It is not surprising, then, that dispersion of people from *makaya* and men's loss of status as middlemen in coastal trade affected the centrality of male domains such as *ngambi* because, for instance, *kaya* became less central to everyday life of the people. For women, this phenomenon instead offered them space to cultivate more autonomy and inscribe further influence to access resources, manage their own households and engage in the wider Digo society. Even when a new patriarchal ideology, *uungwana*,¹ a perceived 'civilization' associated with Swahili culture, informed the emergence of a new conception of a 'good' man (as husband or as male matrikin), and political and economic constraints flooded household life, women's performances of influence remained unchallenged.

Women, Islam and the Colonial Era

Although Islam has been at the Kenyan coast as early as the ninth century (Askew, 1999: 67), the Digo had limited contact with the coastal Muslims prior to nineteenth century (Herlehy, 1984; Kyung Park, 2012; Sperling, 1988). The expansion of the commercial sphere to the hinterland facilitated spread of Islam along the Kenyan South Coast. However, Digo women did not convert during the early stages of Islam, partly due to the urban nature the spread of Islam took, a course that privileged male conversion because men engaged in the coastal trade with Arabs and the Swahili. As noted earlier, women were excluded from trade. Yet even in the wake of "*rural Islamization*" in the second half of the century, majority of the converts were elders, who were men (Kyung Park, 2012: 160; Sperling, 1988: 173). Some scholarship argues that women resisted conversion because they "*continued to protect their cultural "tradition"*" (McDougall, 2008: 514). Of course, the patriarchal interpretation of Islam located Islam and its converts outside the household, a space portrayed as women's domain. While men were out there as traders and clerics, praying in the mosques and attending *madrasa* (Islamic) teachings, women were fossilized within the household and village life

where, it was perceived, Islam was absent and traditions were present (Ng'weno, 1997:67; Sperling, 1988; 2000: 282).

During the colonial period, however, the number of Digo converts, including women. Women particularly converted due to the gains and opportunities Islam offered them, and the fact that colonial administration privileged Islamic law and its patriarchal ideologies particularly on matters of land, household and marital arrangements (Gomm, 1972, 1975; Ng'weno, 1997; Oendo, 1987, 1988). Unlike scholarship that charges Islam with the subjugation of women (Strobel, 1979), at the Kenyan South Coast, women's conversion to Islam was a great opportunity to inscribe their agencies in very visible ways. They successfully used Islam to push through their agendas even beyond the production and reproductive spheres that female gender already controlled.

On land relations, for instance, Islam's promotion of, to use Michael Peletz words, "*paternal provisioning and patrilineal inheritance*" (also supported by colonial administration through promotion of Islamic laws of inheritance) translated into people's lives broadly as transmission of property from parents to children (Peletz, 1988: 6). Consequently, inheritance was conceived as sharing land and property among both men and women. Since Digo traditions (*Chidigo*) privileged transmission of property matrilineally to both men and women, interpretations of Islam reinforced this practice. But this also operated alongside colonial policies which privileged individual land ownership not only by men, but also by European settlers and those considered proper Muslims (Arabs and Swahili) (Kanyinga, 2000). Interestingly, the emergent practice of inheritance based on legal pluralism did not completely deny women access to land, rather it afforded them space to influence decisions on land relations and inheritance including in the event of divorce or death of husbands. Indeed, the interaction between Islamic ideologies, colonial policies and Digo traditions triggered formation of strategies by women to acquire or access land and other resources through different relationships as daughters, as sisters, as spouses, and as mothers by manipulating both Islamic laws (*kisharia*) and Digo traditions (*Chidigo*).

Through such strategies, women were also able to retain control over their own resources and income (Muinde, 2018; Ng'weno, 2001, 1997).

Islamic patriarchal ideology of the household and matrilineal ideologies of support to wives and kinwomen also offered women space to persuade and manipulate male allegiance to women's affairs such as marital and financial requests. For example, women used Islamic law on divorce (*talaka*), and associated performances such as spirit possession and exorcism as mechanisms to challenge male position as 'good' Muslim men (as husbands or male matrikin), which in turn influenced their decisions on various household matters including attending to women's financial needs (Gomm, 1972, 1975). Although Roger Gomm holds spirit possession performances as potential reinforcement of a "*social control system that keeps [women] subservient to men*", his observation can be challenged on grounds that such performances, as Gomm himself observes, offered women a potential space to challenge patriarchal interpretation of men as providers and key players in Digo society (Gomm, 1975: 530). For example, by noting that women managed to obtain material support from men when they staged such performances, he clearly demonstrates how women yielded power through such performances to control male behaviour to their advantage (ibid: 435). Luther Gerlach (1960) holds a similar observation for Digo women in Lungalunga.

Indeed, spirit possession and exorcism performances were not uncommon in many Kenyan coastal communities, many of which formed part of women's dance groups (*ngoma*) and events (see for example Strobel, 1976, 1979 and Giles, 1989). According to scholarly accounts, *ngoma* and spirit possession performances were potential landscape where women not only "*expressed grievances against the oppressive forces of ... patriarchy,*" they also negotiated and influenced how men related with women, kin groups and the society generally, these women's performances helped to manipulate patriarchal male behaviour and transform relations of power in Digo society (Askew, 1999; Ciekawy, 1999; Gearhart, 1998: 18). Writing about witchcraft accusations by Mijikenda women, including the Digo, Ciekawy (1998)

argues that women's diviner consultation activities are powerful resources for women, through which they attack male patriarchal ways and alter political power relations even beyond the household. Through spirit possession and exorcism performances, therefore, women unpacked patriarchal forms that oppressed them.

Moreover, by privileging men as household breadwinners, Islam and colonialism did not simply reinforce male authority, but complicated the patriarchal nature of the household. This provided women incentive to further negotiate with patriarchy and influence household matters that affected them both directly and indirectly. For example, just as is the case with exorcism, within the context of *uungwana*, women persuaded their husbands to finance their activities and affairs such as purchasing clothes for weddings (Oendo, 1988: 57), and to purchase “high” status foods such as fresh fish since other forms of fish such as smoked fish or sauces prepared from weeds from the fields were associated with low status and slavery (Gerlach, 1963: 38). Men were also at crossroads when it came to farm work as they would be accused of slavery (*utumwa*)² if they asked women to engage in hard labour (Oendo, 1988). In order to retain a ‘good’ Muslim man status or to avoid confrontation by women and their kin for accusations of treating women as *atumwa* (slaves), men either heeded women's demands or in the case of husbands, divorced. Clearly, *uungwana* emerged as patriarchal ideology that women used to negotiate their status and position. Today, *uungwana* plays a significant role in bargaining women's active agency in the public sphere.

Unlike other communities in coastal Kenya where women participated in resistance and rebellious activities during the colonial period, for example the Giriama (see Brantley, 1981) and Swahili women (see Strobel, 1979), Digo women did not engage in such activities. Digo women's dance groups (*ngoma*) that existed at the time were for recreational and ritual purposes such as marriage ceremonies and spirit possession performances discussed above (Oendo 1988). Yet the sort of influence exercised by Digo women was quickly noticed by the colonial officials since they came to Kenya South Coast. The colonial officials were puzzled by the autonomy of women and the influence they exerted

not only on household and marital affairs, but on colonial projects too. For instance, women would not allow their children, especially girls, attend colonial schools, and men, although willing, would not help change the state of affair. Indeed levels of illiteracy among Digo women have remained significantly high for many decades. Yet, this is so not only due to women's reluctance and influence not to send children to attain Western education, but also due to patriarchal Muslim cultural restrictions on women (Alidou, 2013; Strobel, 1979). Elsewhere, I have shown how women in the present Digo context navigate patriarchal ideologies to invest in 'good' life for their children, including education when resources such as a government subsidy programme (cash transfer scheme for orphans and vulnerable children) are provided to women (Muinde, 2018).

Women too influenced the nature of male labour contribution in European plantation and commercial activities. In Justin Willis' brilliant account on Mijikenda identities at Kenya Coast, he writes about 'why the natives will not work' (Willis, 1993). While Willis' observes that the colonial government was troubled by the unsuccessful attempts to mobilize male labour because Digo men depended on patronage networks of kin (especially *adzomba*) and *tajiris* (wealthy Muslim men especially of Arab and Swahili ethnicities) to secure means to survive, according to the colonial officials, it was women who 'made' men not work. This was, as the Coast Provincial Commissioner said of the Mijikenda in 1916, despite women "*scratching the soil with a tiny hoe or digging stick.*" For the colonial officials, men were "*content to loaf around and live on [sic] their women*" (Willis, 1993: 82).

However, the actual fact was men did work – they worked for Swahili and Arabs (Willis 1993). Indeed, refusing to work for the Europeans was a male resistance strategy to colonialism, and women contributed significantly to its success. But the colonial patriarchal eye located women in the household as dependents of men and men as heads and breadwinners of households expected to be out there as wage earners. Yet the observation on how this resistance was performed shows the extend Digo women were integral to the social and political structures

and crucial matters of Digo society. Although the conditions provided by patriarchal ideologies propagated by colonialism and Islam only amplified this state affairs since the gendered nature of Digo pre-colonial past already allowed women to take up crucial responsibilities beyond the household. However, the new patriarchal climate set ground for women's performances in political activities in the post-independence period.

The Post-Independence Period: Politics and Women's Economic Fitness

When Kenya attained independence in 1963, women were virtually absent in the first independent Kenya Parliament. Basically, this landscape was characterised by the fact that the independent state inherited the colonial patriarchal ideology based on gender discrimination, such that some key leaders strongly and painfully believed that women were unfit for political leadership (Alidou, 2013; Kamau, 2010; Nzomo, 1997). This was despite the fact that:

The independent state in Kenya emerged from a nationalist movement that involved women in heroic roles. Most of these women led struggles against colonial domination, protested against colonial oppression, fed and protected veterans during fight for *Uhuru*, led segments of the resistance armies against colonialism, and effectively participated in the political negotiations leading to independence (Kamau, 2010: 12).

Yet the state viewed women's economic contribution as significant in the country's economic growth, hence incorporated women collectivities in its economic development projects under the popular *harambee* ('pull together') self-help projects. Women's organizing was emphasized as a state's "*development fora*" where mutual support and cooperation among women, it was hoped, would help build the country's economy (Udvardy, 1998: 1750). As such women's organizing became a crucial 'citizenship project' through which the state attempted, to use Sian Lazar's words in her analysis of women and education projects in Bolivia, "*to modify the ways in which individuals [particularly women] act[ed]*" not as political agents, but "*as economic agents*" for the sake of state development projects (Lazar, 2004: 301). It is not surprising then that women's organizations

such as Maendeleo ya Wanawake (MYWO, 'progress for women') established by the colonial government in 1952 to assist women through raising their living standards including political participation – MYWO were not viewed as fit to advance women's political participation. In the event women from such the group attempted to enter the political sphere, men would not allow it. In fact MYWO's own chairperson, Ruth Habwe, was denied support and later suspended by the male dominated KANU when she contested a member of parliament seat (Nzomo, 1997: Wipper, 1971, 1975). In order to 'tame' women's advances to joining the male political space, MYWO's leadership was co-opted by the political elite through which men would advance their own political mandate and status quo while marginalizing and subordinating women (Nzomo, 1997; Wipper, 1975). Nzomo argues that MYWO changed its face such that it could not be differentiated from the ruling party, KANU (Kenya African National Union), which "*effectively co-opted the conservative leaders within the women's organization [MYWO]*" (1997: 239). Of course men were not interested in sharing power with women and for several decades, patriarchal structures, processes and strategies constrained and denied women space to equally participate in politics (Nzomo, 1997:240; Wipper, 1971; 1975). Women were reduced to simply being 'nice' to political leaders in return for "*ceremonial affirmation, tokenism and verbal ploys*" even when the government deliberately did little to finance women's groups in order to curtail their potential economic and political power (Wipper, 1975:112).

Nevertheless, women's solidarity groups rapidly spread across the country in the first decades of independence and formed a platform through which women pursued both economic and political interests. In rural areas, for example, women across the country organized themselves in solidarity groups, which they would then register with the government as citizenship projects. As citizenship projects, these groups formed loci through which rural infrastructure such as roads, schools and healthcare clinics were constructed (Udvardy, 1998). But women also set up income generating activities such as making and selling of handcrafts and rotating credit and savings as a gateway to contribute to the state/community infrastructural projects, survival needs for

their households and to accruing collective group assets such as land (Mutongi, 2007; Udvardy, 1998). These groups also kept women abreast of important information such as agriculture and livestock production, and health services and new technologies that would have otherwise been available only to men (Nzomo, 1997; Udvardy, 1998).

In the South Coast of Kenya, women dance groups (*ngoma*) - traditionally ritual and recreational solidarity groups - were registered as part of the state's women's self-help citizenship project (McComark et al, 1986). Whereas they performed as other women's solidarity groups within the realm of the state's citizenship project, they also provided space for men and women to negotiate and bargain their position within and beyond the household. For instance, considering the Islamic patriarchal ideology of *uungwana* still alive among men and women at the time, the spirit of economic contribution to the household openly promoted through women groups did not receive a soft landing among men. Men perceived such groups as making women take on "*economic projects which are traditionally the preserve of men*" (Oendo, 1988: 81). Other men were keen that they would be accused of treating women as slaves (*atumwa*) if they allowed them to take on financial responsibilities in the households. To make matters worse, because women groups required financing for women to perform their activities, men's lack of funds to support women was a potential incentive for male distaste of women groups since this challenged their *uungwana* status and caused tensions within households (Oendo, 1988).

However, since Digo women already had spheres of influence that were designated as women's domains, the newly formed women's solidarity groups, with their own strong women's support networks became a backbone for women to influence matters beyond the household, including political leadership as I show below. Women led their groups to pooling resources together and securing grants from the state and non-state agencies to man their activities (McComark et al, 1986). Since the 1980s women were able to obtain micro-loans (*mikopo*, sing. *mkopo*) from micro-credit institutions, a course that cannot be taken for granted because according to men and women in Msambweni,

this sharpened women's power to bargain and negotiate for participation and inclusion even in the public sphere. During a conversation with one elderly man about women and the several small business enterprises run and managed by women in the local market, he explained that "*since women (kina mama) (women-folk) learnt how to organize themselves, they can negotiate anything, and we men have begun to have faith (imani) in women.*" He continued to explain that, "*if a man wants to succeed, he will go for such women. They know what they want in life and for their family. They will build (dzenga) your household (boma).*" Speaking about *mikopo*, Amina, a woman in her sixties, was of the view that women groups "*have opened women's eyes*" such that men now look up to women even in the most complex situations. She recounted how her brother would only find help with her when he had a land dispute with their *mkpwoi* (mother's brother's child).

Our brothers were there, but he saw me as the only firm tree. They did not have money, I had to go to our women's *chama*. And I helped him. We women have become the backbone for many things in our community and our men know it.

Thus unlike the perceived wane of women's organizing such as with regards to MYWO's national leadership, women groups in Kwale, including the local MYWO, became a central locus for women not only to collaborate on different activities - including those not concerned with generation of income - ranging from agricultural to off-farm and household activities such as funeral and weddings (Oendo, 1988; Wipper, 1975), but also to exercise their freedom, especially of movement and participation, and nurtured their art to mobilize and convince both men and women. As I show below, women groups set the stage for women's participation in the political sphere in the succeeding decades. As one informant explained, women groups created in women a spirit of working together with men even in those spheres considered masculine and feminine distinctively.

The Rise of Women's Political Organizing in Msambweni: The case of Marere

In the 1997 general election, Muslim women achieved a historical milestone for having the first Muslim women contest for elective public

positions: Marere wa Mwachai, popularly known as Marere, from Msambweni and Sophia Abdi Noor from North Eastern Province. Sophia did not make it to the ballot because she “*was pressured to withdraw before the elections ended,*” but Marere won her seat to become the first Digo-Muslim woman elected in the Kenya National Assembly (Alidou, 2013: 86). The achievement was greater for women in the Kenyan coastal region, particularly for the Digo in the south coast where, as earlier mentioned, women have continued to manoeuvre the complexities of Islam, state statutes and matrilineal organization.

Marere’s success also happened at a time when women’s movements such MYWO were unable to support women’s visibility in the Kenya’s political sphere, and was accused of helping men get elected (Kamau, 2010, 2006; Nzomo, 1997). As mentioned earlier, early women’s movements have been associated with co-optation into ruling parties whose leadership was exceptionally male and did not believe in women’s political leadership (Moghadam, 2007; Nzomo, 1997; Wipper, 1975).

To the contrary, women in Msambweni capitalized on their local position in the MYWO to enable success for Marere’s election. The women’s political organizing was based on a spirit of proper leadership (*uongozi bora*), which they described within the rubric of restoration of a mother’s pain for bearing a child, which they persuaded women to believe it was well and properly known by a woman, hence good/proper leadership rested with women. Indeed, women used this ideology very successfully to convince men and other women who not only believed in the women’s course, but also elected Marere. One of my informants, Mariamu, who was the local leader of MYWO at the time, told me that the entire constituency was tired of poor and oppressive male leadership that had operated under KANU for many years with no ‘tangible’ or ‘visible’ development for the local people, and that everyone was thirsty for *uongozi bora*. Women quickly took advantage of the prevailing climate of the need for change to stage a woman contestant and urged people that salvation and hope would only be possible through a woman leadership. These women were massively supported by both men and women and their candidate was successfully elected.

However, the process was not a smooth and straightforward one. Women had to creatively and collectively organize themselves. Mariamu recounts how she and fellow women creatively sacrificed their social statuses to support their woman candidate:

I was the women's leader [of Maendeleo ya Wanawake] in Msambweni and we saw that I give *Mama* Marere my leadership position to help us 'move' her around Msambweni. I stepped down as the local leader of Maendeleo ya Wanawake and Marere was 'made' the organization's new local leader. We gave her that position as a gift. I had to get back so that *Mama* could get the platform, now as the chairperson of Maendeleo ya Wanawake, so that she could be announced. We are grateful she was well announced. To be honest, during her campaign meetings, when we went to places let's say Mwagunda and *Mama* was not with us because she had travelled, my colleagues would ask me to stand in the place of *Mama* Marere. When I got there [campaign places/platforms], people would receive me with joy, 'Mama Marere, Mama Marere', and I didn't show I was not Marere. I went there, stood, spoke and people were very happy. Everyone knew I was *Mama* Marere. We offered to do the campaigns for *Mama*, we did it for her just like a gift.³

Further, considering the weaker position of women due to a privileged male leadership informed by Islamic traditions and the underlying matrilineal organization, women had to devise ways to bargain with patriarchy in order to attract the support of both men and other women (Kandiyoti, 1988). Mariamu told me they had to go for a woman whose education level was higher than that of men who considered education as a male achievement. Of course, wide range of Muslim women, and particularly those of Digo ethnicity were/are uneducated in the secular Western sense, a course generally attributed to Muslims being educationally disadvantaged by the colonial and post-colonial regimes in the country. Yet with regard to women in particular, patriarchal Muslim cultural restrictions have contributed to the high illiteracy levels and "*lower ratio of Muslim women with significant western educational credentials*" (Alidou, 2013: 16; Chege and Sifuna, 2006; Ngome, 2006; Strobel, 1979). During fieldwork, I learned that majority of the old women could not read or write, and many young women had either attained Muslim education through *madrassa* with little or no formal education provided by the Kenya government. However, this does not undermine the fact that the number of Muslim women receiving formal education started increasing especially after 1990s (Alidou, 2013; Strobel, 1979). Marere was one of those women, a recent university graduate, and in

views of both men and women, as a woman she had not only attained a 'male achievement', but also crossed a 'male line.' This gave Mariamu and her fellow women an assurance that men would not challenge Marere's candidature on educational grounds. Moreover, contesting under KANU, the popular party at the time, was a milestone for the women in Msambweni. Such that considering the perceived KANU'S political affair with MYWO, becoming or being 'made' the local leader of MYWO in Msambweni might have offered Marere a good opportunity to contest on the KANU ticket. Although, as noted earlier, KANU was known for male resentment to women's parliamentary candidacy including those of MYWO, the strategy worked for Marere.

The women also had other strategies. They chose to present their candidate as the only hope for the community. Mariamu and her colleagues persistently reminded women of "*the pain of bearing a child as a mother*", and how a woman leader would help restore that pain. According to Mariamu, these were not just mere political campaign words, the women "*meant it!*" and strongly believed the community's hope for progress lay in the hands of a woman's leadership: "*we announced Marere [to the] women, and herself as a woman.*" With this spirit, the women spent sleepless nights and restless days campaigning for their candidate. They sought to win the hearts of everyone, but first, their fellow women because in addition to being the majority voters, women, I was told, "*have a heart. When you want to succeed, just win women's hearts.*"

However, this was not the first time I heard that women in this part of Kenya have a "*heart.*" I had earlier on heard narratives of economic success or failure in many households explained in relation to women's '*hearts*'. The notion of women hearts is embroiled with a straightforward spirit and persuasion skill that are considered absent in men, especially where a positive result is desired, or where there is a limitation, for example, as I found out with spending household income and participation in events such as weddings. In light of this, success and failure (economic or political) are complexly explained with regard to a woman's heart.

Indeed, the strategies of Mariamu and her friends won the ‘hearts’ of their fellow women in the community. Then turned to men: “*we invited and deliberated with them.*” The women were shocked by the overwhelming male support for their candidate: “*men gave out their vehicles, others gave out money, even others went out and took loans to support Marere.*” Contrary to the women’s fears of patriarchy, Marere won the elections and was later appointed assistant minister in the Moi government.

Elections after the 1990s

However, Marere did not make it to a second term, neither did she win any of the succeeding elections. But the complexities of women’s mobilization in Marere’s election win and the aftermath shaped the very form for elections activities practiced in Msambweni today. According to many people, Marere lost because she ‘*forgot*’ her fellow women’s ‘*hearts*’ after assumption to power. These claims had far reaching effects in relation to election of women, the nature of women’s participation in elections and the nature of election exercises. For instance, the situation significantly silenced women’s assumption into elective positions, yet women formed the very basis on which election campaigns were organized. Notably, women have since formed the focal point for success of male contestants for the parliamentary seats and the recent Member of Assembly (MCA) position. As one male aspirant once said to me, “*when women here say we are voting in this person, that’s it.*”

Interestingly, while this has formed the prevailing justification by many people as to why aspirants ought and sought to win women’s hearts to successfully win an election, the women’s ‘hearts’ winning game took a male route since the 2002 elections. Male aspirants have since taken advantage of the emergent delicate nature of the conception surrounding women and electoral positions to persuade women, both individually and collectively, to support their campaigning exercises to win elections. Mariamu told me that she received many male political aspirants who sought her ‘art of campaigning’. When I asked her about women’s support to women aspirants, she exclaimed, “*things changed with Marere!*” In other words, it has become easier to mobilize fellow

women to campaign and vote for men than to campaign or elect a woman. To be sure, women did not participate in elections only in the form described for Mariamu and her colleagues. As we shall see below, *ngoma* (women's dance groups) and *chama* (associations) are common spaces for engaging women in political campaigns. However, access to these women's spaces requires careful cultivation of relationships with key women such as Mariamu, through whom other women's 'hearts' are expected to be won. I argue that the notion of what Oyèrónkě Oyěwùmí (2016:2) terms "*matripotency*," that is the unique connection between motherhood and leadership, is central to women's conception of political participation in Msambweni. In fact, as I show below, the idea about winning women's hearts is centred on the ideologies of motherhood.

Winning Women's Hearts: Women's Participation in the 2017 elections

The 2010 Kenya Constitution offered potential space for women's inclusion in elective political positions in the country. Women in Kwale identified with this space by both contesting the 2017 elections in commendable numbers compared to the past elections and performing in their roles as voters, advisers and mobilizers of the electoral activities. Participation as woman contestants ranged from the Woman Representative position and Deputy Governor, and parliamentary and MCA seats. In Msambweni, Marere contested the parliamentary seat, while two women contested MCA positions in two wards, and two others lost in the nomination exercise. I also gathered overwhelming women's participation in campaign rallies as dancers and audience, as voters in nomination and election exercises, and as opinion leaders (consultants/advisers). Yet speaking to Mariamu about women and electoral participation, she commented that it was an uphill task for women to win the 2017 election in Msambweni without first winning women 'hearts.' What is different or particular about women winning women hearts?

I was often reminded that Digo women are keen on things such as "*a child needs to go school, a daughter has a wedding and her mother needs help with that,*" and "*a woman just sitting with fellow women.*" Marere was

unable to meet such women's conceptions and desires that are significantly part of their leadership prescription and ideology. "We gave it to her as a gift, she later chose not to listen to us," Mariamu explained. Others were of the opinion that Marere "did not have time for her people," not only to emphasize that after her successful election she later looked down upon women who worked with her during her elections campaigns, but also the fact that she did not embrace the political ideologies of leadership embraced by women in Msambweni. Women were especially particular that winning hearts was about expressing care and compassion, which are qualities anchored on motherhood.

The view of motherhood as inherently central to social and political performances and as a "practice of leadership" is not new in Africa (Oyēwùmí, 2016: 216). Numerous studies have shown the relationship between maternal ideology and political leadership in Africa, and argued for a closer attention to both motherhood and matriarchy in Africa as embedded in social, cultural and political performances (see for example Amadiume, 1987; 1997; Diop, 1987; Nnaemeka, 1997; Oyēwùmí, 2016; Steady, 2011). As many of these studies contend, the relationship between motherhood and leadership is not simply about "reproductive and nurturing roles in households" (Steady, 2011: 22). The overwhelming perception of these as fundamental roles of mothers also:

Reflects the normative values and humanistic ideologies that embrace notions of preservations of the past, present and future generations; prosperity and well-being of society as a whole; and of promotion of equality, peace and justice. It is also viewed as metaphor for humanizing the state (ibid).

Drawing on Steady, Oyēwùmí (2016) contends that motherhood is central both to community identity, leadership and activism in many African contexts.

In Msambweni, the centrality of maternal ideology is intertwined with and reinforced by gender relations and matrilineal kinship organization which remains alive in different domains of Digo everyday lives. In this regard, women's political performances in Digo sociality were conceived within the realm of care, nurturance, compassion, and 'oneness', which were summed up as women showing their hearts to women and winning

fellow women's 'hearts'. Whereas women assessed/evaluated both male and female contestants on the basis of similar leadership ideologies, for instance, I was severally told that women did not elect "*just anyone*," underlining that contestants, both men and women, had to qualify the outlined criteria by women - that of wining women's hearts. Yet, women did not evaluate male and female contestants on equal measures. For woman candidates, their leadership potential was interrogated more on the basis of the underlying maternal ideologies than was the case for men. In part, this could be attributed to the fact that maternal performances and ideologies especially those related to care are often considered a women's domain, especially in matrilineal terms (Muinde, 2018).

What struck me, however, was that, regardless of the positions women occupied - as 'advisers'/consultants, mobilizers, voters or contestants - women spoke about their political performances in relation to motherhood and the underlying maternal ideologies. As one woman put it, "*A mother is a mother. She will always look with a mother's eye.*" It is not surprising, then, that, for example, women severally cited understanding and fulfilling women's desires and expectations that shaped their prescriptions of woman leadership as all a woman contestant needed to demonstrate if she was to win the elections. Women did not want a woman to "*just stand there and show off her cloth*," or "*start pulling her face*," or "*throwing her mouth*," but "*show you are one of us [women]*." Speaking to one woman contestant, she held it was very crucial for her to "*behave like a mother*" and "*weigh the words*" she used not only during the campaign events, but also in her everyday conversations with people. As Steady (2011: 21) argues for the West African context, those "*qualities of motherhood perceived as being nurturing, compassionate, and protective*" continue to be pursued in many African contexts as central to conceptions of female political leadership. Indeed, emphasizing this as an added 'burden' or a form of hindrance to women's political participation, as some feminist or development expert would have it, risks overlooking the potential of maternal ideologies as a creative platform to negotiate with patriarchal climate that continues to dominate political leadership. As I show below, the centrality of maternal ideologies and the value accorded in different spheres of the everyday life afforded women the

opportunity to manipulate and negotiate their electoral participation in their different positions and statuses. Women's art to 'advise', convince and mobilize was anchored on maternal ideologies. After all, women and men in this community believe that political success is depended on winning 'hearts' of women to influence men, and not vice versa. To grasp the inner connection between maternal ideology and women's political performances in Msambweni, I now turn to specific cases of the 2017 general election.

Putting On A 'Motherlike' Dress: The Case of Bi Asha

When I visited Bi Asha in April 2017, she explained with confidence that she contested for the MCA seat because she believed that as a woman and a mother, she was able to convince voters to elect her. Bi Asha had already won the nomination exercise, which was not complicated nor difficult because she was the only candidate in Msambweni contesting on that particular party ticket. During our conversation, she demonstrated confidence that she would pursue the contest successfully since it was not the first time she sought or held a leadership position in the community. Bi Asha was previously the local representative of Human Rights Watch and *Sauti ya Wanawake* (Women's Voice). Through these positions, she pursued important community matters such as land disputes and child defilement. During these engagements, Bi Asha said that she always perceived herself as a mother, a woman, who was strong enough to manoeuvre the patriarchal ideologies embedded in many aspects of the community life. She remembered how she once responded stubbornly to a police officer during a land dispute conflict: *"I carry all the women,"* Bi Asha remembered her response to the police officer who confronted her during the dispute.

However, for Bi Asha, the response was informed by her belief that she had already 'won' women's hearts during her various leadership engagements, a course that she held close to her heart. *"Women here see me as a fellow woman/mother who is strong to lead them,"* she said. She also explained that she always perceived herself as a woman leader because as a mother, she always cared for everyone. Even when speaking about

her leadership roles, she held that the various leadership opportunities gave her “*nguvu*” (strength) like a woman/mother to champion rights of women, children and youth like a mother. “*Land rights, women’s rights, children’s rights, all this I have championed like a mother,*” she said. Bi Asha had also established and managed a children’s education project which operated in the schools in the village to encourage and mentor pupils to embrace education. She was also known for having successfully pushed for a child defilement case to the court. Bi Asha said she did these because as a mother, she was concerned about children’s education and welfare. “*A mother bears the pain,*” she commented.

Undoubtedly, the success of her leadership projects such as the education project earned her respect and applause from many people, including men, and as a result she believed in greater acceptance of her leadership as a woman. Teachers appreciated and applauded her positive contribution to the schools especially because of notable good academic performance from the students who benefited from Bi Asha’s project. As Steady (2011) shows of one of her informants in West Africa, women’s performances as practices of motherhood as are expanded to the wider arena beyond the house, both ideologically and through performance. One of her informants told her that “*a mother has practice at directing, mentoring, and leading her children to achieve their dreams and aspirations. I am sure she can project that into a wider arena*”(Steady, 2011: 224). It is in this sort of light that Bi Asha believed her projects and leadership positions painted her, and she believed that since people conceived her in a similar vein, they believed she would “*project that into a wider arena [of political leadership]*” (ibid).

Indeed, it is striking about Bi Asha’s strategic conception of the connection between her leadership potential and the maternal like performances and ideologies she embraced. Apparently, it is this conception that motivated her to contest for the MCA position in Msambweni. Of course, just like the case for herself, Bi Asha was aware that maternal ideologies dominated the way women conceived and evaluated female leadership in her community. “*Women here look at [woman contestants] very keenly... You find that your fellow woman*

is the one fighting you... Here, a woman is the enemy of a woman,” she emphasized as she remembered how Marere lost her parliamentary position and was never elected again. She went on to say that women talk about and scrutinize women’s way of dressing and speech, and how you ‘feed’ the audience during a campaign: *“As a mother, you must weigh the words you use, and you cannot keep women sitting there, then you just leave like that.”*

Clearly, Bi Asha was very aware that motherhood is valued and respected in her community, and that women’s leadership was often conceived through such lens. Against this understanding, she conceived her participation in politics as a “[*leadership*] call” to “*change the story*” about women leadership in the community. She wanted to restore the trust and respect for women as leaders in her community. Bi Asha was keen that Marere’s leadership had significantly changed perception about women and leadership - that Marere did not lead as it was expected by women, that is, like a mother/woman. But she was also aware of women who had survived in the political arena such as the county’s Deputy Governor, Fatuma Achani, who was severally described by some women as “*one face with the governor*” and that she “*weighed her words in public gatherings,*” as was expected of a woman. My research assistant commented that she held meetings in her house in the evenings, suggesting that she was mindful about women and the time they were expected to be outside of their home. According to other conversations with women, Achani’s conduct was also charged with maintaining her position as the county’s deputy governor and to remaining with the governor to contest for a second term. One of my informants commented, “*besides development record, the deputy governor is the reason for people’s love for the governor’s leadership.*” I was told that she always stood next to the Governor whenever they appeared together in public engagements, which, for women, was as a good show of collaboration (*kusaidiyana*).

The notion of collaboration is a very crucial aspect of gender relations in Msambweni. As I show elsewhere, women in this community take seriously performances or relations that do not heed collaboration. For instance, lack of *kusaidiyana* would lead to divorce or separation

(Muinde, forthcoming). As one woman put it, in this community, gender relations are about “*a woman here, a man here*” (“*mchetu hipha, mlume hipha*”). Another woman, contrasting Marere’s conduct to that of Achani, emphasized that as a woman/mother, “*you don’t take yourself in the front. You have to be the same as the other people*”. Literally, women and men are expected to work alongside each other. Gerlach and Gerlach (1988) have insightfully written about the sort of egalitarianism demonstrated in Digo society by different performances by men and women in their negotiations “*between individual and collective interests.*” They assert that this was as a result of Digo’s past engagement with slavery, Islam and the British Colonial administration, and a past they complexly attempted to ‘escape’ through such egalitarian negotiations. According to the Gerlachs, such relations also revealed that women “*prevent[ed] men from tyrannizing them*” (Gerlach & Gerlach, 1988: 113). Yet, the conception of equal relations is quite gendered in the political sphere. Such that while it is ok for men to ‘take themselves in the front’, this is conceived differently for women by women. As I have highlighted above, women are not only deterred from taking themselves ‘in the front’ but are also expected to ‘sit’ with other women regardless of their position and status, not show off their dress, and mind their speech.

Undoubtedly, Islamic patriarchal ideologies too informed the way women conceived women and the positions they occupied. Alidou (2013) has written extensively about Islam and women’s leadership in the coastal part of Kenya. In her interviews with two Muslim women leaders, Naomi Shaban and Amina Abdallah, she demonstrates the Islamic informed patriarchal terrain the two women negotiated in their political engagements. Yet what I hope to demonstrate here, is that despite the challenges posed by such patriarchy, women creatively negotiated with patriarchy to their own advantage. In the case of women in Msambweni, maternal ideologies became a platform which women creatively used to manoeuvre the patriarchal climate.

Indeed, such notions were central to how Bi Asha conducted herself during the campaign period - she embraced the notion of motherhood as ideology for collaboration and inclusion. In addition to clothing

herself with a maternal dress from her previous leadership engagements, she told me that she incorporated men in her campaign organization team because, like many women in her community, Bi Asha perceived collaboration (*kusaidiyana*) as a crucial aspect of gender relations, and especially for women because this is a show of inclusivity and care for everyone. To be sure, maternal ideologies of care are embedded on the view of women as welcoming and accommodating, as having ‘big’ hearts, and imbued with notion of commitment and responsibility. This is evident in other situations such as diseases such a HIV/AIDS and marital fluidity which leave many children and women in need of care, especially from their kinswomen. The underlying notion of care and responsibility in gendered matrikin terms, often charges women with a greater responsibility for care of kin members. Ostensibly, such notion equally extended beyond the household, as is evident with women’s political performances. During conversation with several women during women group meetings, I gathered views about women as both accommodating and committed, “*they are everything*” and as “*managers*,” they understand everyday things and reality within and beyond the household. One woman emphasized that, “*women are interested in everything, they are everything. You find their overwhelming numbers in funerals, weddings, village and school meetings, women always have bigger numbers.*”

Aware of such expectations and conceptions about the mother image, Bi Asha told me that she continued to paint herself as a woman who was aware and in touch with the reality, with kindness and with a “*heart of advocacy*” for everyone. This was clearly demonstrated in her narrative that she continued to pursue her children’s education projects and used this to show how as a mother she cared even for the young citizens. Bi Asha said:

A mother has the pain [of a child], a father does not feel that pain. I show my leadership is for everyone’s welfare, working for children and with both young people and women, unlike men who look only into their welfare not that of the whole community.

She also prided how she would demonstrate “*maturity in talking*” during her campaigns and in ordinary conversations.

“Men Just Follow Women!”: Women As Convincing Agents

I passed by Malezi's house one morning in 2017. The energetic woman entrepreneur, in her late 40s, invited me for tea (*chai rangi*). She sat me on a log of wood under a mango tree next to her house. Malezi was very excited that her women's group, where she was the group's chair, was one those that benefited from a recent distribution of funds to women's groups, which she believed were mobilized by a woman in the village contesting for a MCA seat. Although many women groups in many parts of the country, including Kwale have generally benefited from the government's Women Enterprise Fund since 2007, and that this was not the first time Fatuma's group received funds from or through a politician, especially during such highly recharged political periods, this particular case seemed quite popular with Malezi. First, she emphasized the significant increase in the amount of funds received by her group compared to the previous disbursements, especially those mobilized or distributed by politicians. Second, speaking about the woman contestant in comparison to other politicians, Malezi specifically applauded her deeds as an act of absolute care as a woman: “*she has helped people a lot.*” According to Malezi, the woman contestant, Fatuma, mobilized the funds by persuading President Uhuru Kenyatta to assist women groups during a recent visit in Kwale. But what pleased many women like Malezi was not simply Fatuma's gesture of reaching out to the country's President. According to Malezi, Fatuma demonstrated an exemplary act of care and interest in women's welfare by ensuring all the monies given by the President were distributed to the women groups. Malezi said:

When others get the money, they first get themselves some share before the money reaches us. This time we got a lot of money because she let the money come direct to us. She was not interested in herself. Isn't that not what women want?

Malezi believed that Fatuma's contact would help her win the elections because that not only pleased women, but it would also encourage men to vote for her. She added:

If you contact yourself like this, women will love you. And when women love you, men will just follow what women are doing because we are the majority and men here trust women's hearts. Women have a firm stand.

When I asked Malezi whether Fatuma would still win the elections if another contestant showed up to women with more funds, she emphasized her view of how straightforward and focused Msambweni's women were. Malezi narrated:

If a someone knocked at a house the morning before the elections and gave both men and women Kenya Shillings (KES) 1000, everyone would take the money. When morning comes, you will hear men say, "I will vote for this person who gave us the money." But women will not do that. They will eat the money, but look back to what you did for them. Women do not forget what happened in the past. Also, if the same night another person came and gave KES 2000, men will wake up in the morning and say, "eeh, how can I vote for the one who gave 1000?" But for women, they will look back and vote according to your good deeds of the past... that makes a man in the house follow the woman. It is women who make men come out and vote well.

Malezi's views were echoed by Mwanapangani. I met Mwanapangani, who operated a grocery shop in the nearby local market, on the day nomination exercises took place in Msambweni as she prepared to go to a nearby polling station to cast her nomination vote. Her house was not far from the polling centre and we could see the long queues, mostly of women, some with children on their backs and umbrellas over their heads covering the children from the scorching sun. Looking in the direction of the polling centre, Mwanapangani suddenly signed and said, "*you see all those men, I know they will just vote for Fatuma. She is the one women like.*" I quickly turned my face to Mwanapangani and wondered, "*what do you mean?*" Mwanapangani continued:

Women have great hearts. You cannot see all these women have come to vote for their person and then men come and elect another person. Men know that women look with good eyes of a mother. Fatuma has helped women a lot, and women now like her.

Just like Malezi, Mwanapangani was of the view that Fatuma demonstrated an exemplary art of leadership as a woman, and if she continued to 'behave' well, she would also win the elections:

She has touched the hearts of women. Women here are praising her. I have hopes she will win the nominations. If during the campaigns she carries herself well like a woman/mother, she will also win the elections because even men will come out to vote for her.

When I asked Mwanapangani about the actions that would constrain Fatuma winning the elections, she explained:

Women look at (assess) alot. They will evaluate how you talk, they want to hear you talk about bursaries. But you will not help someone, then go pronouncing that if it were not for you, that person's child would not be in that school. Just say the promises and how you will fulfil them. Us women want things that will benefit us as mothers because we are the ones with the burden of providing the household. That is why you see more women than men leave their homes and their activities to go and vote.

Citing an elections campaign that Mwanapangani and I had previously attended, she reminded me of the large numbers of women who attended the campaign:

You saw even at the campaign, women filled the field. You could count the number of men but not the women. Women know what they want. They attend those campaigns to listen and see for themselves. Men don't have time because it is us women who feel the pain. But when you get back home, you will hear the man ask, "how was the campaign?" Because when he goes out to his friends, he will discuss with his friends the person women are supporting. Us women look at a person with eyes of a mother. We can easily tell whose behaviour is not good. Men cannot have such eyes. That is why you see many men just follow women.

Of course, the gendered nature of women's political participation was not limited to women's views. During several conversations with men, I was often told that 'women have kind hearts', 'women know how to evaluate better than men', 'women were straightforward', etcetera. For example, Bakari, who worked for a certain microfinance institution was of the view that:

Women pay attention to those things that many assume or ignore. Things like schools fees, and anything that concerns the family and welfare, women will be quick to notice and they will speak about it in one voice. If you want to win the elections, you have to understand these things because they are the ones women look at when they are deciding who to vote for. And women here know how to make a unified voice and persuade men. If you are not careful, they will not vote for you and you will lose.

During a nomination exercise in one of the polling centres in Msambweni, I overheard a conversation between a man and a woman about the likely outcome of the nomination exercise. The woman challenged the man regarding the fact that men pay little attention to crucial matters that a poor leadership effects in a society. The discussion centred on a contestant who the woman charged with promoting poor sexual behaviours among girls by secretly encouraging unsafe abortions.

In response, the man told the woman that he had previously heard the story, and that he would not be surprised if some men voted for such a contestant. However, he continued to tell the woman that many men listened to women, although they would not talk about it or admit. Giving himself as an example, he said that he would support the person the woman suggested, but he may not go around talking about it. He said:

You women are the central pillar. When you talk to us men, it is not that we close our ears. Women have talked a lot about those bad behaviours and I know you women will win because I don't think men will vote otherwise. You see this is why women are very important to us men.

Conclusion

Studies on women's political participation have continued to mask the realities of women's performances in the political sphere due to overemphasis on patriarchal mechanisms that keep women out of the political sphere. For example, there has been overemphasis on formal political practices such as affirmative action policies and women's political representation in their roles such as members of parliament. This chapter explores the experiences of women in their local context to show the reality of women's political participation in Kwale. I have shown that women's political participation has been shaped by historical, social and cultural processes, and how gendered maternal ideologies emerged as a ground for negotiation and renegotiation of women's political performances. Indeed, the focus on history helps understand why maternal ideologies have become central to the way women's political leadership is conceived and negotiated in this context. The interplay between patriarchal structures and processes within the realm of Islam and state projects, and the persistence of matrilineal practices and ideologies, have contributed to the way political space is negotiated in Kwale.

Indeed, scholars have noted the exemplary ways African women negotiate, manoeuvre and manipulate the patriarchal terrain in Africa (see for example Nnaemeka, 1997; 2003). As I have shown, the use of mother-like ideologies emerged as one such mechanism in Msambweni. Maternal like qualities were used by women to clothe political leadership

and defined both the reason for their participation in the electoral process and their evaluation of fellow women who contested in the elections contesting, mobilizing, advising or convincing others was embedded with such maternal discourses and ideologies, complexly termed as ‘winning women’s hearts.’ I argue that a focus on how feminine identities complexly inform the way women engage with the electoral domain, as is the case in Msambweni, underscores how women in their specific contexts complexly manoeuvre the overwhelmingly patriarchal space and remain central in electoral politics.

Endnotes

1 *Uungwana* refers, rather loosely, to ‘civilization’ based on Swahili culture. It is complexly used in everyday life to distinguish ways of life, especially when relating those aspects of life termed as Digo, Swahili and Islamic. Among the Digo, the concept of *uungwana* is “based on the establishment of high social status by demonstrating free birth [not slave] and adherence to Islam” (Oendo 1987:47; see Eastman 1984 for a detailed explanation on *uungwana* among the Swahili of Mombasa).

2 Prior to abolition of slavery by the British colonial administration, the Digo experienced a slavery complex. While some Digo find it offensive to refer to their descent from slaves, others usually resent treatment which infers slavery. For instance, hard farm work is associated with slavery and women may accuse men of treating them like slaves if they ask them to do farm work. Failure to provide adequate sustenance or finance a woman’s financial needs may also be considered slave-like behaviour. Such instances usually formed a potential ground for divorce (Gerlach 1963).

3 *Mama* is a Swahili word for mother or woman in its broad sense. However, it is often used when referring to women of age, whether a mother or not.

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The Missing Piece: The Legislature, Gender Parity and Constitutional Legitimacy in Kenya

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Despite Kenya's democratic credentials and a robust progressive legal framework as reflected in the Constitution of Kenya 2010; since 2013 the actions of the national executive and legislature demonstrate a retreat from principles of democracy, constitutionalism and the rule of law. These actions have culminated in an unconstitutional Parliament, an unconstitutional national Cabinet and an unconstitutional Supreme Court. In all three instances the national institutions are unconstitutional because they violate the provisions of the Constitution on gender representation. Legitimacy as a purely political concept ignores the illegality of state institutions. However, these illegalities reflect a latent constitutional crisis which impugns the legitimacy of the Kenya government and reflects a rejection of the Constitution of Kenya 2010, especially its guarantees of women's citizenship and equality. This failure of state institutions and constitutional offices to act in compliance and/or defence of the Constitution is unprecedented since the promulgation of the Constitution in 2010. The deliberate departure from constitutionalism, democracy and the rule of law marks a period of instability as the government asserts a new order, whose reference and legitimacy it seems lie beyond the Constitution of Kenya 2010.

Introduction

After the contentious 2017 elections, the focus on the legitimacy of the national government has tended to focus on the mechanics of the electoral process and political legitimacy. However, this chapter argues that the 2017 elections were illegally conducted in violation of the Constitution, and the rights of the majority of Kenya's female citizens,

resulting in an unconstitutional Parliament. This chapter details the actions of key government actors prior to the 2017 general election and the way those actions compromised the legality of the general election before the first vote was cast by violating the Constitution - effectively reading women's rights out of the electoral process - and how post-election, these violations have resulted in an unconstitutional national government.

If we accept that legitimacy in a constitutional democracy is both a legal and political concept – legal first and political second – then in determining the legitimacy of the Kenyan government we must first examine the legality of the government. The government's legitimacy cannot rest outside the legal framework that gives birth to it. It is therefore necessary to expose the constitutional and legal framework in terms of the process and composition of government to make a determination of legitimacy. However, more than that, an examination of the role of the law in the establishment of government provides important clues to the nature of the government as well as to its commitment to law and policy. A government that does not comply with the Constitution is signalling a departure from the established legal and social norms, further such a government is unlikely to have a commitment to implement policies.

An unconstitutional process, whether electoral or appointive, cannot yield a legal or legitimate government. The actions of the executive, legislature and the Independent and Electoral Boundaries Commission (IEBC) leading up to the 2017 election reflect a shared view that compliance with constitutional provisions on gender representation were an optional, not mandatory element of a legitimate electoral process. Post-election, the actions of the executive and legislature in constituting Cabinet have been done contrary to the law, further undermining the legitimacy of the current government. A government formed in violation of the Constitution of Kenya 2010, whether through election in the case of parliament or appointment in the case of cabinet, cannot be legitimate. This chapter argues that the national government fails the test of legality as provided in the constitutional framework, and as such it is not, despite its assertion to the contrary and recognition nationally and internationally, legitimate.

A History of Non-Compliance

In 2010 Kenya replaced its governance framework and adopted the Constitution of Kenya 2010 which Yash Ghai and Jill Cottrell Ghai refer to as “*a people centred Constitution*” (Ghai & Ghai, 2011: 4). Article 1 of the Constitution provides “*All sovereign power belongs to the people of Kenya.*” The 2010 Constitution is the result of decades of struggle for a more democratic, inclusive and responsive government. It was precipitated by the disputed 2007 election and the post-election violence. As such it marked a new start for Kenya and reflects the aspirations of Kenyans both in terms of governance, politics and political processes and institutions. The Constitution as the legal expression of the sovereign power of the people, is the supreme law and as Article 2 directs, it is binding on “*all persons and all State organs at both levels of government.*” The Constitution is therefore the definitive text on the legality of political processes and government bodies, addressing both the legal requirements for a government but also its legitimacy as an expression of compliance with the sovereign will of the people.

Legality, can be defined as compliance with the legal framework in the process and composition of the government, whether elective or appointive, and it is a prerequisite to its legitimacy. This is because the government is a creation of the legal framework. Legality creates a presumption of legitimacy: The Constitution defines both the process of establishing a legitimate government and the composition of its various bodies. The first pre-election legitimacy issue is grounded in the provisions of Chapter One on Sovereignty of the People and the Supremacy of this Constitution, Chapter Four on the Bill of Rights and Chapter Seven on Representation of the People.

Kenya is a constitutional democracy. Article 4(2) of the Constitution provides that Kenya is a “*multi-party democratic state*” For the first time in Kenya’s history the 2010 Constitution in the Bill of Rights provided that men and women were equal and entitled to “*equal protection and equal benefit of the law.*” The Constitution also created a quota to increase women’s representation in leadership both elective and appointive. This quota is provided in two key constitutional provisions:

in the Bill of Rights, equality provisions as well as in the principles of the electoral system. The Constitution recognizes the Bill of Rights as “*an integral part of Kenya’s democratic state*” (Article 19(1)) and provides that “*the rights and fundamental freedoms in the Bill of Rights-(a) belong to each individual and are not granted by the State (c) are subject only to the limitations contemplated in this Constitution.*” (Article 19(3)). The Constitution, therefore recognizes that those rights in the Bill of Rights precede the state and their limitation is strictly circumscribed. In this context the provisions of Article 27(8) which provides “*...the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender*” provide both a mathematical formula as well as a legal litmus test to determine whether elective or appointive bodies are duly constituted. Article 81 provides general principles of the electoral system, not just elections but the system, and 81(b) reiterates this litmus test by anchoring it as a principle of the electoral system along with universal suffrage and free and fair elections.

The gender representation principle in the Constitution differs from traditional gender quotas in that it is not a minimum inclusionary principle; rather it is a limitation on the maximum representation of a single gender in public appointments and bodies (“*not more than two-thirds*”). It establishes a ceiling in terms of the legally acceptable representation. The principle is therefore directed at ensuring that no single gender dominates appointive or elective public bodies with a super majority defined as more than two-thirds or sixty-seven per cent. In this way, the gender principle is more than a quota, it is a constitutional limitation on the power or dominance of either gender. In the context of Kenyan history, the adoption of the gender principle marked the end of legal male dominance of government bodies both in elective and appointive positions.

Since 2010 Kenya has had a devolved system of governance with two levels of government, national and county. At the county level, Article 177 does not establish the maximum membership of the county legislature and Article 177(1)(b) provides for a post-election nomination

process to ensure that the County Assembly is duly constituted in terms of gender. At the national level, Articles 97 and 98 define the maximum membership of the National Assembly three hundred and forty-nine (349) and Senate sixty-seven (67) respectively (exclusive of the speakers) but are silent on any mechanism to realize the requisite gender representation if elections did not result in a body that has more than two-thirds of the membership of the same gender. This gap in terms of the gender principle at the national legislature has been the subject of litigation since before the first election under the new Constitution. In 2012 the Office of the Attorney General (OAG) repeatedly warned of the potential for a constitutional crisis if Parliament did not enact legislation to implement the gender principle in the national legislature before the 2013 election.

Githu warned that the country faces a constitutional crisis if Parliament fails to resolve the issue of the one-third-gender rule. The Attorney General who is the Government's chief legal advisor warned that if the matter was not addressed the next Parliament would be illegitimate. Muigai asserted:

We will seek to persuade Parliament to pass the Amendment Bill as it was published by Mutula. This is the easiest way to achieve the one third gender rule without doing much violence to the spirit of the Constitution. It is something that poses a real threat to the future.

In 2012 the Attorney General moved to the Supreme Court and the question for the determination by the court was:

Whether Article 81(b) as read with Article 27(4), Article 27(6), Article 27(8), Article 96, Article 97, Article 98, Article 177(1)(b), Article 116 and Article 125 of the Constitution of the Republic of Kenya require progressive realization of the enforcement of the one-third gender rule or requires the same to be implemented during the general elections scheduled for 4th March, 2013.

In its determination, the Supreme Court seemed to adopt the Attorney General's arguments that certainty about Parliament's legality was necessary should the March 2013 election fail to yield a gender compliant Parliament. The court emphasized that "*Such a prospect, the Attorney-*

General urged, may lead to a constitutional crisis, with the possibility of the National Assembly being declared unconstitutional.” The Supreme Court majority decision held that legislation to provide for the realization of the gender principle in Art. 27(8) and 81(b) on gender representation should be enacted by August 27 2015.

Bearing in mind the terms of Article 100 [on promotion of representation of marginalised groups] and of the Fifth Schedule [prescribing time-frames for the enactment of required legislation], we are of the majority opinion that legislative measures for giving effect to the one-third-to-two-thirds gender principle, under Article 81(b) of the Constitution and in relation to the National Assembly and Senate, should be taken by 27 August, 2015.

The Supreme Court Advisory Opinion 2 of 2012 thus provided legal cover for the 2013 general election as well as for the illegally constituted 11th Parliament (Bouka et al, 2017: 29) (NDI & FIDA, 2013: 48 - 49) for at least part of their term. The implications of this decision in 2018 are significant. The Supreme Court’s 2012 decision did not foresee another general election under the constitutional framework without legislation enacted to ensure the representation of women in Parliament as required by Article 27(8) and 81(b). Meaning that any subsequent election would not have the veneer of legality afforded by the 2013 election, and legality of the elected Parliament (process and result) would be defined by adherence to the constitutional provisions as well as the Supreme Court judgment (Kamuru, 2018).

From 2012 to 2017 there were significant efforts made by women’s rights organizations to ensure the enactment of the required legislation. The OAG established a Technical Working Group (TWG), which was commissioned on February 3, 2014. The TWG members included the OAG, Commission on the Implementation of the Constitution (CIC), IEBC, the Ministry of Devolution and Planning (responsible for gender), Office of the Registrar of Political Parties, Legal Committee of the National Assembly and Senate, the Kenya Women’s Parliamentary Association (KEWOPA) and the International Federation of Women Lawyers (FIDA) representing the civil society. The TWG recommended that Parliament, through the introduction of a constitutional amendment

bill, delete the membership restriction in Articles 97 and 98 and lift the provisions of Article 177(1)(b) on County Assemblies to apply to Parliament. There was also an initiative (popularly known as the Green Amendment Campaign) by the Kenya Parliamentary Human Rights Association (KEPHRA) to amend the Constitution through a popular initiative which involved the collection of one million signatures to be presented to IEBC and the formulation of a bill to implement Article 81(b) to the County Assemblies.

Despite the TWG recommendations it took an order of the High Court for the government to introduce a bill on Article 81(b). In 2015, the Centre for Rights Education and Awareness (CREAW) a women's rights organization sued the Attorney General and the CIC under Article 261 (4) which provides "*the Attorney General in consultation with the Commission on the Implementation of the Constitution, shall prepare the relevant Bills for tabling before Parliament to enact the legislation within the period specified.*" Based on the Supreme Court judgement, the period in question was five years from the date of the promulgation of the Constitution August 27, 2010, i.e. August 27, 2015 with provision for a one-year extension provided in Article 261(2).

In the 2015 CREAW case, which relied on the Supreme Court Advisory Opinion 2 of 2012, the Attorney General attempted to argue that a Supreme Court Advisory Opinion was not binding, however, the Court rejected that argument. The High Court directed that:

An order of Mandamus be and is hereby issued directed at the 1st and 2nd Respondents directing them to, within the next forty (40) days from the date hereof, (emphasis mine) prepare the relevant Bill(s) for tabling before Parliament for purposes of implementation of Articles 27(8) and 81(b) of the Constitution as read with Article 100 and the Supreme Court Advisory Opinion dated 11th December 2012 in Reference Number 2 of 2012.

The High Court further noted that "*should Parliament fail to act, then doubtless a vigilant Kenyan may invoke the provisions of Article 261(5)-(7).*" These provisions of the Constitution relate to the dissolution of Parliament for failure to enact legislation required by the Constitution.

Therefore, in June 2015, less than two months before the deadline provided by the Supreme Court for enactment of legislation the government had yet to comply and the High Court was warning the OAG and Parliament of the severe consequences of non-compliance. As a result of the High Court order the Constitution of Kenya (Amendment) (No. 4) Bill of 2015 was introduced to the National Assembly but it failed to garner the required two-thirds majority at the second reading. Again, the OAG was on record about the significance of compliance and while the warnings focused on the implications of a Parliament whose composition violated the Constitution, they are also a plea about the importance of a legal framework that guarantees constitutional compliance.

The legitimacy of the incoming Parliament post the 2017 General Election could be called into question where the two thirds gender principle is not attained with all the attendant risks and consequences, he warned.

In a letter to the Speakers of Parliament, a year before the general elections, the OAG wrote:

We wish to draw your attention to the possibility that a petition under Article 261 could portend against the current Parliament, thereby initiating the process towards dissolution of Parliament in the event of failure to adhere to the orders and directions of the court.

In March 2017 in a final effort to secure compliance before the August 2017 elections, three civil society organizations, CREAM, Community Advocacy Awareness (CRAWN) Trust and the Kenya National Human Rights Commission sued the National Assembly, the Senate and the OAG under Chapter Eighteen of the Constitution on the transitional and consequential provisions of the Constitution. The High Court found in their favour and directed:

[...] if Parliament fails to enact said legislation within the said period of **SIXTY (60) DAYS** from the date of this order, the Petitioners or any other person shall be at liberty to petition the Honourable the Chief Judge to advise the President to dissolve Parliament.

The provisions on the dissolution of Parliament in Article 261(6) and (7), provide no discretion on the part of the Chief Justice or the President.

On June 15, 2017, months to the general election, the 11th Parliament was adjourned – before it had enacted legislation on Article 81(b).

Despite the Supreme Court and High Court judgements, the 11th Parliament has repeatedly refused to comply with its mandatory constitutional obligation and enact legislation on Articles 81(b) and 27(8) (Mumma, 2016). Article 3(1) of the Constitution provides that “*Every person has an obligation to respect, uphold and defend this Constitution,*” as such each Member of Parliament (MP) has an individual obligation to act in accordance with the Constitution. Parliament’s rationale for failure to pass constitutionally required legislation is also an indictment of Parliament as an institution. Members of Parliament are holders of constitutional offices, their authority individual and collective exists within the Constitution and is specifically limited in Article 2(2) “*No person may claim to exercise State authority except as authorised by this Constitution,*” Article 93(2) then provides that “*The National Assembly and the Senate shall perform their respective functions in accordance with this Constitution.*” These requirements, in addition to their oath of office mean that once the judiciary interpreted the Constitution, members of Parliament have no legal choice but to comply. Parliament’s refusal to comply isn’t a technical legal issue; it is a deliberate attempt to overthrow the governance framework as established by the Constitution of Kenya. As Yash Ghai & Jill Contrell Ghai note while constitutions are not politics they reflect political choices “*Constitutions affect politics, hopefully by constitutional values, and definitely by the rules for elections*” (Ghai & Ghai, 2011: 4)

The constitutional relief for a non-compliant Parliament is the dissolution of Parliament. The dissolution of Parliament provided in Article 261(7) is a last resort, meant to reassert the supremacy of the Constitution and to tame a rogue Parliament. In *Facing Up to the Democratic Recession*, Larry Diamond explores a global trend of democratic failure since the 1980s and notes that the majority of democratic failures since 2000 have “*resulted from the abuse of power and the desecration of democratic institutions and practices by democratically elected rulers*” (Diamond, 2015: 147). The 11th Parliament’s failure to

enact constitutionally required legislation despite multiple court orders is a perfect example of defilement of democratic institutions and norms by democratically elected leaders.

The 2017 general elections were therefore conducted without the required legislation or regulations to ensure that the “*electoral system*” and the election of the national legislature guaranteed compliance with the constitutional provisions on elective bodies in Article 27(8) and Article 81(b). As such the 2017 general elections, as process were unconstitutional and therefore illegitimate.

State institutions from the executive, parliament, judiciary and IEBC among others went into the 2017 general election without a framework to ensure the constitutionally required gender representation and fully cognizant of the risk that the resultant 12th Parliament would be unconstitutional because it failed to meet the minimum requirements in Articles 27(8) and 81(b) (Kamuru, 2016). This is also true of development partners including the United Nations Development Programme and bilateral donors to its Strengthening the Electoral Processes in Kenya Project (SEPK); including the United States, the United Kingdom and the European Union. Livitsky and Ziblatt note that: “*even well-designed Constitutions cannot, by themselves, guarantee democracy.*” (Livitsky & Ziblatt, 2018: Loc.) The actions (and/or inaction) of public institutions as well as regional and international bodies play an important role in reinforcing, or not, democratic norms.

Post-election, the 12th Parliament’s composition raises a separate basis for its unconstitutionality and consequent illegitimacy. According to the NDI and FIDA Report: A Gender Analysis of the 2017 General Elections, the National Assembly is 78.5% male and 21.5% female while the Senate is 68.6% male and 31.3% female: both bodies are therefore illegally constituted as they exceed 67% of the majority gender in violation of Articles 27(8) and 81(b) (NDI & FIDA, 2018: 30).

As such, even if the process of conducting an election in violation of the Constitution and the law (court judgments in a common law system form part of the law) did not give rise to an illegitimate government; the composition of the 12th Parliament does. International

observer reports on the 2017 general elections including the Carter Report and the European Union Election Observation Mission Final Report noted that the newly elected Parliament was in violation of the constitutional provisions on gender representation. It is therefore in the national and international public domain that the 12th Parliament is constituted in violation of the supreme law. Given this consensus on the unconstitutionality of the 12th Parliament, we must ask what are the implications of the unconstitutionality of the 12th Parliament? Again, we must look to the law for direction.

Unlike the 11th Parliament, which while unconstitutional in composition had legal permission to conduct parliamentary business based on the Supreme Court judgement. The unconstitutional 12th Parliament has no such legal cover and exists entirely outside the constitutional framework. This is especially significant as under Kenyan law there is no mechanism to challenge the electoral process in its entirety. As such once the general election was held, all post-election challenges could only be based on individual elective positions at the parliamentary or presidential level. The legal framework provides no means to challenge the illegal election process in its entirety. However, the Constitution in Article 3(2) provides “*Any attempt to establish a government otherwise than in compliance with this Constitution is unlawful*”. As such, Parliament that is composed in contravention of the Constitution is unconstitutional and is therefore unlawful and illegitimate.

On September 27, 2017 a petition was received by the Office of the Chief Justice (OCJ) requesting the Chief Justice to act as prescribed in Article 261(7) and advise the President to dissolve Parliament. In addition, an online petition also seeking the dissolution of Parliament by #WeAre52pc a feminist collective collected more than 600 signatures. On November 24, 2017 a letter sharing the online petition and requesting a public position on the petitions for dissolution was received by the OCJ. To date the OCJ has issued no public statements on the petitions or the compliance of the OCJ with the mandatory provisions of Article 261.

As Professors Kabira and Kameri-Mbote note although elections have been grounded on traditional issues of representation “*the gender*

question has challenged the meaning of democracy” (Kabira & Kameri-Mbote, 2016: 179) that the Kenyan Parliament is established in violation of the Constitution to exclude the majority of citizens is a direct indictment of democracy.

Entrenching illegality

Post-election, the political uncertainty surrounding the repeat Presidential election, resulted in a delay in the naming of the national Cabinet. On January 5, 2018 President Uhuru Kenyatta started the process of constituting his second term Cabinet by naming some of his nominees. The President’s announcement was unusual in two significant respects. First, it was a partial list; the President only announced 9 nominees (the Constitution demands a minimum of 14 and allows him to name up to 22 Cabinet Secretaries and his last Cabinet had 18). Second, the President said he was “*retaining*” some Cabinet Secretaries and as such he would not be sending the names of all his Cabinet nominees to the National Assembly for vetting. The President’s statement implied an existing Cabinet, whose term continued uninterrupted through the 2017 general elections. However, a December 2015 High Court decision held that the tenure of all appointed members of Cabinet ended on August 8, 2017. In attempting to retain some members of the previous Cabinet and exempt them from National Assembly approval the President is acting in contravention of the Constitution and a valid judgment of the High Court.

Nominating Cabinet Secretaries and constituting a cabinet is a constitutional obligation of the President contained in Articles 129, 130, 131 and 132. Article 129 states that all “*executive authority is derived from the people of Kenya and shall be exercised only in accordance with this Constitution.*” This provision underscores that executive power is delegated and limited: it is delegated from the people and may not be legally exercised outside of the limits set by Constitution. Article 130 defines the national executive as including the President, the Deputy President and “*the rest of the Cabinet,*” thereby emphasizing the Cabinet as integral to the national executive. Article 131 provides that the President

exercises executive authority “with the assistance of the Deputy President and Cabinet Secretaries” emphasizing the necessity of the Cabinet as an instrument for the exercise of executive authority. Additionally, Article 131(a) obligates the President to respect and uphold the Constitution and ensure the “rule of law.” Article 131(e). Article 132(2) explicitly vests powers to appoint Cabinet in the President, providing that s/he “shall nominate, and with the approval of the National Assembly, appoint” Cabinet Secretaries as prescribed in Article 152. The President therefore has a constitutional obligation to constitute a Cabinet whose membership is constitutionally defined and to do so as prescribed by the Constitution. Further, the President’s adherence to this process is a requirement for the legitimate exercise of executive authority.

As such, while the President has the power to nominate he may not legally, without the approval of the National Assembly appoint anyone to Cabinet. In establishing a legal and therefore, presumptively legitimate Cabinet, the President must follow the process in the Constitution and the law, which includes relevant judicial decisions.

Judicial decisions regarding the process of constituting Cabinet would therefore apply to the President as he undertakes this function. On December 20, 2016 the Constitutional and Human Rights Division of the High Court in Petition 566 of 2015 held that the Cabinet was unconstitutional, as its composition violated Article 27(8). The High Court was asked to address two issues: the constitutionality of, *the process of constituting cabinet, and of the composition of cabinet (emphasis mine)*. In addition, to finding the Cabinet unconstitutional, the High Court found that “*the actions of the President and the National Assembly...in nominating, approving and appointing the cabinet*” were unconstitutional. As such the process of establishing the Cabinet and the resulting Cabinet were both declared unconstitutional.

However, the High Court, citing public interest, suspended the judgement for “*a period of eight months or until such a time a new cabinet will be constituted either by the present government or by the new government to be elected into office in August 2017.*” The OAG did not appeal this high Court judgment, as such this decision is final. The

effect of this judgement, like the Supreme Court judgement in 2012 on Parliament, was that it provided temporary legal permission for the Cabinet's continued existence, with such permission set to automatically expire if the President named a new Cabinet or a general election was held. The President did not make any changes to the Cabinet prior to the 2017 general election.

Therefore, the term for all appointive members of the Cabinet ended on August 8, 2017 by judicial order. As such, the President was required, by law to name a fresh Cabinet (a minimum of 15 and a maximum of 23, including the Attorney General). The requirement that the President undergo the process of establishing a new Cabinet did not preclude the President from nominating some of the members of the previous Cabinet. However, the names of all of the President's nominees would then be submitted to the National Assembly for vetting and approval prior to appointment as required by law.

The decision of the High Court in Petition 566 of 2015 found that *both (emphasis mine)* the President and National Assembly had violated their obligations in the process of constituting Cabinet (this includes nominating, approving and appointing the last Cabinet). The High Court in holding that the National Assembly had failed to perform its role in approving Cabinet nominees, found that the National Assembly must:

Apply a **strict scrutiny in approving of any action of the executive** (emphasis mine) and where the action involves appointment to public posts a most searching examination in all aspects must be invoked by the National Assembly.

Therefore, the National Assembly cannot be a 'rubber stamp' of Presidential nominees but must exercise the highest legal standard in the vetting and approval, or rejection, of executive nominees.

The High Court was explicit that in some cases it is the role of the National Assembly to correct the President "*The National Assembly must exercise that perfect overseer role and tap the President on the shoulder where he is about to slip.*" The National Assembly therefore has a constitutional obligation to remind the President that all proposed nominees must undergo the entire process of nomination, vetting and

approval by the National Assembly, prior to their appointment. In addition, the High Court clarified that the National Assembly must reject a proposed Cabinet whose composition would violate the law. Despite this valid High Court judgment, the National Assembly failed to apply the “*strict scrutiny*” standard demanded by the High Court, approving all nine nominees without any reference to the other members of Cabinet or the High Court decision.

The President didn’t violate the law by providing only a partial list of nominees. However, by failing to submit the names of all Cabinet nominees to the National Assembly for vetting and approval and asserting the existence of a valid Cabinet after August 8, 2017, the President is acting in deliberate contravention of the Constitution and the law. The National Assembly similarly failed in its constitutional role by failing to comply with the High Court decision and requiring the President to present his entire list of nominees for vetting. The process of constituting the first post-2017 election Cabinet was therefore illegal. This Cabinet has 18 men and 6 women making the majority male gender 75% of Cabinet well in excess of the mandatory 67% and thereby violating the Article 27(8) of the Constitution and the High Court judgment. As such, both the process of constituting cabinet, and the cabinet itself, are unconstitutional.

Article 1 of the Constitution explicitly limits the exercise of all authority to that which is in compliance with the Constitution, and by so doing provides that exercise of authority beyond that accorded in the Constitution is illegal. Again, Article 3 outlaws any government that doesn’t comply with the Constitution. For an administration whose legitimacy ultimately, rests on a judicial decision the President’s willful disregard of a court order is also evidence of continued resistance to the constitutional exercise of judicial authority. It is a declaration of executive exceptionalism that places the decisions and actions of the President and Cabinet beyond judicial review. These interlocking illegalities where an unconstitutional Parliament approves an unconstitutional Cabinet establish interdependence that entrenches and embeds illegality in state institutions.

In addition, to the national executive and national legislature, the apex judicial body is also illegally constituted. The Supreme Court of Kenya is a constitutional body whose membership is 7. In 2016 there were three vacancies on the Supreme Court: Chief Justice, Deputy Chief Justice and Judge of the Supreme Court. As an appointive body the Supreme Court is required to comply with the provisions of Article 27(8) in terms of gender representation and to ensure neither gender exceeds 67% which means of the 7 members no more than 4 could be of the majority gender. Of the four judges, only one was a woman, Justice Njoki Ndungu, as such based on the requirements of Article 27(8) it is obvious that at least two of the three vacancies needed to be filled by women.

Article 166(1) provides that the President upon the recommendation of the Judicial Service Commission (JSC) appoints judges to the Supreme Court. In the case of the Chief Justice and Deputy Chief Justice JSC recommended candidates must be approved by the National Assembly prior to appointment by the President. In 2016 the JSC made recommendations for the appointment of two men and one woman to the Supreme Court thereby deliberately contravening Article 27(8) with 71% male membership. Kenya is therefore in the position where all three bodies of the national government are unconstitutional: the Cabinet, the Parliament and the Supreme Court.

An unconstitutional national executive will create unprecedented uncertainty as to the legality of its national and international actions. An unconstitutional Parliament, and one that is controlled by the President's political party is unable to exercise its constitutional functions including its executive oversight role. The Chief Justice, who presides over an unconstitutional Supreme Court has, despite a High Court order and a petition, and express provisions of the Constitution, failed to advise the President to dissolve Parliament.

The illegality of the national government and its refusal to acknowledge or attempt to cure such illegality, signals to other parties that it is acceptable to resort to extra-constitutional means to resolve political and other conflicts. It is a definite retreat from democratic principles as the illegalities stem from the exclusion of a majority group-women. It

also erodes the public trust in institutions and creates an environment of lawlessness where ordinary citizens cannot rely on public institutions to act objectively or for their benefit.

Conclusion

While the focus has been on the political crisis, Kenya is also in the midst of a dormant constitutional crisis, with an unconstitutional national government, legislature, executive and judiciary. Livitsky and Ziblatt remind us “*Democratic breakdown doesn’t need a blueprint...it can be the result of a sequence of unanticipated events*” (Livitsky & Ziblatt, 2018). Intentional or not, Kenya is firmly on an anti-democratic path, one that is undermining its constitutional democracy through both an abuse of state institutions (actual violations of law) as well as inaction or inappropriate action by the public institutions authorized to check these excesses. The role of development partners and the international community in this continued erosion of democracy and constitutionalism is also extremely important. The Kenyan state is maintained and continues to act unfettered internationally despite these blatant and successive violations of law.

As Professors Kabira and Kamari-Mbote argue, “*beyond law, there is need for commitment to the principles of law.*” (Kabira & Kamari-Mbote, 2016: 212). The failure by state actors to accept the constitutional limitations of their authority is laying the foundation for a systematic break-down in the rule of law and an unprecedented undermining of the Constitution of Kenya 2010 for all citizens, not just women. Illegal state institutions erode trust and undermine legitimate authority.

By deliberately weakening so many public institutions – the Judiciary, Cabinet, the National Assembly and the Senate-the government is signalling that the accumulation and consolidation of power takes precedence over all law. In so doing, the government is likely laying the ground for probably the most significant period of political instability since the 2007/8 post-election crisis. This period of instability that will remain an element of Kenyan society until the issues of illegitimacy are addressed to the satisfaction of the majority of citizens which includes

women. It also means that women's role in political stability over the coming decade in Kenya may be more important than it has ever been.

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