The Historical Journey of Women’s Leadership in Kenya

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Abstract
This article presents the historical journey of Kenyan women towards leadership and fair representation in social-economic and political sphere. The movements have a humble beginning from self-help groups during pre-independent period. The landmark was the formation of Maendeleo ya Wanawake (MYWO) organization in 1952, which is still a powerful grassroots’ women’s organization across the country. In the following years, women’s movements in Kenya expanded and specifically focused on enhancing women’s participation in leadership in appointive and elective bodies. Of great concern was the creation of institutional frameworks for mainstreaming gender through policies and legislation and ensuring the issues were taken on board the new constitution that was being negotiated from 1992-2010. Key achievements have been the establishment of national and institutional gender policies, National Gender Commission, a ministry in charge of women Affairs, Children and Social Services, publication of the Sexual Offences Act (2007), inclusive constitution making process and the provision of not more than one third of either gender in appointments and elective posts among many other gains. Although the journey has been steep and the processes challenging, the gains made say it all: ‘the end justifies the means’.

Keywords: Historical, Journey, Women, Leadership, Kenya.

INTRODUCTION
On the August 27, 2010, Kenyans celebrated the new constitution. This constitution unlike the independent constitution which was negotiated in Lanchester House in London in 1963 was negotiated differently. The process involved intensive struggle for about fifteen years that saw all sectors of society i.e. the 43 ethnic communities, Muslims and Christian, religious groups, civil society organisation and youth and women all claim their space in the review process. For the Kenyan woman, this was a great opportunity to negotiate for their position in leadership. The Women’s Movement in Kenya has its roots in self-help groups which existed even in pre-colonial societies. These women’s groups and organisation that have negotiated borrowed largely from the traditional women groups in terms of their philosophy and organisation but also demonstrate the desire to work on empowering initiatives such as buying land and property.

Maendeleo Ya Wanawake Organisation (MYWO), a national grassroot women’s organisation was, formed in 1952, has survived for all these years. Maendeleo was initially stated as a welfare organisation during the colonial period however, it later became a political force in the country during the 1980s and 1990s. The strong political parties like Kenya African National Union (KANU) recognised the power of organisation and used it power to mobilise women. Writers have documented women’s political resistance and struggle against colonial rule in Kenya; a notable example being the 1920 Harry Thuku uprising where women, led by Mary Nyanjiru, directly confronted the colonial government in demanding the release of Harry Thuku (Kabira and Akinyi, 1994). In many communities in Kenya, there are examples of women organising themselves and taking leadership in dealing with their social-historic and economic situations, as supported by Margaret Ogola (1994) though in form of fiction but nothing as elaborate at the women’s journey towards leadership in the new constitutional dispensation but women seized the opportunity to organise themselves and negotiate for a constitution that recognised gender equality with particular focus on equal representation in leadership position.

This paper focuses on this journey that many women in Africa are taking and others can learn from. It is also an important story because bringing women’s experiences in constitution making process can demonstrate why it is important for societies to follow this path because the product is an inclusive,
democratic constitution. As in many other African societies, Kenyan women were not in the public leadership position. Since 1963, there were no women in parliament for a long time. In 1997 as the constitution negotiations were at the peak, there was only 3% women’s representation. Social economic barriers, culture and tradition, political culture, patriarchy, lack of resources all stood on the way to women’s leadership.

The journey formerly began in February 1992 when women were brought together by the National Council of Women of Kenya and Africa Women’s Development and Communication Network (FEMNET) for a National Women’s Convention. It was the year of elections and women felt that this was the year of reckoning. They needed to organise themselves. The agenda was how to access political power. Women declared the parties of their choice; they said time had come for women to be involved in politics. Prof. Maria Nzomo presented the key address based on her paper, Women in Politics, 1991. Women declared that they were on a journey to elective leadership and other leadership positions. They never looked back.

The next twenty years saw a focused Women’s Movement mobilised around key issues and building a network of many different organisations and retaining the spirit of the 1992 National Convention in many ways. They focused on a struggle for institutional framework for gender mainstreaming which resulted in the establishment of a national gender commission, a ministry in charge of women affairs, children and social services, a presidential directive for 30% women’s representation in public service, establishment of women’s fund and publication of the Sexual Offences Act, among many other gains. Nothing, however, beats the organisational energy and strategic decisions that the women made between 1997 and 2010 that gave birth to the current constitution. The women’s struggle for leadership through the negotiations of the second constitution of Kenya and its impact on leadership in elective and appointive bodies the subject of this paper.

Between 1992 and 1997 after the National Women’s Convention, women did not get very far. 1997 was another election year and women knew that without affirmative action, the story of their representation would not change. Hon. Phoebe Asiyo, a woman member of parliament tabled the first motion on Affirmative Action for women’s representation in elective positions. Her motion called for parliament to increase the number of women parliamentarians by 18 (eighteen), at least two from each province, and an extra two from the Rift Valley Kenya had 8 provinces. This move by Asiyo brought women’s organisations and leaders together.

In proposing the motion, Asiyo noted that she wanted the government to:

a) Introduce a legislation to require all registered political parties to nominate at least one third women candidates to participate in National and Local Authorities elections;

b) Introduce an amendment to the Constitution of Kenya to provide for two parliamentary Constituencies exclusively for women candidates in each administrative province of the Republic (there were 8 provinces) and;

c) Introduce appropriate legislation to provide funding for all registered political parties and wherever public funding is possible, the amount of funding be linked to the percentage of women candidates fronted by each party (Kabira 2011).

Hon. Asiyo explained to the house the rationale behind affirmative action giving examples of how it was done in Uganda and Tanzania and allayed fears of destabilizing the status quo.

Hon. Kiraitu Murungi seconded the motion and supported it. Kiraitu said:

“Introduction of a quota system to be established at political party level so that one third of all the candidates for civic and parliamentary elections put forward by political parties were women. He went further to explain about the two seats for women in each province and funding for political parties. He argued that he supported the motion within the framework of Constitutional and administrative reforms that were seeking for better governance in this country” (Parliamentary Hansard, April 23rd 1997:342) and (Kabira 2011).

Many other members of parliament in opposition supported the motion. The Government was a KANU government that would not hear of amending the constitution to include women in leadership positions. Hon. Koech the Minister of State, Office of the President, explained that there was no need for this motion because male MPs represented everybody women and men and that there was already one assistant minister for culture who was a woman. He noted that women were doing a wonderful job bringing up children which was a very important role and, therefore, those who had time and energy to struggle could do so. The constitution did not prevent women from coming to parliament. In other words, women needed to leave some of these things to nature; leave the natural force of political evolution to come slowly; and that because of our cultural setups, time was not ripe for Affirmative Action (Kabira 2011). This is an argument that Kenyans were to hear many times as they walked the journey towards a
new constitution. It is an argument that women from many counties in the region including: Uganda, Tanzania, Zimbabwe, Zambia, South Africa have heard.

In response, Hon. Oki Ombaka gave his support to the motion saying that when 52% of the population only have 3% representation in the August house as was the case in 1997 Kenyan parliament, it was just common sense to know that something was seriously wrong with Kenyan society (Kabira 2011).

Hon. Karua, in her contribution had this to say:

“The last Session, the Government told this House that it was committed to implementing the Beijing Platform for Action. One of the areas of critical concern is increasing women’s participation in decision-making. Today’s response by the Government seems to suggest that it does not exactly know its stand on women’s issues. It does appear that the Government is busy giving mere lip service to women’s issues and making statements that are suitable in international fora to gain respectability, whereas back at home, it is doing exactly the opposite. What this motion is calling for is political good will and leadership from the Government; it is difficult to hope that society will evolve differently (Hansard, April 23, 1997, Pg 342).

The motion was defeated but seeds of Women’s movement towards leadership were watered. The Affirmative Action motion, was a landmark in the struggle for women’s representative. Women met outside parliament after the defeat of the motion and decided to wage an organised battle and to start the long journey to affirmative action of the critical mass representation of women in parliament and other elective bodies. Women spoke with one voice; they decided to continue walking on the path towards their dream of ensuring critical mass in political leadership. They formed the Women’s Political Caucus which led the efforts in collective action of the women’s movement.

The defeat of the Asiyo motion was a wakeup call that gave women energy and unprecedented collective determination to walk together to ensure that their issues were moved to the centre. They decided that they no longer needed the label of non-political/non partisan women’s organisations. They elected Hon Asiyo as the chair of the Caucus and Wanjiku M. Kabira as the Convenor.

A powerful Women’s Movement was born that was to mobilise the women as individuals and organisations in the struggle for a new constitutional dispensation that was to bring the critical mass for women in leadership among other gains. Women in government, the 3% in parliament, women’s organisations, women in the professions and individual woman leader were on the path were on the path towards appropriating power. They came together and decided to consolidate their strength, educate themselves and therefore negotiate for institutional, constitutional and policy change. They decided that Affirmative Action was a right, not a favour. The Women’s Political Caucus, became a formidable force. They rejected the role of merely saying prayers, making tea and dancing for politicians during meetings. Others could cook, pray and dance.

As expected, after the 1997 election, the increase of the women in parliament as nothing to sing home about. On April 12th 2000, Hon. Beth Mugo, in collaboration with women’s organisations and the support of Affirmative Action Committee returned to parliament. Women’s organisations had mobilised strong grass root support. Hon. Beth Mugo sought leave to “Introduce a Bill entitled “Affirmative Action” in order to improve and increase representation for marginalised groups, particularly women, in policy making institutions.” (Parliamentary Hansard, April 12th 2000).

In moving the motion, Hon. Beth Mugo reminded parliament that the Bill was a test on parliamentarian’s sincerity for their commitment to women’s participation in leadership. She said that she was seeking Affirmative Action for women’s representation in parliament and local authorities, a strategy used in many countries including those in our region. Kenya, she noted, stood out as a sore thumb for refusing to accept Affirmative Action in the region. She referred to those countries that had implemented this, especially in Africa, which included Uganda, Tanzania, Seychelles, Mozambique, Djibouti, Eritrea, and South Africa. She reminded members of parliament that Kenya had committed itself to implementing Affirmative Action which was part of Beijing Platform of Action (Hansard, April 12, 2012).

Hon. Martha Karua also contributed to the debate and supported it. The motion was debated but parliament that argued that since the Constitutional Review was about to commence, the clerk of the National Assembly should write to the Constitution of Kenya Review Commission (CKRC) and ask the commission to make affirmative action part of the Review Process.

The struggle to ensure of 30% women’s representation in elective and appointive bodies joined the women and their organisations at the hip. Women armed themselves with relevant knowledge
of the process of reviewing the Constitution and identified both technical and lobbying teams within the Women’s Movement to spearhead mainstreaming women and women’s experiences and perspectives in the process.

Women argued that democracy is not democracy unless it takes into consideration the voices of those who are affected by decisions being made. Conscious and deliberate steps must be taken to ensure that even the minorities or any other disadvantaged group that were initially marginalised are included in decision making and mainstream development processes. This is based on the fact that any laws passed affect these groups and affirmative action for their representation was a necessity. Women in Kenya had considered the critical mass theory that once the proportion of women in the legislature rises to around 30 per cent, there would be a change in the policy agenda to reflect more accurately, they would be more visible, more audible and would influence policy to take on board their experiences and philosophy.

They had considered the fact that the only way to significantly increase the number of women in parliament is through the use of positive action measures. Countries that top the international women’s representations including Rwanda, Sweden, Norway, Finland, Denmark and Sri Lanka; all use the quota system. Rwanda, a country emerging from genocide and major political upheavals, has through the positive action, topped the world in this area with 48.8 per cent. In Rwanda, they have 53 directly elected women in parliament. South Africa and Mozambique both have close to 30 per cent (Tan, Anamah, 2006).

**Women Political Leadership and the Review of the Constitution: Negotiating From the Centre**

After the 1997 elections when opposition failed to remove the ruling party from the leadership, the debate on the review of the constitution was launched. Parliament debated the issue and in 1998, appointed a 25 member Inter-Party Committee headed by Attorney General Amos Wako to seek the views of individuals and organisations on the nature and process of reviewing the constitution. Women organised and lobbied the Attorney General to make sure they sit at the table to negotiate. At these consultations, women negotiated under the leadership of Women’s Political Caucus for both their participation in the process and also the structures that would facilitate the review of the constitution. Women came up with the District Strategy to ensure maximum participation of the people in the constitutional review process.

In 1998, when the Attorney General called for the meeting of stakeholders, the Women’s Political Caucus held a meeting to discuss its representation at the stakeholders’ meeting, which was meant to set the pace for the review process. They negotiated with the AG to allow a greater number of women to attend the negotiations because the Women’s Political Caucus was a network of women’s organisations. Women had begun to adopt strategies that would increase the numbers in all negotiation meetings. This consultation of stakeholders was critical in setting the pace and putting women at the centre of the review process; but it was as a result of their meticulous preparations. They had held meetings before the consultations, educated themselves and strategised at all stages. They had started to operate from the centre and even the media had moved women’s issues to the front page and on the editorial pages too. Women made themselves players in the Constitutional Review Process. During these consultations, women, together with political parties, religious groups, civil society organisations, among others, continued to negotiate for their space in the review process. Women negotiated for their inclusion into the Drafting of the Law to review the constitution. Women negotiated with all stakeholders and ended up with five out of twelve slots that constituted the Drafting Team. This was a major achievement given the exclusion that women had experienced throughout history.

The team started the process of developing the law to review the constitution under the Chairmanship of Bishop Sulumeti. Women attended these sessions religiously and strategised at every stage. At the drafting stage to develop the law, women representatives ensured:

a) That women supported a structure that ensured consultations with Kenyans starting from constituency to the district and to national levels;

b) The Affirmative Action for women’s representation at all levels was entrenched;

c) Women’s organisations as nominating bodies were entrenched in the law;

d) That 30 per cent of the 25 per cent of civil society representation went to women;

e) That 30 per cent of the commissioners would be women;

f) That 30 per cent district representations at the National Conference were women, that is, at least 1 out of 3 district representatives were women (Kabra 2011).

The law to review the constitution thereafter ensured that women were all the structures that would review the constitution including the National Conference, the commissions at the constituency level and other structures of the review process. The negotiations at and the draft review law had formally entrenched the principle of Affirmative Action in the proposed law. For women, this was a milestone. Women’s organisations were to nominate the five
The women won their battle but the next year 1999 saw the forces against the review process stalling it. When this happened, the opposition and faith led groups formed the Ufungamano Initiative which was start a separate review. KANU wanted a parliamentary review process but Kenyans had been clamoring for a people driven process. This is what the faiths led initiatives offered. They constituted the People’s Commission of Kenya (PCK) and the women commissioners nominated by the women were also nominated to PCK.

The People’s Commission was focused on the concept of people driven Kenyan Review Process. It was called the ‘Wanjiku Constitution’, she of the villages, slums and pastoral areas, poor and non-literate. In the entire constitution making process, Wanjiku’ came to represent the common citizen of both genders. At every stage, women commissioners ensured women’s agenda was taken on board. Whether it was discussion on the formation of committees of the commission, leadership in the commission, structures of the commission, civic education programme, analysis and collection of the views or the compilation of data, women’s issues had always to be taken on board.

At the National Constitutional Conference, women had ensured that out of three delegates from the districts, one was a woman. Women’s organisations had a slot to nominate women delegates. Hence, they ensured that there was a strong presence of women representatives at National Constitutional Conference. It is evident that the women at the Constitutional Conference did not let down those they represented. The women from the constituencies had given their agenda, those in the CKRC had ensured that the agenda for Kenyan women was comprehensively tabled at the National Conference and that the women delegates took the baton and ran their part of the relay race. The women at the conference met every Tuesday and Thursday at the Roast meat, (Nyama Choma) Place at Bomas. They met to share what was happening in the various committees, to educate themselves on particular issues, such as, Mixed Member Proportional Representation (MMPR), Devolution, Affirmative Action, among other issues. They mapped strategies at various committees and also gave feedback shared with other women. It was clear that women had already proved that they can achieve success, just as their male partners; what they needed was to provide them with a level playing ground.

Women demonstrated their capacity to negotiate. The basket full of fruits in the 2010 constitution is a testimony to their capacity to negotiate. It is a constitution that also has one of the best Bills of Rights in the world,” which some provisions related to women’s representation in elective and appointive
bodies e.g. Article 27 can only be amended through a referendum.

Of great significance is the fact that women from Kenya’s many ethnic communities could focus on what unites them and consolidate their interests and end up with a constitution that beats many others in the world in terms of its focus on women, and the whole concept of inclusivity. Kenyans, and indeed other multi-ethnic nations in our region, should acknowledge our ethnic diversities and our values and interests that bind us together.

Not Yet Reached the Destination
The women have remained vigilant at the constitutional implementation stage. They were concerned with lack of mechanisms for the implementation of the two-third rule in constituting the National Assembly and to a certain extent the Senate as presented in Article 97 and 98. They argued that implementation of the “not more than two-third gender representation principle, (Articles 27 (8) and 81(b)” had to be done. This matter is considered urgent because the nation is heading to the 2012 general election whose results, if not in compliance with the constitution, would lead the country to a constitutional crisis. Women have proposed mechanisms for implementation of these articles through their network of National Women’s Committee on the Implementation of the Constitution, representing all organisations. The struggle for implementation of the not more than two third rule continues. The government asked the Supreme Court for advice on how to deal with this issue.

On the December 11, 2012, the Kenya Supreme Court determined through a majority rule that the provision will be implemented progressively. The Chief Justice disserted from the ruling arguing that the provision should have been implemented immediately. However, the court ruled that it could not be immediate. The struggle continues.

Given the decision, the next parliament after 2013 election, will have about 17% women’s representation in National Assembly, over 25% in the Senate and 33% in the County Assembly. The provision of not more than 2/3rd rule is also being implemented in the public appointments, especially in the constitutional and other commissions. These are the fruits of the historic journey of the Kenyan women to country’s leadership. Affirmative action of at least 30% representation is critical for the journey towards gender equality in women’s representation to be realised. Women will not give up until this battle is over for Eternal vigilance is the price of liberty.

Learning from the Process
Globally, women continue to learn from the way other women organise themselves to transform the world around them. Women learnt being represented by women of their choice in the same way that persons with disabilities had a right to be represented by those in their category is critical in the struggle for leadership and in negotiating their space in political leadership positions. Similarly, minorities had a right to be represented by minorities. Including minorities and women in the reviewprocess provided diversity and therefore enriched the wider society by challenging the dominant ideas and values and by giving various categories an opportunity to bring their experiences and knowledge to the Review Process. Only in this way could society be opened up to new ideas, promote debate and protect it from narrow mindedness.

Kenyan women created structures that were very useful for their struggle in the review process. The coordination around Mothers in Action, the creation of Women’s Political Caucus (1997), Women’s Political Alliance (2000), Coalition on Violence Against Women (COAW) 1998, the constituting of the Committee on Affirmative Action in (1999), constituting of the National Women Negotiating Team (2007), the creation of the Women Lobby Team (1999/2000), creation of Women’s Organisations Coordinating Committee for protecting women’s gains (2009/2010), G10 group formation (2009), Caucus for Women’s Leadership Regional Assemblies, even Warembo na ‘Yes’ (2010) is heart and mind warming. Also the creation of Women Mobilisation Networks by the Collaborative Centre for Gender and Development (1999) show that women can create structures to hold them together and move their agenda forward. Women in Kenya need to acknowledge these structures and build on them and see how they can continue to serve them. From these experiences, women must be free to learn, to teach, to share knowledge, to explore, to scrutinise and to convert knowledge to power (Kabira 2012). These structures have been inclusive, horizontal, and dependant on collective and individual commitment as they have represented different skills, have considered age and experience, are multi-ethnic, are across political parties and respect different expertise. It is to women’s credit that they have come together at crucial moments, even without resources, and have coordinated themselves to push an issue they are passionate about, space in leadership.

Women have learnt many things during the last twenty years of the struggle. They have learnt to speak, share with each other, explore different strategies, and to scrutinise their initiatives. The struggle for women’s leadership in Kenya will focus on going beyond numbers to ensuring transformative leadership takes place. They distil the knowledge gained from their experiences, re-define the philosophy guiding their movement and their vision
of society so that their leadership can and will transform the societies. They need to form flexible inclusive structures that they have been creating at the national and grassroots levels and translate this knowledge into power. They can and should continue action and reflection to come up with strategies that keep them together at critical moments. Those factors that are unifying, such as women’s representation through Affirmative Action, improved electoral systems, struggle against gender based violence in all its various manifestations, institutional frameworks for women’s networking, collective bargaining and the mobilising structure must be nurtured. Women’s gains in knowledge about decision making, political leadership and development are unique. With time, they have developed skills of sharing, listening, reflecting and emotional commitment to the development of a better social order, which needs to be harnessed for positive action, for social engineering and for greater wellbeing not just for themselves but also all other members of our community.

CONCLUSION
The story of Kenyan women on the path towards political representation has been like the great river referred to by Mrs Margaret Ogola:

“For the great river starts its journey as a little stream which at first meanders around without any apparent direction, sometimes disappearing underground altogether, but always there, always moving towards the sea” (Ogola, M. 1994:71).

The journey has sometimes been fast and steady, at other times; the women’s voice has been faint, underground but always there. This has been their path since 1991 when the focus was to reclaim their space in society. The women of Kenya had, like the old woman in the poem “Grandma Remembers,” worked very hard and explained themselves to everyone who was willing to listen and even those not so willing to listen.

‘Tired of being children of a lesser God
We must operate from the centre,
We must live our dream,
We must decide on our destiny and that of our people’, (Kabira, 2012: 9).

For close to twenty years, women have worked together, collectively and steadily bargaining for their space in political leadership. They have walked up the mountain top and looked at the beauty of strategic and collective bargaining. They have moved to get what societies have denied them for centuries, place to sit at the negotiating table and determine their own destiny and that of their people.

For the women, looking at their history and acknowledging the struggles of many of them, one can plant the necessary consciousness for understanding and harnessing their struggle towards a better social economic order. As the process of implementation of the new constitution takes shape, women in Kenya are on guard. The court cases related to implementation of Article 27 of the Constitution (2010) on not more than two-thirds of elective and appointive positions of either gender is a pointer to the hurdles in the implementation process. The story of Kenyan women is unique in some ways but this moment has been experienced in Uganda, Rwanda, Tanzania, Ethiopia, South Africa, Sudan and even to a lesser extent Somalia. African women are on the move. Women have walked the path steadfastly and with unparalleled commitment. Their diligence and unrelenting struggle is reflected in our new constitution.

Women of all walks of life, of all ethnic groups, those who had gained knowledge through experience, religious women, politicians, entrepreneurs, all women, myriads of them – walked together towards the same goal; and they walked in step towards the same destination. It is indeed, Time for Harvest (Kabira 2012).

As Mari Wilson in her foreword note in If Women Ruled the World:

“The values that women uniquely bring to the table, empathy, inclusion across lines of authority, relational skills, community focus, are vital if we are to solve monumental issues facing our world” (Ellison Sheila, 2004: xvi).

That is why women in Kenya today celebrate the increase in numbers in political and other institutions, they appreciate that leaders in these institutions are critical in order to transform our societies and that the experiences of women at all levels will bring new perspectives into leadership and help shape more friendly policies and legislations. This is the case with the Kenyan women historic journey to leadership and that is why the motto should be ‘lifting others as we go up’, for this is only the beginning.

REFERENCES


