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WOMEN IN POLITICAL LEADERSHIP

Background

Kenya remains greatly challenged with regard to women's ascendancy into political leadership positions. Currently, the Kenyan parliament has only about 23.3% women representation, a figure that includes seats reserved exclusively for women representatives. This is however slightly above the global average of 18.8 per cent women representation in parliaments.

Some African countries have already attained the critical mass threshold of 33 per cent women's representation in decision making. Over the past decade, all the countries in the East African region have overtaken Kenya on all measures of gender equality indices. In particular, Rwanda has rapidly recovered from genocide to become the leading country in the region and the world on its gender parity index, currently standing at 56 per cent women parliamentary representation.

As per the 2019 Kenya Population and Housing Census report, women constituted over 50.3% of Kenya's population. Yet, their representation in the political arena has consistently been lower compared to men. As a result, they lag behind in governance, power, decision-making and elective politics.

Since representation is important in the allocation of resources, laws have been passed to guarantee gender parity in decision-making. For instance, the 2010 Constitution introduced a two-third gender rule to enhance parity in legislative bodies at both county and national legislative bodies.

The constitution has tried to bring more women into the political arena through the provision of a gender quota through the forty-seven (47) seats reserved for women representatives at County level among other affirmative action seats. However, the low implementation of the two-thirds gender rule by the legislative arm of government and other policy makers continues to deny Kenyan women to fully exercise their leadership abilities. So far, the two-thirds gender rule which is a very important measure is only effective at few levels more specifically at the County level and at the Judiciary.

Status of women's Political Leadership

1. Legislature

In the 2013 general elections, there were 11,720 men who vied in all elective positions while 971 women vied. In the 2017 general elections, there were 13,242 men who vied in all elective positions while 1259 women vied.

Success rate of candidates

Of the 11,720 men who vied in the 2013 general elections, 14.82 percent were elected. Additionally, of the 13,242 men who vied in the 2017 general elections, 12.91 percent were elected.

Of the 971 women who vied in the 2013 general elections, 12.01 percent were elected. Additionally, of the 1259 women who vied in the 2017 general elections, 13.02 percent were elected.

A slightly higher percent of women than men were elected in the 2017 general elections.

The above statistics affirm that women are elected the same way as men.

- There was a 29 percent increase of the female candidates competing in the 2017 general elections, compared to 2013.
- There was a 13 percent increase in male candidates competing in the 2017 general elections, compared to 2013.
- There was a 13 percent increase of women elected to office, out of all women candidates – the same as 2013 despite an increase in competition.
- There was an 18 percent increase in the number of women elected to office in 2017 compared to 2013.

There is a clear indication that more women are daring the political space.

The IEBC gazetted 1862 persons as duly elected, which includes 172 women (9 percent of the total). Among the women elected were three governors and three senators, 23 Members of National Assembly, 47 women Members of National Assembly, 96 members of County Assemblies. The success rate of women in 2017 remained similar to 2013, with around 13 percent of candidates winning office. The net increase in number of women candidates meant that more women gained office overall.

The elective process of 2017 yielded way below the constitutional threshold of 33.3 percent of women in Parliament which has continually failed to establish a legal mechanism for addressing this situation, despite carrying the mandate for ensuring that the not more than two thirds gender provision can be actualised.

East Africa Figures

Kenya has the largest economy and highest GDP per capita in East Africa, but it is the only country in the region yet to establish an affirmative action programme for gender representation in parliament.

- Political representation of Kenyan women now stands at 20.7 %,

- Rwanda's 58%
- Tanzania's 36%
- Uganda and Burundi both at 35%

Interesting statistics

Twenty-one out of 67 senators are women, which is just short of the two-thirds gender rule. Only three of the women were elected to the senate while 18 were nominated.

One in five members of parliament in Kenya is a woman.

Although the county assemblies meet the gender parity law, mostly through nominations of women, just one of 47 county assembly majority leaders is a woman while just four women are speakers. The remarkable improvements realized in County Assemblies is as a result of the constitutional framework that obligates political parties to nominate women so as to attain the Two-Thirds Gender Principle. a) Enact laws for the realization of the Two-Thirds Gender Principle in elective positions; and, b) Provide a formula or replicate Article 177 of the Constitution for the National Assembly and Senate.

At the County Assembly, there were 12 counties that did not elect a single woman into the county assembly. These counties included: Kwale, Garissa, Wajir, Mandera, Isiolo, Embu, Kirinyaga, West Pokot, Samburu, Elgeyo Marakwet, Narok and Kajiado. The mechanism that was provided for ensuring the achievement of the 33.3 percent women in county assemblies, involved topping up the extra numbers of women through nomination using party lists. Even with this mechanism, some counties failed to reach the constitutional threshold namely: Taita-Taveta, Trans Nzoia and Narok Counties.

Women who made it into the decision making offices through affirmative action mechanisms, have continued to struggle with gaining their due respect and legitimacy as equal members of these positions.

2. Executive

Kenya has met the two-thirds gender rule at the Cabinet level but falls short at the principal secretary rank. The Constitution stipulates that the President can appoint a minimum of 14 and a maximum of 22 Cabinet Secretaries.

Seven out of 21 cabinet secretaries are women in conformity with the two-thirds gender rule while just a fifth of principal secretaries are women.

In the counties two out of 46 governors (Nairobi has no governor) are women.

3. Judiciary

Women have fared better in the judiciary with 40% High Court Judges and 33.7% Lower Court Senior Magistrates. However, the government and all the stakeholders have to fasten the full implementation of this measure for it be effective in all the areas as a way of achieving the constitutional requirement.

Women judges are well represented in the magistrates' courts but they are in the minority in the superior courts.

Over half (269 out of 503) of magistrates are women. However, a deeper look at the figures reveal that pendulum swings in the opposite direction among chief and senior magistrates with 43 per cent (58 out of 135) of them being women.

Three out of the seven Supreme Court judges are women. Moreover, the Chief Justice and President of the Supreme Court is a woman, Hon. Lady Justice Martha Koome. There are ten males and ten female judges in the Court of Appeal while there are 29 male judges compared to 26 female judges in the High Court.

Gender gap

Kenya ranked 109 out of 153 countries in in the Global Gender Gap index 2020. The country has almost closed 67 per cent of its overall gender gap.

Position	Women	Men	% of women
Cabinet Secretaries	7	14	33.3
Chief Administrative Secretaries	9	20	31.0
Principal Secretaries	8	36	18.2
Diplomatic Corps	13	43	23.2
Governors	2	45	4.3
Deputy Governors	8	38	17.4
County Commissioners	14	33	29.8
Deputy County Commissioners	34	261	11.5
National Assembly (47 WR, 23 Constituency Members, 6 nominated)	76	273	21.8
Senators (3 elected,18 nominated)	21	46	31.3
Chairpersons of Committees in National Assembly	4	30	11.8
Vice Chairpersons of Committees in National Assembly	8	24	25.0
Chairpersons of Committees in National Senate	1	19	5.0
Vice Chairpersons of Committees in Senate	5	12	29.4
Members of the County Assembly (96 elected 650 nominated)	746	1,431	34.3
County Assembly Speakers	5	42	10.6
Supreme Court Judges	3	4	42.9

Court of Appeal Judges	10	10	50.0
High Court Judges	26	29	47.3
Magistrates	214	244	46.7
Women on SOE Boards			26

Source: Various (KNBS, KNA, Senate, CAF, Executive Order)

Position	Number of Women who vied	Number of women who won	Percentage
President	0	0	0
Governor	9	3	33.3
Senator	21	3	14.3
Constituency Member	134	23	17.2
Woman Member of National Assembly	299	47	15.7
MCA	796	96	12.1
Total	1259	172	13.7

Source: IEBC

The above figures suggest that for women to achieve the 33.3 percent rate in elective politics, with the same average success rate of 14.8 percent, it means that a total of 4,295 women would need to vie for the various positions.

Hindrances to Women's Effective Political Participation

- 1. Cultural barriers – Patriarchal nature of our communities.** Women are not supporting their fellow women in politics because of the cultural barriers that always gives the men an upper hand in family decisions. In some communities, the men dictate which candidate the wife should support and this limits some women in carrying out political campaigns for their fellow women. To some extreme ends, they even keep the national identity cards of their wives and insist on accompanying them to voting polls.
- 2. Political violence and propaganda.** Despite the existence of code which governs electoral processes, there has been a challenge in the enforcement of these laws, particularly related to electoral offences. This has resulted in the continuous subjection of women candidates to threats and intimidation by opponents, as well as smear campaigns. Due to this, women are discouraged to take part in national politics due to these occurrences as perpetrators went unpunished.

- 3. Campaign financing and resources.** The absence of adequate finances affects the equal participation of women. Political campaigns, media coverage and even printing posters and paraphernalia to market candidates costs a colossal amount of money which most women aspirants are not able to afford. The absence of funds of women candidates meant that the media would not cover the campaigns and grant for airtime as well as coverage of their campaign activities.
- 4. Failure to implement legislation on women's legislation.** Inability of the Legislature to enforce the two-thirds gender rule continues to hinder equal participation of women in politics.
- 5. Lack of support from fellow women.** The limited participation of women in elective public offices could be attribute to the lack of support from their fellow women. Fellow women could at times discourage them or even fail to vote for them when contesting national office. This is despite women constituting more than half of the Kenyan population. Instead of women uniting for a common course, they have often been divided and not willing to see their fellow women rise through the political ladder.