



SCENARIOS ON THE STATE OF WOMEN'S POLITICAL LEADERSHIP AHEAD OF KENYA'S 2022 ELECTION

CYPRIAN Orina-NYAMWAMU

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The overall political, economic and socio-cultural context

- Failed MOUs, fall outs in the presidency, divided society
- Stronger Early warning system, strengthened mediation resources
- Poor economic performance, impeding economic crash;
- the COVID complicated social context – VAW , mental illnesses
- The youth bulge- can be youth dividend or youth curse
- Increasing security threats in the region- Ethiopia, SS, Somalia, relationship with Uganda- developments in Afghanistan and their impact in Somalia;
- Institutions and preparedness;
- Socio-cultural trends and barriers

1. COMPREHENSIVE ANALYSIS OF THE STATUS OF WOMEN'S POLITICAL LEADERSHIP

1. The women's interest to vie for political seats, Participation as candidates
2. Membership and leadership of political parties
3. Presence in the National Assembly, Senate, the County Assemblies, Governors
4. Leadership in Parliament and the County Assembly
5. Leadership in Cabinet and other important commissions and independent office
6. A SWOT analysis of the women's leadership

1.1 vying as aspirants and candidates

- The number of women vying for political office increased by 29% in 2017 as compared to the number that offered themselves for office in 2013. The 29% increase led to a 13% increase in elected women;
- Many barriers to women vying remains including the security, psychological, financial, institutional, socio-cultural barriers
- One of the candidates narrated her story to the NDI Partner Tuvuke research team as follows “I had to put up with a lot of gender-based insults,” remarked one female candidate quoted in the report. “My family and my children especially suffered very intrusive public attention.”
- We conclude that vying is the key to progress, we must invest in getting women leaders to vie for political office, it is the game changer
- Ongoing efforts from civil society organizations to train candidates helped to inspire more candidates to run for office, while regulatory improvements better incentivized political parties to recruit and elevate women into leadership positions. These are important gains that should encourage women to vie;

29%

Increase of women candidates competing in the 2017 general elections, compared to 2013

13%

Increase in male candidates competing in the 2017 general elections, compared to 2013

13%

Percent of women elected to office, out of all women candidates – the same as 2013 despite an increase in competition.

18%

Increase in the number of women elected to office in 2017, compared to 2013

1.2 Membership and leadership of Major Political Parties

- Out of the top seven registered political parties in the country with significant presence in Parliament namely Jubilee, ODM, now UDA, ANC, Wiper, Ford Kenya and KANU, it will be noted that there is none with a woman Party leaders. Only UDA has a woman Secretary General of the Party.
- The fact that major political Parties are NOT women led is of great concern and it indeed affects how political party primaries are conducted and if more women will win the tickets to represent their parties from constituencies where the parties are strong.
- In a country where the big 5 ethnic communities determine political outcomes, women being nominated by these major parties to vie in their political bases is key to success;

1.3. Presence in elected offices

- For the first time in Kenya's history, women were elected to serve as governors and senators
- Women now hold 172 of the 1,883 elected seats in Kenya, up from 145 after the 2013 elections. This an 18% increase;
- Prior experience in politics was a major factor in their success. The Kenyan policy to appoint women from party lists to special seats in parliament and local legislatures has led to longer term political success because it affords them the opportunity to gain political experience.
- Of the 18 women appointed to the Senate in 2013, 14 went on to run for elected positions in 2017 and had a 35 percent success rate in gaining office.

Fig 7. Women as Percent of Elected Seats
2013-2017



1.4 Presence in Cabinet, important commissions and independent offices

- While we have seen H.E the President appoint 7 women out of 21 Cabinet Secretaries this actually represents 29.2% of the cabinet not 34% least expected in law;
- The ministries and parastatals are an interesting area to study- using the Carribean revelation in the Common wealth study;
- A study needs to be commissioned to assess the presence of women in the judiciary, commissions, independent offices

1.5 Leadership of Parliament and County Assemblies

- The National Assembly, Senate and the Parliamentary committees in both Houses are greatly controlled by men
- Only 4 Women were elected Speakers, down from 6 in the 2013 County Assemblies; two of them were deposed/ousted later
- This lack of real power to lead key legislative and policy organs is of concern even as the numbers improve;

1.6 A summarized SWOT of Women's Political Leadership

- Strengths: COK 2010, more elected, more role models in all spheres, improved security for women including a more developed referral network and justice system;
- Weaknesses:
- Threats; GBV, ethnic based politics; socio-cultural threats, Political Parties controlled by monied men, AA backlash like in Uganda and elsewhere-
- Opportunities: New Alliances offering women more space, more media outlets esp FM stations and TVs, Partnership for civic education with religious leaders, more government programs, emerging issue based politics which needs to be developed further;

2.0 Scenarios, vectors and factors

We examine seven VECTORS for Scenario building

- 1) Preparedness of women candidates
- 2) Public attitudes on women's leadership
- 3) Preparedness of electoral institutions and Parties
- 4) Electoral violence and GBV
- 5) The legal framework and women's leadership
- 6) The Issues of the 2022 general elections and its impact on women's leadership
- 7) COVID-19 and its impact on women's leadership

2.1 Women Preparedness Vector

The scenarios that women politicians will find themselves in will be three:

- A. Good number of women offering to be aspirants and candidates increasing candidature by more than 35% of the 2017 candidature
- B. Totally unprepared women chicken out and the number of women candidates in the election dips below the 2017 levels
- C. Intervention by stakeholders hurriedly encourages women aspirants to offer themselves but most do not make it past the Party Primaries and those who make it through the party primaries suffer a beating in the elections proper bringing the number of elected women below 172

2.2 Public attitudes on women's leadership

There are various scenarios on this particular vector;

- A. Public attitudes on women's leadership have improved greatly since 2017 hence helping women vying and winning elections to increase beyond 172 elected women (unlikely)
- B. Public attitudes have gotten worse due to the less than satisfactory performance of women elected to serve in various roles in a patriarchal political terrain; also due to negative cultural norms, practices and traditions, beliefs etc and an affirmative Action backlash leading to women suffering regrettable losses in the party primaries and in the final elections;

2.3 Preparedness of Electoral institutions and Parties

- **IEBC:** A credible and well prepared IEBC with reliable processes is key for women candidates performing well by avoiding bribery and processes prone to manipulation.
- Avoiding expensive petitions and election disputes is in the advantage of women candidates
- **ORPP:** Credible party primaries will favour women aspirants
- Shambolic nominations shall disadvantage women aspirants
- **Political Parties:** If parties do not carry out credible primaries, do not have women as leaders and as Party Primaries election managers will lead to the usual rigging out of women upfront, invite violence to the process and scare off women from the exercise;
- **Courts and Tribunals:** Effective dispute resolution is key to ensuring that women get justice in the party primaries and in the petitions after the main election itself
- **Elections Observers/Monitors:** Peaceful primaries, that are credible and credible free and fair elections will give women aspirants and candidates a big boost in the elections; the opposite will disadvantage women aspirants and candidates

2.4 Electoral Violence and GBV

- i. The quality of policing: The fairness, impartiality and preparedness of the National Police Service
- ii. Ethnic and political incitement, hate speech, insults and open provocation of groups and communities;
- iii. A subculture of violence in Kenya that has been adopted by our own secondary school children. NCIC has noted this in their Blue Print for “A violence free 2022 Election”
- iv. The fall out between the President and the Deputy President and its impact among communities (grievances of dishonored MOUs, betrayal of loyalists in Jubilee)
- v. Perceived use of the deep state or system in favouring certain candidates or aspirants close to the president
- vi. Many unemployed youth who are forming and joining gangs and militia groups

Electoral violence & GBV

- vii. Social media impact and fake news that is pervasive and poses a really danger in 2022
- viii. The pervasive poverty and famine, drought and the general vulnerability in the semi-arid and arid areas in the country driving resource conflicts in about 19 counties; women voters and candidates in these counties will face difficulties participating in the party primaries and main elections amidst cattle rustling, resource conflicts that are normally ethnically defined;
- ix. Management of campaigns and the problem of impunity- as was seen in Matungu and Kabuchai where election officials were beaten and no serious consequences followed
- x. The NDI FIDA-K report observed as follows “examples of the intimidation, harassment and violence women faced while campaigning. More common than acts of physical violence was the widespread utilization of psychological abuse aimed at making life unacceptably difficult and uncomfortable for women who chose to enter the political arena”.

The Scenarios here may include the following;

- The police, are prepared, drilled and deployed to work closely with communities hence enforcing security across the country with women candidates, officials, voters being assured of their security hence an excellent and free environment for women to vie as aspirants in political party primaries and in the main election
- Biased Police action invites provocation and reaction from sections of the country and parties creating a violent driven party primaries and elections that drive women away from active involvement in the electioneering period leading to their suppressed numbers leading to a worse off performance and results than 2013 and 2017.

2.5 The Legal Framework and Women's leadership

■ Scenarios review:

- a) The legal reforms are enacted leading to enhanced election of women to avoid a large number of nominated/ top up seats for women;
- b) The legal reforms are not enacted leading to a very stifling environment for women aspirants and candidates in the 2022 general elections
- c) The reforms are enacted leading to a more devastating Affirmative Action backlash in the elective seats like the 290 constituencies, senatorial, gubernatorial

2.6 The Issues of the 2022 General Election and Women's leadership

■ Scenarios Review:

- a) Issue based 2022 election around issues of empowerment, economy, families and livelihoods where women are more trustworthy to deliver than their male counterparts hence giving women a upper hand in the party primaries and the main election;
- b) Ethnic and religious sexist mobilization where women do not have a strong grip over the narrative hence suffering heavy losses in the party primaries and the eventual main election;
- c) A mixture of the two giving women an advantage if they are given a say in their political parties and also leading to many women losing in the elections hence returning a stagnant outcome in the 2022 election

2.7 COVID-19 and Women's Leadership

- The COVID-19 pandemic and reality has impacted the political scene
- The socio cultural and economic impacts including increased poverty, limited incomes for families, increased dependency, increased incidences of failing mental health crisis, increased GBV at the family front,;
- Legal political aspects include COVID restrictions, exposure to members of the public, indoor meetings risks;
- **The Scenarios under the COVID-19 vector include**
 - A. Women take advantage of their social networks especially in churches, use ICT to coordinate and network better, work with the Youth, spend less and increase victories;
 - B. The increased poverty, insecurity, demand for handouts and insecurity make the context very difficult for most women aspirants leading to very poor performance in both the Party primaries and in the main election
 - C. The COVID-19 pandemic worsens in 2022 forcing the government to lock down and limit meetings, worsened economic situation

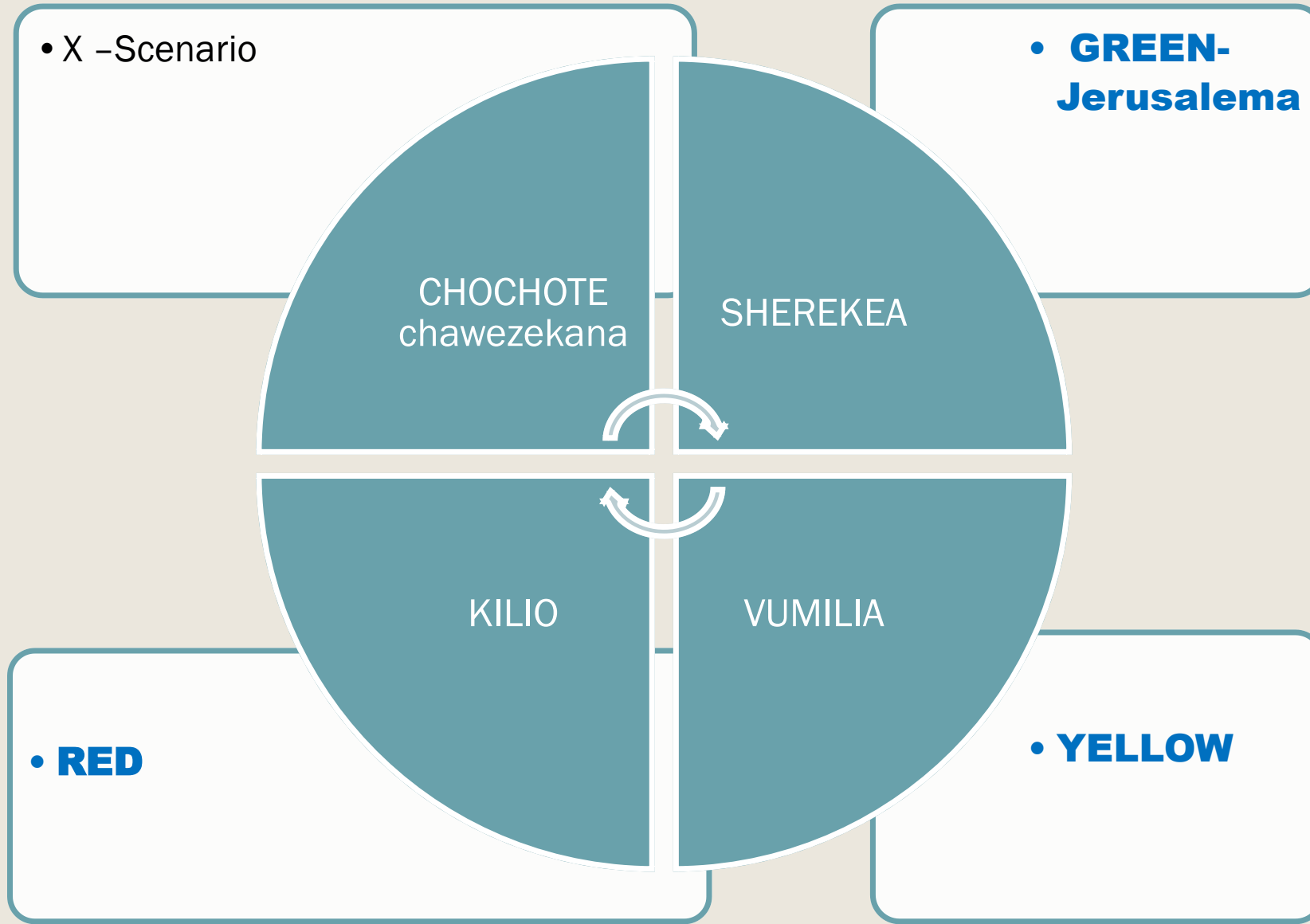
2.8 interference

- Women's Political Leadership is heavily affected by the context campaigns and if integrity is upheld or not. Corruption, bribery, interference of processes and manipulation of the democratic and political processes badly affects women's leadership and the effectiveness of leadership, institutions and governance in Kenya.
- The need to effectively enforce the campaign financing regulations is key to creating the favourable environment of integrity
- Ensuring that political parties nominations and processes are not manipulated is key
- Ensuring that the IEBC officials and processes are not interfered with even by security agencies as it has been the case before in Kenya is a prerequisite to sustaining gains in women's leadership;

Scenarios Under this vector

- Campaign finance regulations enforced to curb bribery of voters, institutions conduct processes with integrity, the Security agencies do not interfere with IEBC and elections agencies; This mostly a credible election which will mostly favours women candidates.
- Corruption, interference, and manipulation of processes is unpunished and the bribery of voters to vote for the most monied candidates goes on in a rampant manner and this greatly disadvantages women candidates most of whom do not have political cash to dish out in large amounts.

THE SCENARIOS AT A GLANCE



3. Conclusions Recommendations

- Firstly, there has been progress in all KRAs of the Women's Political leadership since the promulgation of the COK2010. However this seems to be headed for a very difficult political season due to the refusal to fully implement the constitution by the National government.
- Secondly, the country seems to be caught in a cycle of being unprepared to conduct credible elections or lacks the good will to pass progressive legislations, policies and programs as is required in Article 28 of the Constitution to enable women participate at an equal footing with men in the electoral process. This is of great concern and it inordinately disadvantages women's participation in governance processes but particularly in enhancing women's leadership in the country.
- Thirdly the threat of violence against women as the more disturbing form of Gender Based violence (GBV) noted in elections cycles remains unmitigated in a satisfactory manner. It keeps rearing its ugly head in every electoral cycle. As it has been noted many times in the past, it seems that the more things change for Kenyan women, the more they remain the same. VAW remains patriarchy's main instrument of preservation;

3.1 CSOs

- i. Map the whole country to identify women politicians showing interest to vie to encourage them, offer them mentorship, and networking
- ii. Use ICT platform to train, coach, mentor and track progress for more aspirants
- iii. Create platforms for women aspirants and candidates to use The Media that is most effective in their areas of political interests
- iv. Partnership with Faith Based Organizations and leaders, cultural entities for Gender sensitive civic, education
- v. Engage donor agencies and development partners to invest in demand programming
- vi. Work with other legal, governance and rights CSOs and networks such as ANGAZA Movement- for more prepared elections and security institutions
- vii. Conduct research to demonstrate and document the value of women leaders that is necessary to reversal the Affirmative Action backlash that has gained ground across the country. This research is very strategic in building and sustaining positive narratives in favor of women's Political leadership.

3.2 Political Parties

- Be supported by EACC, NCIC and other agencies responsible for integrity and peace and Security to ensure that the Political Party Primaries are conducted credibly and are free of violence and irregularity.
- Be assisted by ORPP to establish credible membership registers that will be used to conduct Party Primaries
- Enforce the code of conduct that governs all their members, aspirants and candidates and the code of conduct be enforced faithfully and rigorously.
- Ensure that their members are not involved in incitement, hate speech of any, stop provocative insults and sexist slurs as it has become the norm
- That Political Parties make rules that promote and enhance the participation of women in the elections as candidates
- Parties should support the passage of enabling constitutional, legislative and other administrative reforms that will make the conduct of election fair, free and credible.

3.3 IEBC and Elections Institutions

- Communicate openly about their roles and responsibility in elections, their preparedness, limitations and challenges being faced. This communication must be regular and responsive
- IEBC must take steps to ensure that it is fully prepared to deliver an Article 81 standard of election that meets international standards. These preparations must be verified and confirmed by stakeholders to attract confidence in the IEBC
- ORPP will play a critical role in the elections by ensuring that only Parties that meet the basic threshold of a credible election participate in the elections. In places where party primaries are conducted in a violent, clumsy and shambolic manner, ORPP must deregister or penalize such parties very severely in order to bring sanity to the political governance and processes in Kenya.
- Severe penalties for those who engage in bribery, corruption, and incitement including barring them from vying in the elections should be enforced by the IEBC;
- Refuse to clear those who violate Chapter 6 prerequisite to send a very clear message that violence, bribery, discrimination against others and interference in the process

3.4 security, peace and Conflict institutions (NPS, NCIC)

- To provide and ensure the security for women candidates and their campaigns is guaranteed
- Create an environment of safety and security for all voters across the country without profiling certain areas which
- Curbing cyber bullying and the use of electronic media and other media outlets to harass and demean women candidates and candidates generally
- Disband all gangs and militia across the country by utilizing the available and credible intelligence that is available.

3.5 Parliament, AG, (working with NGECC)

- Parliament still has the time to effect the necessary constitutional, legal and administrative reforms needed particularly to operationalize the not more than two thirds gender quota. The Attorney General's office as Minister for Justice and constitutional Affairs has failed to activate the executive to galvanize the political parties and parliament to pass the necessary legislation.
- The Attorney general should lead the country in putting in place the programs and policies needed to contain and respond to the threat of GBV especially election related violence against women. The Attorney General should operationalize all the ministries including the ministry of Gender to put in place such measures as are required to implement the Women's agenda as was formulated in 2020 under the Minister of Gender's guidance and coordination even if the BBI process seem to have ended in limbo.
- Parliament and the Executive should specifically plan with the IEBC how to safely hold the 2022 general election within the COVID-19 context and if the situation worsened.