

**CLUSTER FOUR: WOMEN'S MOVEMENT AND SELF-MOBILIZATION FOR  
WOMEN'S ECONOMIC EMPOWERMENT - PROJECT ONE**

**FINAL REPORT ON THE PROJECT, "EXAMINING STRATEGIES THAT WOMEN'S  
MOVEMENT USED TO REALIZE THE GAINS IN THE KENYA CONSTITUTION  
2010"**



**Fig. 1: Focus Group Discussion: Kisumu Social Hall, 23<sup>rd</sup> August 2021**

**PREPARED BY**

- 1. Dr. Dorothy Njiraine**
- 2. Ms. Dorothy Khamala**
- 3. Mr. Gideon Muendo**
- 4. Mr. Samuel Njuga**

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## LIST OF ABBREVIATIONS

AAWORD - The Association of African Women in Research and Development  
AMWIK -The Association of Media Women of Kenya  
CBOs – Community Based Organizations  
CCGD - Collaborative Centre for Gender and Development  
CEDAW -The Convention on the Elimination of All Forms of Discrimination against Women  
CKRC – Constitution of Kenya Review Commission  
COTU – Central Organization of Trade Union  
COVAW - The Coalition on Violence against Women  
CPDA - Christian Partners Development Agency  
CSOs – Civil Society Organizations  
DP – Democratic Party  
ECWD - The Education Centre for Women and Democracy  
FAWE – Forum for African Women Educationist  
FEMNET - The African Communication and Development Network  
FGD – Focus Group Discussions  
FGM - Female Genital Mutilation  
FIDA -The Federation of Kenyan Women Lawyers  
GBV – Gender Based Violence  
GCP - Gross County Product  
GOOTS Kenya - Grassroots Organizations Operating Together in Sisterhood Kenya  
KIIs – Key Informant Interviews  
KANU – Kenya African National Union  
KEWOPA – Kenya Women Parliamentary Association  
KEWOSFAN - Kenya Women Sugarcane Farmers Network  
KHRC – Kenya Human Rights Commission  
KNBS – Kenya National of Bureau of Statistics  
LKWV - League of Kenya Women Voters  
MAA – The Maasai Association  
MYWO – Maendeleo Ya Wanawake  
NARC – National Rainbow Coalition  
NCCK – National Council of Churches of Kenya  
NCIC – National Crime Investigation Centre  
NCSW - The National Council on the Status of Women  
NCWK – National Council of Women of Kenya  
NUEW- The New Union for Eritrea Women  
PALAWAMA - Pambazuko La Wanawake Magharibi  
PEFA – Public Expenditure and Financial Accountability  
POA – Provincial Offenses Act  
PROCMURA - Program for Christian-Muslim Relations in Africa  
SACCOs - Savings and Credit Co-Operative Societies  
The 4Cs - Citizens Coalition on Constitution Change  
UNDP – United Nations Development Programme  
WEE – Women Economic Empowerment  
WPA-K - Women Political Alliance Kenya



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## EXECUTIVE SUMMARY

Women have since the 1960s strived for political, economic, and cultural emancipation, with more returns being realized in the formulation and enactment of the Constitution of Kenya (2010), where progressive provisions for women's empowerment were enshrined in the supreme law. This study aimed at examining strategies women and women's movement used during the constitutional review process in Kenya (1997-2010), to strengthen women's self-mobilization for Women's Economic Empowerment (WEE), as well as to identify best practices for women's self-mobilization. The objectives of the study were to: identify the strategies women's movement used during the constitutional review process in Kenya, document emerging best practices for women's self-mobilization from the strategies identified, explore the strategies used by women in self-mobilization for WEE, and identify policies and legislation gaps for advocacy for WEE. The research applied feminist and grounded theory in which secondary and primary data were collected using qualitative methods. The research was carried out in three regions, that is, Nairobi, Coast, and Nyanza as they had active grassroots women groups and other women movements that participated in constitution-making. Desk review targeting existing global, regional, and national literature and data bases on women's self-mobilization towards economic empowerment and political participation with a special focus on women mobilized for Kenya's constitution 2010 was conducted. Qualitative data was collected through in-depth interviews of autobiographical narratives with selected women, who participated in the Kenya constitution-making process (pathfinders); semi-structured questionnaires with women purposively drawn from women's organizations; and Focus Group Discussions (FGDs) with select women, who were involved in the making of the constitution 2010. Data was analyzed using NVIVO whereby dominant themes were transformed into codes with guidance from the research tools. The data was categorized according to the thematic areas before patterns were drawn for analysis. The study established that women used various strategies during the constitution review process such as working in teams; engaging with the government officials; advocacy; collaborations between women leaders, and men, who supported the women issues; educated women about the constitution through the women groupings as well as through the media; mobilization; collection of views, and having men allies in addition to women stripping naked to agitate for women issues to be adopted in the constitution. Emerging best practices for self-mobilization include use of women groupings for economic emancipation, lobbying, advocacy, and push for implementation of policies in parliament that support women self-mobilization initiatives. Strategies used by women in self-mobilization for WEE include unity of purpose, creating awareness through the media, lobbying parliamentarians, advocacy, meetings, and public education. Policy and legislation gaps for WEE include lack of goodwill from the politicians, individualistic competition, lack of accountability and dissemination channels, poverty, ethnic divisions, and jeopardy from the courts. The study recommends provision of statistics to back up the gaps in channeling the discourse of policy change for WEE, consultation with policy experts in developing policies for WEE, reviving of the women movements to ensure full implementation of the constitutional gains, setting timelines for achieving the constitutional gains, provision of more women economic empowerment programs by the government to women especially in the rural areas, provision of continuous checks and balances to ensure accountability of the leaders in office, involvement of women in decision-making especially in matters pertaining to women and holding of intergenerational fora to ensure passage of knowledge to the young women leaders.

## 1.0 BACKGROUND AND CONTEXT

Constitution-making process plays an integral and critical part in championing a country's democratic state-building. The process is also a significant breakthrough in the country's political growth. As IDEA (nd) argues, a constitution *"sets the tone, spirit and framework from which all other laws and the form of government draw their legitimacy. It is also the document in which the rights of the people are enshrined"*. Notably, as Kabira (2012) emphasized, the constitution making process in Kenya *'involved collecting the views from the public, collating the views in drafting of the new constitution'*.

*"The constitution is for all of us. This constitution is made for every Kenyan. It is not for a simple drive, it is not Mount Kenya. It is for the people of Kenya, and if that constitution is for all of us, it should be able to equally protect all of us"*  
E.M

Constitution making process in Kenya was a critical phase that defined the future of the citizens. It set the phase of women's inclusion, representation, recognition and acceptance in all spheres of development. Women's role in self-mobilization in Kenya may be traced back to pre-independence era when they supported the *Mau Mau* movement by hiding men from the British army, in terms of food provision while others fought side by side with the men (Lichuma, 2017).

According to Papart (1988), *"while women were mobilized and had a key role pre-independence, national liberation didn't cause women's liberation"*. This fact is further echoed by Geisler (2004) who highlighted that *"despite their involvement and participation in liberation struggles, there were no marked changes and/or improvements in their rights and empowerment"*. However, according to Fonchingong et al. (2009) a growing interest in women's collective mobilizations over the last two decades is emerging.

However, while women were mobilized and had a key role during the pre-independence era, national liberation didn't cause women's liberation (Papart1988). This fact is further echoed by Geisler (2004) who highlighted that, *"despite their involvement and participation in liberation struggles, there were no marked changes or improvements in their rights and empowerment"*. Irrespective of the posed setbacks, a growing interest in women's collective mobilizations over the last two decades is emerging (Fonchingong et al., 2009).





The need for self-mobilization, which this study refers to as the process of women organizing themselves in groups or collectively towards common goals, was to a large extent driven by the need for women to counter their subordination and exclusion and was aimed at increasing women's individual and collective agency to improve access to resources like land, labour, capital, and opportunities for self-realization including education and leadership. As Fernandes (2018), argues, strategies that have worked for women's self-mobilization for political participation include alliances, networks and coalitions with other progressive social movements to build spaces for political articulation to collectively construct the political, economic and social justice.

A number of studies indicate that, women have successfully engaged in self-mobilization for political action in other regions such as: Feminist Movement in Philippines (Sobritchea, 2004); Solidarity protests in Argentina (Clare, 2019); contestation, denunciation, and legal mobilization in Colombia (Domingo, Menocal & Hinestroza, 2015); networking, lobbying, and strategic engagement in Rwanda (Arnold, 2011); political parties level engagement in South Africa (Baloyi, 1995) and gender action plans in Zambia (Hassim, 2006).

Some of the strategies that have worked for women's self-mobilization for political participation include alliances, networks and coalitions with other progressive social movements to build spaces for political articulation to collectively construct political, economic and social justice (Fernandes, 2018). Others include campaigning on legal cases of individual women by mobilizing local, national and transactional activism, pushing for the national policy and legislative changes in family, law, labour rights and gender discrimination, and holding public institutions to account for recognizing and responding to concerns of women citizens including political opportunities for women (Nazneen, Hossain & Chopra, 2019).



Additionally, this has encompassed liaising with the international and global institutions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (UNW-CEDAW, 2012). Some of the best practices and lessons on self –mobilization for women’s

economic empowerment comprise India where rural women’s groups acquired and owned land through Savings and Credit Co-Operative Societies (SACCOs) for commercial farming and agribusiness; the market women mode in Nigeria, which provided a platform for strong grassroots women’s movement and the Anlu approach in Cameroon through indigenous mechanisms of legal women’s councils; South Africa’s women’s engagement with the African National Congress, and the Asian example of the use of digital networks to coordinate, and conduct campaigns on various issues affecting women .

*“Women's rights, are not like candy that you have an option to give somebody or not, it's not like food that you have an option that somebody chooses to eat this, chips or githeri or banana; no, it is like oxygen. You cannot start putting barriers and saying, oh, you can only have this much oxygen and tomorrow you can only have this much oxygen, the day after you cannot have the oxygen at all. And this uncertainty on whether women's, issues will be taken into account for me felt like rationing oxygen for women”. A.O*

In the regional context, examples include Market women in Nigeria, who during the colonial period organized themselves through associations, which advocated for and fought for their personal space, e.g. ‘ the Women war of 1929’ also known as the Aba Women’s Riots in which Igbo Market Women protested against British taxation (Ojikutu, 2011), the Abeokuta Market women’s protest against the Colonial government (Ojikutu, 2011), complementarity of men and women’s interests in women’s quest for political office (Ojikutu (2011); Thee Anlu of Cameroon where the Kom tribe had a women led communal disciplinary technique

used to chastise any man for offences infringing on the rights of women (Shaklin, 1990); political party engagements in South Africa (Baloyi, 1995), The Constitution in South Africa (Albie, 1990); Constitutional and Civic engagement, lobbying and networking in Rwanda (Arnold, 2011); The New Union for Eritrea Women (NUEW), which was successful in spearheading a number of reforms including consent of both parties of marriage , raise in the age of marriage from 15 to 18 for women (matching that of men), recognition of both men and women in divorce cases and the extension of paid maternity leave from 45 to 60 days; the implementation of gender equality in sharia laws ( Ahmad, 2005); the Cross Party Women Parliamentary Association (KEWOPA) in Kenya, which proved highly effective in generating new gender- sensitive laws and ‘engendering’ to some extent parliamentary life (Nzomo,



2011); women's engagement with the state in Kenya (Kabira, 2012); International Instruments and Conventions on gender equality such as CEDAW/ BEFA etc. including informed feminist and gender agendas in Kenya (Kabira, 2012); Informal Strategies by women in Kenya in a context of restricted formal access to decision-making and the use of available space by Kenyan women to creatively subvert and contradict norms for female behaviour, thus attracting media attention to their agenda (Nzomo, 2011).

Similarly strong evidence exists that shows women in Kenya have been known to self-organize into informal groups and sometimes formal associations to address their continued economic marginalization. More notably, women have since the 1960s self-mobilized into associations that sought political, economic, and cultural emancipation, with more returns being realized in the formulation and enactment of the Constitution of Kenya (2010), where progressive provisions for women's empowerment were enshrined in the supreme law. The 1970's define purposeful women's movement after the 1<sup>st</sup> International Women's Conference in Mexico (1975), and the declaration of International women's decade; The United Nations International Conference in Nairobi in 1985 culminating in greater visibility of women; the emergence of key women's movement organizations such as Maendeleo ya Wanawake (1952), The Federation of Kenyan Women Lawyers FIDA (1985); The Association of Media Women of Kenya (AMWIK); League of Kenya Women Voters (LKWV); The National Council on The Status of Women (NCSW) 1992; The African Communication and Development Network (FEMNET); The Greenbelt Movement ; The Association of African Women in Research and Development (AAWORD, 1989) ; the Education Centre for Women and Democracy (ECWD); the Coalition on Violence against Women (COVAW); Women Political Alliance Kenya (WPA-K); Citizens Coalition on Constitution Change (The 4Cs); Collaborative Centre for Gender and Development (CCGD, 1996). However, the returns in economic empowerment have remained more elusive, and it is worth assessing what strategies worked in women's mobilization for the constitutional review process, that can be scaled up in the pursuit of women's economic empowerment. Besides, there is limited learning from best practice on what has worked for women mobilization for WEE not only in Kenya but also in other countries. On a scale of 1-5, we would put the availability and uptake of evidence at 1/5 aiming at increasing this to 1.5/5 by 2025. In 10 years', time, we expect to move this evidence to 2.5/5.

### **1.1 Aim of the Study**

The aim of the project is to examine strategies women and women's movement used during the constitutional review process in Kenya (1997- 2010), to strengthen women's self-mobilization for



Women's Economic Empowerment (WEE), in addition to identifying best practices for women's self-mobilization.

## **1.2 Objectives of the Study**

The objectives of the study were to:

- i. Identify the strategies women's movement used during the constitutional review process in Kenya (1997- 2010).
- ii. Document emerging Best Practices for women's self-mobilization from the strategies identified.
- iii. Explore the strategies used by women in self-mobilization for WEE.
- iv. Identify policies and legislations gaps for advocacy for WEE.

## **1.3 Research Questions**

The study was guided by the following research questions:

- i. What strategies did the women's movement use during the constitutional review process in Kenya (1997- 2010)?
- ii. What are the Best Practices emerging for women's self-mobilization from the strategies identified?
- iii. What strategies are women using in self-mobilization for WEE?
- iv. What legislation and policy gaps exists for WEE for lobbying and advocacy?



## **2.0 STUDY METHODS**

### **2.1 Introduction**

Methodologically, this study draws from primary data from the pathfinders, who took part in the process of making Kenya constitution 2010 and grassroots women (drawn from women’s organizations). This chapter presents details of the methodology that was used in the study: the research design, area of study, target population, sampling techniques and sample size, data collection tools, data analysis and ethical considerations.

### **2.2 Research Design**

Research design entails choosing subjects to participate in the study and the techniques, approaches, and procedures for collecting data from the respondents. This research applied feminist and grounded theory methodologies in which secondary and primary data were collected using qualitative methods. Feminist theory focuses on analyzing the nature of gender inequality by examining women's and men's social roles, experiences, interests, chores, and feminist politics in a variety of fields, such as anthropology and sociology, communication, media studies, literature, education among others (Brabeck, et.al. 1997). Grounded theory on the other hand, sets out to discover or construct theory from data, systematically obtained and analyzed using comparative analysis (Ralph, et.al 2015). Qualitative research design was also used to explore and understand people’s beliefs, experiences, attitudes, behavior, and interactions. The strength of qualitative research is its ability to provide complex textual descriptions of how people experience a given research issue. It provides information about the “human” side of an issue – that is, the often-contradictory behaviors, beliefs, opinions, emotions, and relationships of individuals (Hancock, et.al 2007)

### **2.3 Area of Study**

The study was conducted in Nairobi, Mombasa and Kisumu Counties with respondents chosen purposively to participate in the study. The Kisumu interviews drew the respondents from Kasipul Kabondo, Homabay. Mbita, Migori, Busia, Mount Elgon, Kisumu, Kakamega, Mbale, Siaya, Bungoma, while the coast region was represented by respondents from, Kilifi, Malindi, Kwale, Lamu and Taita Taveta. The Nairobi interviews drew participants from all over the country.



## 2.4 Target population

Population is any group of individuals who have one or more characteristics in common that are of interest to the researcher. The study targeted women and women's organizations that were specifically engaged in the constitution-making process. They included:

1. Pathfinders: In-depth interview to capture the lived experiences of luminary women, who were involved in the making of the Kenya constitution 2010 to elicit the strategies that worked for upscaling for WEE. The following is one of the photographs taken during interview sessions:

Fig. 3: Key In-depth Interview in Kisumu



Source: Field, Kisumu Social Hall, 24<sup>th</sup> August 2021

2. Grassroots women (drawn from women's organizations): FGDs to identify the strategies that worked for women's organizations, challenges faced, lessons learnt during the making of the constitution 2010 that can be incorporated in advancing women's self-mobilization. The following two photographs were taken during the FGDs sessions in Kisumu and Mombasa.





Fig. 2: Focus Group Discussion (FGD) in Kisumu



Source: Field, Kisumu Social Hall, 23<sup>rd</sup> August 2021

Fig. 3: FGD in Mombasa



Source: Field, Mombasa Campus, 28<sup>th</sup> August 2021



## **2.5 Sampling Techniques and Sample Size**

Sample size entails the number of participants chosen from the whole population to participate in a research or study (Ngoako, 2011). The respondents were identified through a mixture of purposive and snowball sampling. Purposive sampling. In the former, women leaders, who are known to have witnessed or that are familiar with women's self-mobilization between 1963 and 1975, were identified and contacted for interviews. These women provided oral testimonies as well as key informant interviews. This method was ideal for the study because of the small size of the target population, and therefore enabled the study to get in-depth information rather than generalized broad understanding of the research questions. The sample size for the research was based on the number of women and women organizations involved in the constitution-making process in the selected counties.

The selection of counties for the Hub's study was done in partnership with the KNBS. Data for selection of the counties was provided by the Kenya National Bureau of Statistics. The purpose of selecting counties of the hub's study was to ensure that even though the Hub could not undertake studies in all the 47 counties of Kenya, a wide as possible range of representation of the 47 counties was selected, so that the Hub will have the highest possible impact on women economic empowerment, and to ensure that findings from the counties of study could be triangulated/extrapolated to counties with similar social economic conditions. A total of 15 counties were selected and participants drawn from them. These included: Nakuru, Busia, Siaya, Kirinyaga, Wajir, Nairobi City, Vihiga, Kitui, Kajiado, Kisii, Tana River/ Garissa, Kiambu, Uasin Gishu, Kisumu and Mombasa.

## **2.6 Data collection tools**

Data collection is the process of gathering and measuring information related to study variables in an established and systematic fashion that helps in answering research questions, aid in testing hypotheses and evaluating outcomes (Konar, 2009). Different tools were designed and pilot-tested for each group of informants. The instruments were aligned to cluster 4 project objectives, outcomes and indicators. They include:





1. Desk review of existing global, regional and national literature, and databases on women's self-mobilization towards economic empowerment and political participation with a special focus on how women mobilized for Kenya's Constitution 2010.
2. Autobiographical narrative guide for selected women pathfinders, who participated in the Kenyan constitution-making (1997-2010).
3. Semi-structured questionnaire for individual women drawn from Civil Society Organizations (CSOs) such as GROOTS, WPA, FIDA, CRAWN TRUST/NWSC, Women Political Caucus, CCGD, League of Women Voters, EWCD among others.
4. Focus Group Discussions (FGDs) with select women, who were involved in the making of the Constitution 2010 drawn from women's organizations in the selected regions.

## **2.7 Data Collection Procedure**

The research team comprising of the Lead researcher and two research assistants underwent 1-day training before embarking on the data collection exercise aimed at examining the strategies that women's movement used during the constitution making process. Primary data was collected using the KII interview guides (Pathfinders and CSOs) and conducting of an FGD. The interview guides KII interview guides comprised of two sections. The first part determined fundamental issues including the demographic characteristics of the respondent, while the second part consisted of questions where the variables of the study were focused on. The guides were designed based on the objectives of the study with unstructured questions to encourage the respondents to give an in-depth and felt response without feeling held back in revealing of any information. The FGD interview guide on the other hand, focused on the participants responding to unstructured questions based on the study objectives.

## **2.8 Data Analysis**

Data was analyzed using NVIVO, a software used for qualitative and mixed methods research. The software is used for the analysis of unstructured text, audio, video, and image data including interviews, focus group discussions, survey, social media, and journal articles. The hub constituted two teams tasked with the data analysis process. The first team was tasked with transcriptions and translations of the field interviews (audio and video) under supervision of the quality assurance personnel. While the second team was tasked with the actual analysis of the transcribed and translated data. The data analysis team



underwent a 3-day training on NVIVO before embarking on the actual process. The team members were tasked with the creation of a codebook as per the interview guides to create thematic areas (codes) that helped in the coding process. The team members were then tasked with reading the transcribed text before coding the information from the texts to the thematic areas (codes). The team members also created and linked memos to specific codes to record insights and vital information that is important in the project. Free codes such as interesting quotes (quotable quotes, some of which have been used in text boxes) were also generated as a deposit for substantive information to enhance the project.

## **2.9 Ethical Considerations**

Research ethics is a branch of applied ethics that has established rules and guidelines that defines the research conduct. This requires that researchers should protect the dignity of their subjects and publish well the information that is researched (Fouka & Mantzorou, 2011). In this regard, a letter of introduction and authorization from the National Commission for Science, Technology, and Innovation (NACOSTI) was provided as a request for permission to conduct the study. Respondents were explained the purpose of the study and length of the interview prior to the actual interviews and they participated in the research activity voluntarily, with the option of freely opting out at their own will. Additionally academic integrity was ensured by running testing the report through Turnitin software.

## **2.10 Theoretical Framework**

### **2.10.1 Feminist dialogic theory**

The feministic dialogic theory was informed by the feminist-inspired understanding of dialogic democracy, which is referred in this study as feminist dialogic theory. Representation of women and strategies they used in the constitution making process took into account two critical issues, one for the scale while the other representation. The theory, which borrow from the feminist theory, addresses women's participation in diverse settings such a self-mobilization in constitutional-making.

Feminist, dialogic theory is geared towards achieving various goals. First, the creation of a systematic process of dialogue in which all voices contribute to the ultimate outcome, whereby the voices of women are given a central position. This encourages the participation of women, in specific designed types of processes that will encourage openness to the dialogue. Second, no single form of participation or



dialogue is sufficient for appropriate expression of women’s voices, this means no single model is holistic, hence the process of constitution-making should be designed in a flexible way to incorporate the diverse strategies, amid a wide range of participatory mechanisms in which the weaknesses of one mechanism can be complemented by the strengths of another in such a manner that that a transparent governance is in play. Third, there is need to reimagine the meaning of representation in order to provide real voice for women. No constitution-making process, however participatory, would include all of the women within a country: some form of representation is a necessary mechanism for communicating women’s perspectives.



### **3.0 DATA ANALYSIS, INTERPRETATION AND DISCUSSION OF FINDINGS**

#### **3.1 Introduction**

This section outlines the data presentation of the study as per the thematic areas based on the objectives of the study, which are to identify the strategies women's movement used during the constitutional review process in Kenya (1997- 2010), document emerging Best Practices for women's self-mobilization from the identified strategies, explore the strategies used by women in self-mobilization for WEE, and identify policies and legislations gaps for advocacy for WEE. The study used questionnaires and document reviews to obtain data and information. The researchers recorded the interviews which were transcribed, translated, cleaned and coded for data analysis. The conversations display key findings in the thematic areas using appropriate verbatim quotes.

#### **3.2 Response Rate**

The study targeted a total 70 interviews in the three regions (Nairobi, Mombasa and Kisumu) but only 50 were conducted. Out of this, 48 were Key Informant Interviews (KIIs) that is, Pathfinders and CSOs and 2 were Focus Groups Discussions (FGDs). However, only 47 out of the 50 interviews were coded and analyzed as one interview could not be accessed by the transcriber while two interview recordings were missing. The following is the regional breakdown of the interviews conducted, in Nairobi, a total of 28 interviews (face to face and virtual) out of the targeted 40 (16 Pathfinders and 12 CSOs) were conducted between 5th and 17th August 2021. Between 23rd August 2021, one FGD was conducted comprising 10 (target was 12) informants. The informants represented Maendeleo ya Wanawake, Nyanza Women Caucus, POA, Women's Group, Homabay, Kasipul Kabondo Women Group, Programme for Rehabilitation of Women and Children in Social Economic Difficulties, Homabay, and Migawi Women Group, Homabay. Six interviews were also conducted on the same day. On 24th August 2021, a total of 12 interviews were conducted (total target was 15). The Mombasa interviews took place between 27<sup>th</sup> August 2021 and 28<sup>th</sup> August 2021, whereby on 27<sup>th</sup> August, one FGD was conducted with 10 informants (target was 12), in addition to one virtual interview with a pathfinder. The team then conducted 7 interviews on 28th August 2021, with part of the team travelling to Wundanyi, Taita Taveta to interview one of the pathfinders. Total interviews conducted were 8 (target was 15).



### 3.3 STRATEGIES WOMEN'S MOVEMENT USED DURING THE CONSTITUTIONAL REVIEW PROCESS IN KENYA (1997- 2010)

This section addresses the research question: What strategies did the women's movement use during the constitutional review process in Kenya from 1997- 2010?

In Identifying the strategies women's movement used during the constitutional review process in Kenya (1997- 2010), other factors that contributed to the strategies were also looked into, such as working with key players, the value of working together working and what emerged as best practices from the strategies identified.

The constitution-making process is a journey, which has a point of departure to the final destination. With this understanding, it was also necessary to understand the reasons that made women movements get involved in the first place. Therefore, the following questions were addressed: why they got involved in the process? Which organizations they worked with? Which women and men leaders they worked with? Moreover, they were also probed on what strategies they applied in constitution making, especially their input at various stages and with various agents/influencers/institutions. The study also focused on what challenges they faced, and how they overcame them. Women's movements played a critical role in responding to their quest for liberation.

*“Women missed out on the first cabinet, missed out in political parties, missed out in all power-making platforms. So women, started agitating from that time, like noticing we are not part of this” WM*

Additionally this section contextualizes the role of Civil Society Organizations (CSOs), or women movements in self-mobilization for women's economic empowerment. The findings are anchored upon them to examine their contribution during the constitution-making process, in regard to their role, motivation, successes, challenges, strategies used, and the key players. Also addressed is whether they were involved with other women organizations, and if they were, in what



capacity. These and other questions also focused on their affiliations, sources of funding, the women’s experiences in organizing themselves and the value of working together to negotiate for their interests.

which was also corroborated by one of the responses:

*R: “There were a lot of arguments about should gender really be in the constitution and I remember for me that was like an examination because with Prof. M N and Prof. J O, we were called by the commissioners to make the case for gender in the constitution. And at the commissioners’ offices we were confronted by a very hostile group. But thankfully, there were people like the late O. O, who decided there was a need for a conference at Safari Park to make the case for women in the constitution,” (Pathfinder, Nairobi).*

*“So, if we say that constitution-making process started when people went to Bomas, we would be erasing a serious history before. So it's good to always think about constitution-making as a process that started long before Bomas and if you please, you can even say that. The people like Prof. Micere Mugo, people like Prof. Ngugi wa Thiong’o, and their activism through the pen and book, was actually a constitution-making process” N.B*

Evidence from the interviews revealed that women realized the then constitution did not address their issues adequately prompting them to get involved to safeguard their interests and

*“Women’s movement are essential to expressing diversity, to suppressing our different ideologies as women, but also it's a recognition that we are not homogeneous”  
A.O*

also push for constitutional reforms. This is confirmed by

Domingo *et al.* (2016), who note that the new constitution was a culmination of a failure by the previous political system to address women’s issues. It led them to adopt diverse strategies including lobbying and advocacy for the gender equality and recognition of women’s rights (Kabira *et al.*, 2018; Kabira and Mbote, 2017).

During the constitution review process in 1997 to 2010, women’s organizations were very active as the study found out the following and some of the strategies they applied: *Civic education, Unity of Purpose, Lobbying, Meetings, Having Male allies, Setting a clear agenda, Use of Skits, Debates, Writing memoranda, Networking.* Similarly, they identified

issues advocated for Inclusion in the Constitution as follows: *Equality, Recognition and representation,*



*Political space, Inheritance, Inclusivity, including persons with disabilities, Gender based violence, Two thirds gender representation and religion-based representation.*

Women movements have contributed towards inclusion of women in the constitution. They involved public consultations as a mechanism of inclusion of women voices to be heard. This not only played a visibility tactic and need to engender in choosing dissemination tools like radio and posters which were instrumental in promoting literacy and access through local language stations and also where some tended to affect women disproportionately (ABC for a Gender-Sensitive Constitution, 2015, page 114).

### **3.3.1 Reasons for getting involved**

Similarly, women participated in the constitution-making process for various reasons, such as to advocate for women inclusion in the constitution, create awareness on the constitution, ensure women participation in development, create leadership space for young women, and ensure women inclusion in leadership positions. For instance some of the pathfinders' responses were:

*R1: "I wanted to fight for women, to see how they can be helped to rise from adversities and also informed about the constitution," (Pathfinder, Mombasa).*

*R2: "I was very interested in women's participation in development and what governments can do. So, while at the CBF we started a move to do statistical gender disaggregated statistics. You see when you collect statistics then you have to tell us who is benefitting where and who is who and who is where, not just blanket planning," (Pathfinder, Kisumu).*

*R3: "I decided to join because I felt I needed to do something with women and at that time I felt that young women did not get space and I felt that the only way for me them to get space is not to complain but to send yourself," (Pathfinder, Kisumu).*

*R4: "I had of course vied as a member of parliament at Thika and I competed with strong men, and therefore, I again, felt it is this constitution that is going to help women because there are those challenges that I noted when I vied as a member of parliament so again, I found that in the constitution, there are issues that could be solved, and therefore, I fully participated in the constitution making," (Pathfinder, Nairobi).*

These responses from the respondents reflect the quest for women's liberation from the oppressive culture, religion, socioeconomic and patriarchal systems. This corroborates with other scholars





arguments such as Domingo et al. (2016), Kabira et al., 2018; Kabira and Mbote, 2017, who expounded on issues surrounding marginalization, misrepresentation leading the women to adopt diverse strategies including lobbying and advocacy for the gender equality and recognition of women's rights. Failure for the governance system to acknowledge and recognize women's rights were some of the reasons that women and women organizations got involved. From the earlier studies carried out on related literature, women's mobilization and communal endeavours in Kenya became most evident during the colonial era as women took part in the fight for independence through the Mau movement. Women featured prominently in the Mau network serving as the link between the fighters in the forests and the reserves. Besides Kenya similar events were taking place elsewhere. For instance in South Africa, during the apartheid era, South African women mobilized themselves across the divides of race and income through the "motherist approach" where they drew attention to the problems they were facing as mothers (Britton & Frish, 2009), while in Nigeria, among the Yoruba, the Iyalode, a group of individual high-status women, got involved through their local movements, (Adamu, 2006).

A similar trend emanated whereby the organizations got involved for various reasons which included but not limited to: ensuring women issues are included in the constitution, the constitution as a source of reprieve from poor governance, creating a platform for women to be heard, as expounded by some of the respondents, below:

*R1: "We were thinking on issues about women empowerment so that we could also uplift our women issues such as decision-making and leadership," (CSO, Nairobi).*

*R2: "We recognized that the Constitution was a key institutional mechanism for enhancing women's political participation, but even more broadly, civic engagement," (CSO, Nairobi).*

*R3: "They could just underrate you, and so when the constitution came, and I think after reading it, it was that at least we have a chance," (CSO, Kisumu).*

*R4: "A lot of these people who are members of forces had suffered directly or indirectly, under these two powerful regimes. And so, they believed in change through the constitution," (CSO, Nairobi).*

These responses expose the unfair and uncondusive environment surrounding women, especially due to the patriarchal and cultural settings in most African societies (Ondicho, 1993).





### 3.3.2 What motivated them?

The CSOs were required to respond as to what motivated them in the constitution-making process, and the following were the responses: *Desire to transform the country, historical time to seize the moment, ensure women's voices are heard, desire to be leaders and champion issues affecting the community.*

*R1: "More importantly, is also because of the passions we had in seeing terms of seeing our country better," (CSO, Nairobi).*

*R2: "I think it was a historical moment that we had to seize and do what that historical moment required of us," (CSO, Nairobi).*

*R3: "In the past they were left behind, they were left to look after the children only, even one could visit a home and find women and children and say that he has not seen anybody because he has found a woman and children, meaning there is nobody in that home, that is why they were included in the process of constitution-making so that their voices could be heard," (FGD, Kisumu).*

*R4: "It is the problems and challenges we had, and we thought that enough is enough and we had to stand as women because a woman or I myself I can have 20 children and my husband and I can manage them all so I can also be a leader," (FGD, Mombasa).*

*R5 "There are those women, who believed that they didn't have a chance to champion for issues affecting the community. This was now their platform to exercise their leadership to have influence," (FGD, Mombasa).*

The CSOs were instrumental in constitution-making process, because they facilitated and provided the platform for women to push for their rights. The respondents were asked the strategies the CSOs used and following were the responses: *Civic education on constitution and leadership of any kind including political, training and capacity building, coordination (CSO, Nairobi), funding many processes, supported women in their activities, position building and technical knowledge building, media facilitation under Kenya Union of Journalists and the Kenya Correspondence Association, Gender Editors' guild.....and we had a round table with the editors on the role of the media in highlighting conflict.* Examples of the responses in narratives:



*R1: “We took a very big role in the voter education, getting people to be able to understand what the gains within the Constitution are, I saw them being simplified. I saw them being put in the newspapers, I saw women waking up early in the morning to go to the radio stations, I saw them going to the TV station, I saw them develop a very simple material, small booklets that will then be distributed in different parts of the country,” (CSO, Nairobi).*

*R2: I saw them being able to mobilize in different parts of the country and especially within the constituencies. I saw them even looking at the whole country and in mapping, who is in which part of the country who is in Mombasa who is in Kisumu so that that information can be disseminated as far as possible and through that people then can be able to understand so the women were part and parcel of organizing and pushing the agenda (CSO, Kisumu).*

This process is vital for the success of constitution-making. Therefore, the rights of the people were under-represented (Philips, 1995; Kabira, 2010; ITP-UN-Women, 2016), and since the 90s, there were several unsuccessful efforts at constitutional reforms, most of which were thwarted by political actors. This was as a result of inequalities, political oppression, human right abuses, extra judicial killings and abuse of state power (Kabira, 2010; ITP-UN-Women, 2016). This provoked not only people of all walks of lives but more so touched the inner-core of the overly under represented category of the womenfolk, which made them to unite despite their ethnic diversity, religion, and social status to push for the inclusion of their agenda in the constitution (Kabira, 2012),

### **3.3.3 Working with key players**

One of the strategies the CSOs used as per the findings was working with the key players. These were organizations such as: *Government and Non-Governmental Organizations, Organization members and community members, trade unions, women leaders, partner organizations:*

*R1: “Government and even non-Governmental organizations,” (CSO, Kisumu).*

*R2: “The members of Maendeleo, administration chiefs, even the community,” (CSO, Kisumu).*

*R3: “Beatrice Elachi, who was an observer at Bomas, she worked closely with our organization (CSO, Nairobi).*

In particular they worked with: Federation of Women Lawyers (FIDA Kenya), Maendeleo ya Wanawake (MYWO), National Council of Churches of Kenya (NCCCK), Women political Caucus, FAWE, UN-Women, The Coalition on Violence against Women (COVAW), Kenya Women Parliamentarians Association (KEWOPA), National Council of Churches of Kenya, Program of Christian Muslim



Relations in Africa (PROCMURA), The MAA Association, Mwakenya Movement, Tukomeshe Unajizi Network, Education Center for Women in Development (ECWD), Busia Women Association, CPDA, UNDP, The Catholic Justice and Peace, CKRC, National Democratic Institute, The National Council of Kenya, Women of Faith Women Political Alliance, Water Services Board, Local organizations, CBOS, Family Planning Association of Kenya, Christian Partners Development Agency (CPDA), United Nations Development Program (UNDP), Pambazuko la Wanawake Magharibi (PALAWAMA), Democratic Party (DP), The Catholic Justice and Peace Commission, CKRC, National Democratic Institute, The National Council of Kenya, Women of Faith Women Political Alliance, Water Services Board, Community Based Organizations (CBOs), and the Family Planning Association of Kenya. The following is an example of one of the responses from the CSOs:

*RI: "We also have FIDA, we have Maendeleo ya Wanawake, we have the Family Planning Association, we have the Kenya Medical Women Association and Kenya Home Economics Association. We also work with the local administration; we work with the Kabete police station where we have a GBV desk there," (CSO, Nairobi).*

Tripp, Kwesiga and Mungwa, in their study, *Changing Political Landscapes* (2009) regarding women's associations in Kenya, Ghana, and Cameroon, established that the present African women's movements differ significantly from the early period of post-colonial women's organisations. The study highlighted that present women's movements have different agendas, funding, and leadership, often attempting to widen existing outlines to incorporate political interests and finding solutions to existing problems that women face.

### **3.4 STRATEGIES USED BY WOMEN IN SELF-MOBILIZATION FOR WEE**

This section addresses the research question: What strategies are women using in self-mobilization for Women Economic Empowerment (WEE)?

Self-mobilization is instrumental towards the realization of women's economic empowerment. It is in self-mobilization where people take the initiative independently of external organizations, developing contacts for resources and technical assistance, but retaining control over these resources, and also be in a position to change systems of leadership or governance (Kabira et al, 2022: 17; Cornwall 2008: 271). Additionally they may be seen as their ability to organize themselves into groups to champion for their rights to be heard and incorporated into the socio-economic



and political spaces. Women have since the 1960s strived for political, economic, and cultural emancipation, with more returns being realized in the formulation and enactment of the Constitution of Kenya (2010), where progressive provisions for women's empowerment were enshrined in the supreme law. In this regard, and in responding to what strategies women apply in self-mobilization for WEE, the following were their responses:

### **3.4.1 Unity of Purpose**

Unity was effective in bringing the women together and focusing on the main agenda of Bomas, which was constitution making as one respondent said:

*R: "The committee stage at Bomas we could not achieve it if we were not united. We were not even fighting we were just looking at strength and building on each other strength pushing whoever we thought was good forward, that is how we achieved," (Pathfinder, Kisumu).*

The solidarity of women made them focus on their quest for whatever they transpired to achieve. For instance during the stalemate in the constitution review process, Tripp (2016), noted ...in the deeply divided Kenyan constitutional reform process, women came together at the Women in the National Constitutional Conference to coordinate, strategize and offer a model for overcoming the political stalemate. This highlights the power of unity.

### **3.4.2 Engagement with the Media**

The media was effective in creating awareness about the constitution and provided a platform for women to air their views:

*R: "Media played a very important role in making the 2010 constitution, they would come and interview the women at the grass root level, the vernacular radio stations that came up also assisted in one way or the other," (Pathfinder, Kisumu).*

### **3.4.3 Lobbying**

Lobbying ensured women took initiative in seeking support from various entities such as members of parliament to pass various motions that was geared towards women in the constitution. It also brought together many stakeholders that would review and give a directive on issues to be addressed in a constitution as one respondent noted:

*R: "Lobbying together of different stakeholders together, for instance, there were many drafts that came to Naivasha, the Bomas and so on, when people were not satisfied, they would call another one for review, challenge and question the outcome of a particular group. Also, making public what your decisions are, for people to pop in," (Pathfinder, Kisumu).*



### 3.4.4 Mobilization within the Women Groups

Women utilized the women groups to reach women in the grassroots in a bid to mobilize women. Additionally, they would channel information related to women via the groups as two respondents noted respectively:

R: *“The Merry-go-round at the village levels we would use that to mobilize the women,” (Pathfinder, Mombasa).*

### 3.4.5 Civic education

Civic education provided a platform for the women to educate women on their rights and the importance of the new constitution as one respondent noted:

R: *“There was massive countrywide civic education where the organization maps the country. They had put down the map of the country on the table and demarcated it. We were able to penetrate the most remote part of the country. We're able to penetrate with education,” (Pathfinder, Nairobi).*

Literature review illustrates that civic education on the essence of gender equality can greatly boost women’s inclusion and reduce discrimination.

Both South Africa and Kenya stress the importance of civic education and public outreach for fruitful and informed participation.

### 3.4.6 Working with the Male allies

One of the widely used strategies women used is working with men. Working with men has been attested in various studies such as by Kabira, (2012), when women took up the challenge of joining hands with their male counterparts to push for the independent constitution review. The men supported the women in various capacities such as:

R1 *“We went to Raila Odinga to talk to the commissioners so that these issues go well. He really supported the Affirmative Action,” (Pathfinder, Kisumu).*

R2: *“We worked with Maina Kiai, our chairman, then very strong in advocacy on matters of governance and accountability which are captured very well in the constitution,” (Pathfinder, Nairobi).*

This finding is corroborated by Kabira, (2012), who noted that women took up the challenge of joining hands with their male counterparts to push for the independent constitution review.

*“Whatever we want to do, whatever we want to achieve for this country. If you continue to coordinate, if you continue to engage, if you continue to teamwork, if you continue to consult and to lobby, we should be there.” M.K*



### **3.4.7 Working with the Civil Society Organizations**

Besides the individual efforts, some women engaged in collective approach through working with civil society organizations (CSOs). These CSOs were instrumental in spearheading the women's agenda, and influencing the constitution-making process, prior to 2010 (Kabira, 2012). The respondents were asked to mention the organizations they worked with during the constitution making process, and the following were their responses: *Federation of Women Lawyers (FIDA), Constitution of Kenya Review Commission (CKRC), Women Political Alliance, Centre for Collaborative Gender Development (CCGD), Maendeleo ya Wanawake, Women Political Caucus, URAIA, Trochaire, Kangemi Women Empowerment Centre, National Council of Women of Kenya, Bridge Africa, Citizens Coalition for Constitutional Change (4Cs Trust), green belt movement, Kenya human rights commission, ECWD, Haki Yetu, the League of Muslim Women Organization, Legal Resource Foundation, NCIC, KHRC, Muungano wa Wanavijiji, African Women on Research and Development (AWRD), Mothers Union and PEFA Women.*

These organisations were proactive in presenting their views to the CKRC that was formed to spearhead constitutional review course. As observed by Kabira (2012), women organisations at the national level were the enablers of negotiation processes pertaining women's work in constitution-making. They organised to present collectively and individually at the national level and at the constituency hearings through their grassroot networks. The women did not leave any stone unturned, having gone through the process of negotiating and lobbying. They also shared the same with their affiliate CBOs at the grassroots level (Domingo, 2016). Notably the Women's Movement was meant to mobilize the women as individuals and organizations in the struggle for a new constitutional dispensation that was to bring the critical mass for women in leadership among other gains (Ojwang, Review of 2012).

### **3.4.8 Working with other Women Leaders**

The women worked with various women leaders as revealed by the study. This was important because they would be able to articulate the women issues more elaborately. Notably, the women leaders mentioned in the study also held diverse and influential positions in the society, from national to the grassroots levels which held a major role in ensuring women's issues were adopted in the constitution. Some were academicians, like Prof. Wanjiku Kabira, and Prof. Maria Nzomo, while others were parliamentarians as Hon. Martha Karua, Hon Phoebe Asiyo to mention a few. Their centrality in setting





the women's agenda is evidenced by their role, for instance Hon. Phoebe Asiyo, the Member of Parliament (MP), brought a motion on Affirmative Action for women's meaningful involvement in elected posts. She called for parliament to raise the number of women MPs by 18. This move rallied women's movements and leaders together. (Domingo, 2016). She also highlighted the following:

- i. Enacting a law requiring registered political parties to propose one third women candidates to partake in existing elections.
- ii. Creating amendments to the constitution to create two constituencies solely for women candidates in each province in the country.
- iii. Creating legislation to avail funding for all registered political parties and dedicate a percentage to women candidates fronted by each party (Kabira, 2012; Hansard, November 24, 1998).

Kabira (2012) also tells the story of many great women actors in the struggle, and the nature of their contribution while sparing us the pain that was suffered by individual women and their families as they identified with what at times seemed like mission impossible. They must be the women who, in her words," (Kabira, 2012) *"have names, hearts that ache, eyes that weep, feet that hurt"*. Women dived deep into the process since the negotiations at Bomas National Constitutional Conference of 2003-2004. Women shared the views which they wanted included in the constitution. They were present in almost every hearing session at Bomas.

Hon. Karua, in her contribution to the constitution review motion tabled by Hon Phoebe Asiyo mentioned the following: "In 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 goodwill 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 findings further show the contribution of Prof. Wanjiku Kabira in ensuring article 43 was passed by the parliament as one respondent noted:

*R: “Prof even went ahead and picked article 43 to ensure parliament can pass a bill that now deals with food security. Which I think has been dilly dallying”, (Pathfinder, Nairobi).*

Besides articulating women issues, others provided support system such as the late Kamla Sikand hosted the women's meetings at her house thus reducing the costs of holding the meetings at a hotel or paid venue, as indicated by one of the respondents:

*R: “I would like to give credit to our late Kamla Sikand. I remember we had many meetings at her home in Westlands where, she didn't mind the number of women who came there to meet, and she would ensure you don't only have a space for meeting. You have lunch. You had all the meals and she used to make for us sweet and nice banana cakes. So, you take the tea with the banana cakes,” (Pathfinder, Nairobi).*

### **3.5 Value of women working together**

The study also sought to find out the value of women working together to negotiate for their interest, it illustrated the following: Strengthens the push for women agenda, creates a platform to lobby for women in development, brought out the women gains evidenced in the constitution 2010, links women from all spheres of life, bring prosperity to the nation as a whole, such as some of the following responses reveal:

*R1: “It is impossible to make things move but when you go as group as women then you are able to push for you things because they will feel that this is not so and so matter it is a matter that concerns various women,” (CSO, Kisumu).*

*R2: “It is a voice of reasoning as they can lobby for support and general concern of women in development,” (CSO, Kisumu).*

*R3: “If we were not working together, we couldn't have been successful in coming up with the changes in the constitution. For example, we have 47 women seats, and we hadn't fought for them they couldn't have been there,” (CSO, Nairobi).*

*R4: “It is a great foundation if women work together from rural to National and bringing the women's voices, so you don't have a politician going to the rural and the rural women say “those*





*are not working for us”. Having a network that links women from that Wanjiku from the ground to the professional,” (CSO, Nairobi).*

*R5: “When women work together, this country changes when women work together, society becomes more prosperous, healthier, peaceful, and it becomes just a happy place, a happy place. If women are happy and they bring their happiness to their work, because I believe sometimes women work very hard and they're not recognized well, so maybe they don't feel much fulfilled. If women are fulfilled, they will have a very happy society,” (CSO, Nairobi).*

The value of working together not only strengthens the women’s agenda, but it makes their voices heard and their presence felt. The world then realizes that all is not well and something has to be done. This is because the CSO were led by focused women who knew the way forward. For instance, the late Professor Wangari Maathai, an environmentalist and political activist, worked tirelessly to better women’s earnings by providing them, through environmental conservation, with access to resources such as clean water. In 1996, the Hon. Charity Ngilu tabled a motion pertaining to the implementation of the Big Four Agenda (BFA), marking the start of the struggle for affirmative action in the country, which, unfortunately, failed. In 1997, Phoebe Asiyo tabled another motion which, similarly to the Hon Ngilu’s motion, did not pass, (Home-FIDA Kenya, 2020). In 2007, the then justice minister, the Hon. Martha Karua, tabled the Constitutional (Amendment) Bill 2007 on Affirmative Action that sought to create 50 automatic seats for women in Parliament, which eventually also failed.

Highlights of strategies used by women that can be replicated to change policies to influence Women Economic Empowerment include the following:

- i. Setting up a group of ten people and giving them a training on leadership skills, basic bookkeeping, table banking and virtues.*
- ii. The government has a responsibility to readdress all the exclusion of women, so whether cultural, economic, or political, programs must be put in place. I believe that they have access to credit to become productive.*
- iii. Give more information and maybe work in a way that the interests are minimal. Because these monies are supposed to help women.*
- iv. Women should be given equal opportunities also in business. Mostly they should get access to finance. But they are not able to get access to finance because they don’t own land, maybe the land can be collateral to getting loans.*



- v. *Give more information and maybe work in a way that the interests are minimal. Because these monies are supposed to help women (Pathfinder, Mombasa).*
- vi. *Mobilize the members of the community through the administration and give the information.*
- vii. *We can come up with merry-go-round groups, we can build a big house and we as the women get money from the rent, also we can have a firm where by we can firm together and produce large produces whereby we can sell and also remain with some for ourselves.*
- viii. *Lack of resources, lack of money and women want to run their own businesses but they don't have the money, so if they could be able to get some little money to start up that business, they could be able to help themselves.*
- ix. *We can also help in doing marketing for whatever we have done at the grassroots level.*
- x. *The government should help us to create linkages with other partners so that at least move to some levels.*
- xi. *We should as well come up with exchange program such that when we go somewhere we benchmark to see what others don't have and us we have and if we take ours their we can be able to find customers.*
- xii. *When we get ourselves involved as women, and we mobilize let us have a voice, we will get heard. Let us not just take the issues like a project has come, let us scrutinize the project, how it will be beneficial to that woman.*
- xiii. *We need training in the local lending and saving groups women groups, because that is where women are many women.*
- xiv. *Unity of purpose is key if women must achieve their goal. you cannot afford to rubbish other women doing something and expect that you are going to make it as a woman. you bring everybody on board it is an agenda that all be inclusive, all participatory. but if you decide within a dialogue to be choosy and not bring everyone on board, you will lose out.*
- xv. *Advocacy, networking and sensitization of women matters and also use the constitution to push for that matter.*

Despite women applying the above listed strategies, this did not mean them winning after influencing approval of some policies.

### **3.6 Strategies for full realization of the constitution gains**

The study also sought to examine which strategies for full realization of the constitution gains. The following was expounded:



- *Working together with other women and other leaders and we educated the other women about the constitution, its benefit constitution.*
- *Educating, and mobilizing the women on the ground to be able to articulate continuously.*
- *Commitment to perfecting the constitution and commitment to making it equitable and accessible to all.*
- *Formulating policies that will support the organizations.*
- *Self-mobilization, and public lobbying for needs.*

In Kenya women continue to grapple with implementation of gains in the constitution; this struggle is as a result of a myriad of factors some of which are:

- Women in the political space are not involved in the women's movements and organisations and hence, do not understand the value of these movements and organisations and so, rather than use their political space to speak for and on behalf of the women's movement, they support the male political elite to whom they believe they owe their allegiance
- Fragmentation of the movement due to scramble for funds.
- Women leaders not being in touch with the real needs of women.
- Women lack a shared understanding of their constitutional gains and, therefore, they cannot defend them.
- Consistent attacks on women's advancement by the male political class who have campaigned against women in leadership.
- Lack of political will to honour the constitutional promise for women; lack of appreciation of women's contributions.
- Political fragmentation among the women leaders based on the male elite fragmentation and a failure to defend their space and use the access to deliver good results in general.
- The history of women involvement in the first and second liberations has not been properly documented.

### **3.7 Lessons learnt during the constitution-making process to promote policy change for WEE**

When asked about the Lessons learnt during the constitution-making process shaped the women applying them to promote policy change to influence Women Economic Empowerment. Respondents noted the following:

- *Giving statistics to back up information will be effective in channeling the discourse of policy change for WEE.*
- *Laying down strategies to track the gains of WEE is important in identifying the gaps to move forward.*



- *Identifying experts in influencing policies will ensure the adoption of the right policies.*
- *Developing policies that will enhance development is essential in tracking, re-evaluating, and monitoring progress.*
- *Engaging with policy makers provide hands-on solution to the issues on the ground.*
- *Using available information will pave way for identifying gaps and provide basis for engaging the women involved in the policy creation in case of reference.*
- *Lobbying, and advocacy provides networks to push for policy change in a diplomatic manner.*
- *Teamwork and consultations with the key stakeholders will ensure that the solution for a sustainable policy change for WEE is successful.*
- *Engaging with women on the ground is crucial in deciding what needs to be done to push for policy change that will impact WEE.*
- *Petitioning women representatives and leaders will support the push for a policy change for WEE.*
- *Inclusion of women at the inception of the policy-making discussion will ensure that women issues are advocated and implemented by the committee.*

*“We were mentored by being thrown in the ocean, and then you come and do mistakes. She does a red pen on you and you improve yourself. So I want to tell young people that mentoring does not mean you come seat and that I am able to seat with you on a desk and mentor you. Mentoring means I will open a door for you and I will tell you walk into that place but you go and find your footing”. B.E*

*Some of the extracts from the findings in regard to lessons learnt:*

*R1: “Give out the statistics. Let's go to the planners. You are part of government. Do you understand? These planners when they go out there, they know when they start this program how does it affect women and how does this affect men who is the beneficiary and give us back the statistics,” (Pathfinder, Kisumu).*

*R2: “We need strategies that can be able to track the gains for women's economic empowerment and what direction this is going to take, but above all, a factor that we did not use that I think we can use it in Women's economic empowerment is having the top man champion the agenda for women's economic empowerment,” (Pathfinder, Nairobi).*

*R3: “We can use whatever has already been documented, because all what women share during the process, their concern is documented as a reference point and where maybe we have doubt, we can always maybe call a few women, just to ascertain that these are the things that women wanted to be highlighted with regard to women empowerment,” (Pathfinder, Mombasa).*



### 3.8 Lesson learnt for women's self-mobilization for WEE include:

Respondents were further asked to mention the lesson learnt for women's self-mobilization for WEE. They noted:

i. *When we get together, we learn from each other. Sharing ideas, learning from another region to the other, will make us exchange ideas and move forward.*

*“Collaborations with the different stakeholders.....Media collaborations, and just doing things differently, you know, there is a way to do things and sometimes when the door is shut you are allowed to open the windows and to see how to proceed. So, it’s just a matter of keeping your doors and options*

ii. *The constitution is for all of us. This constitution is made for every Kenyan. It is not for a simple tribe; it is not Mount Kenya. It is for the people of Kenya, and if that constitution is for all of us, it should be able to protect all of us equally.*

iii. *We need to bring in Change and balance particularly when it comes to distribution of resources.*

iv. *Appreciating each other is important; it starts with you seeing the other woman just like you, we are from one tribe of women.*

v. *There is need for transparency and accountability for anything to be trusted and work out.*

vi. *There is need for support from the male counterparts so there is a need to sensitize and persuade them to support us.*

Kimani and Kombo (2010) state that one of the central lessons that the Kenya Government should have learnt in its effort to combat poverty in Kenya is related to lack of gender mainstreaming or the non-inclusion of both women and men in the development agenda. In order to eradicate poverty and achieve sustainable development, women and men must participate fully and equally, not only in the formulation and implementation of the related macro-and micro economic and social policies and strategies, but also in the sharing of the accrued benefits.

### 3.9 EMERGING BEST PRACTICES FOR WOMEN’S SELF-MOBILIZATION FROM THE STRATEGIES IDENTIFIED

This section addresses the research question: What are the best practices emerging for Women’s self-mobilization from the strategies identified?



From the strategies identified in the previous section, the following are the emerging best-practices for women's self-mobilization for WEE.

### 3.9.1 Civic Education

One respondent from the study findings noted:

*R: "There was massive countrywide civic education where the organization maps the country. They had put down the map of the country on the table and demarcated it. We were able to penetrate the most remote part of the country. We were able to penetrate with education," (Pathfinder, Nairobi).*

Civic education is an independent cross-section part of education which differs from conceptual and institutional tasks (Sander 2002). The goal of civic education is to encourage the ability and willingness of political participation by providing information and the basis to make conscientious judgments, which is characterized as a "political rationality" according to Bernhard Sutor (Kuhn et.al 1990). It, thus, empowers the public to be well-informed, active citizens and gives them the opportunity to change the world around them. It is a vital part of any democratic system and equips ordinary people with knowledge about democracy and the Constitution as it reaches out to the disadvantaged groups who do not have much access to media, are illiterate, or do not speak the dominant language.

The government of Kenya should therefore conduct continuous massive civic education to educate women on their rights and the importance of the new constitution. The Ministry of Public Service and Gender (MPSG), Women Economic Empowerment Strategy (2020-2025) further alludes that, "provision of civic education on women's participation in leadership will ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations and expand KEWOPA's outreach programmes to both rural and urban areas. This will include sensitizing the members of parliament/ senate, governors, MCA's and other politicians".

### 3.9.2 Lobbying

Lobbying is a process of dealing directly with decision-makers such as constitution-makers with a view to seeking support for a position on some issue of importance. One respondent noted:





*R: “Every afternoon, we would sit as a caucus of women and look at the issues and there we pick the issues that we know this we need to lobby it to become one of the gains for women. And I think it was within that Bomas draft the women first engaged but more importantly believed that they were not there because of regions or political parties but for the sake of women of Kenya, (Pathfinder, Nairobi).*

In a constitution-making process the issues being lobbied about involved the design and operation of the process itself as well as questions about contents of the constitution (Skjelton, 2006). During the constitution making process in Kenya, women lobbied from the grassroots to the topmost level to ensure that everyone participated in the constitution making process as everyone mattered.

Women should keep lobbying to ensure that gains of the constitution 2010 are realized which includes increased women representation in high level decision-making positions in the political system. This is because, when women are well-represented in the political and legislative bodies, they can influence the legal changes necessary for their empowerment on such key issues as property rights, inheritance, marriage and divorce, maintenance, and custody of children, among others. Toward this end, (Nzomo, 1993) notes that women should devise a strategy of converting the immense potential power they command as many political voters as possible into real power. This calls for a change in their political attitudes and behavior, from one of mere voters to one of a political interest group, capable of sponsoring its own committed women candidates for political and legislative offices.

In addition, Women groups and organizations should also lobby and reorient their group activities from their predominantly social welfare nature to greater emphasis on economic control. This can be achieved through collective approach as evidenced during the constitution making process whereby civil society organizations (CSOs) worked as a team in spearheading the women’s agenda, and influencing the constitution-making process (Kabira, 2012). For instance, one respondent noted:

*R: “Women teamed up with women movements like the Political caucus that was serving that time. They used to get money from the sponsors and the money was castigated down to the ground. They were able to reach to women at the grassroots,” (CSO, Nairobi).*

Lobbying the men was also an effective practice in the quest for the dispensation of the new constitution as one respondent said:



R: *“We had to do a lot of lobbying even with men, for them to understand that when your woman is empowered, your family is also empowered. Your children are also empowered” (Pathfinder, Nairobi).*

Women should thus keep lobbying the men and have male allies that will help in the push for bills and motions in parliament that support the women agenda even as the country steers towards the realization of the constitution 2010 gains and beyond.

### **3.9.3 Collection of Views**

One respondent from the study findings noted:

R: *“The CKRC went around the country. It was the owners of the women critical mass and the CKRC commission, to listen to the women voices to be included in the constitution, and I think they did, OK,” (CSO, Kisumu).*

Thus, it is paramount that women and women movements collect views from the public in case of amendments of the constitution 2010 and introduction of new bills in parliament. This is affirmed by Widner (2008) who mentions that public participation is deemed to strengthen national unity through an inclusive process, reflecting religious and linguistic diversity, by resolving national differences and striking a balance between national identity and values and those of regional or cultural communities. The involvement of the people in the government process has the potential to reconcile conflicting groups as it empowers the people by acknowledging their sovereignty, by increasing their knowledge and capacity, and by preparing them for participation in public affairs as well as the exercise and protection of their rights.

Collection of views from the public is a key element of women self-mobilization as it alerts informs on the variety of interests and groups that are involved, or may want to become involved, in making a constitution. Leroy (2010) denotes that, public participation points to the degree of inclusion in a process. It may give some guidance about the kinds of issues likely to dominate the constitution-making process. It draws attention to the relative strength of the participating groups, often pointing to the dominance of one or more groups which can help lift the veil from the official process by giving insights into the actual negotiating and decision-making processes, where the key decisions are really made. It can also show the influence of outside forces (which overall do not feature in the design of the formal process), often





away from the glare of publicity, and give some indication of how nationally autonomous the process has been.

#### **3.9.4 Engagement with the Media**

The media helped in ensuring that people had a chance to hear debates on constitutional issues without necessarily having direct involvement in the official process. Women were also able to convey their views through established channels, rather than through special participatory arrangements established as part of the constitution-making process as mentioned by one respondent:

*R: “Media played a very important role in making the 2010 constitution, they would come and interview the women at the grass root level, the vernacular radio stations that came up also assisted in one way or the other,” (Pathfinder, Kisumu).*

Leroy (2010) states that, radio and television offer a variety of creative possibilities to convey information and to educate. Dramas, including single performances of plays and long-running serials, and discussion programs, interviews, and even traditional storytelling and songs can all be used to convey information or educational message. Call-in shows and debates can serve as a way for people to ask questions and can spur debate and dialogue on constitutional issues while television, radio, and the constitution-making body’s official website can broadcast live sessions of a constituent assembly.

Post constitution, the media still provides a platform for broadcasting national events such as parliament proceedings, celebration of public holidays among others. Development of newsletters, brochures, posters, leaflets, and booklets ranging from in-depth discussions of complex issues to comic books about the happenings in the government and country at large. Disseminating such publications can be assisted by use of media platforms such as websites, Facebook, Twitter among others rather than through routine regional or district field offices who assisted with disseminating materials to remote areas. New technologies, such as digital books, could also be distributed to every community with key civic education materials loaded onto them.

#### **3.9.5 Holding Meetings**

Public meetings combined with civic education efforts are often the best way to reach marginalized groups and encourage them to participate in any process. During the constitution making process, women organized meetings at the national level encompassing women organizations from all over the country to ensure the message about the constitution reached the grassroots level as stated by one respondent:



R: *“We could have meetings at the national level where we brought all the different organizations. We could bring women from the grassroots, the different parts of the country, Kisumu, Mombasa, north-eastern colleagues, and other parts of this country. This ensured that every woman understood the issues we were advocating for hence when the commissioner comes to collect the views, we unanimously say these are the issues,” (Pathfinder, Nairobi).*

Studies show that public meetings have been held countrywide and in places with large diaspora populations. Constitution-makers invested in organizing hundreds of meetings and engaging tens of thousands of citizens (e.g., in Papua New Guinea [1975], Uganda [1995], South Africa [1996], Rwanda [2003], and Kenya [2005]) to reach the marginalized and disadvantaged, to empower them to have a voice, or to participate in dialogue directed towards reconciliation.

### **3.9.6 Alliance Building**

Previous studies have affirmed that alliance-building or networks and collaboration will continue to be important in the fight for gender equality after constitutional negotiations have been concluded. For example, a recent study on 50 African countries has found that governments are more likely to adopt quotas and do so more quickly when domestic women’s organizations form a coalition demanding this (Kang and Tripp, 2018). The same study found that women’s coalitions have been able to push for quotas at different points: during peace talks (Burundi), during constitution-making (Kenya, Somalia, Uganda), but also during legislative (Senegal) and constitutional (Zimbabwe) reform processes.

### **3.10 Women participation in the Stages of the Constitution Making Process.**

Women participated in various stages of the making of the constitution. Women influenced; majority of the respondents noted that women were involved in all the stages which were identified as *Preparing the Law, Civic Education, Collection of Views and Mobilization at the Community Level, Bomas Negotiations, The Referendum 2005 and 2010*. This is depicted in some of the responses which are:

R1: *“I was involved in the preparations for writing the law, in terms of organizing the women to participate and getting their views on what they wanted for the constitution. The analysis that went into influencing the contents of the law itself, I was playing the background fraud or just, you know, organizing things to happen,” (Pathfinder, Nairobi).*

R2: *“Committees were formed at each constituency. And each committee was comprised of at least a woman, a disabled, a religious leader, a youth and other marginalized (persons) that was the first platform of engagement, and that committee was used to mobilize for women, not only to*



*discuss but how to give their views, how to identify the issues that were important to them,” (Pathfinder, Mombasa).*

*R3: “There were professionals and the legal expertise and then there was the district delegates. The majority was the district delegates. The professionals who understood the law were able to educate the women on what the provision needs to be, what the issues they can vote on are, and that is a two-way relationship. The women from the delegate category were able now to talk to the male counterparts to support these women agenda,” (Pathfinder, Mombasa).*

### **3.11 Important Women’s Gains from the Constitution**

The study also sought to find out the important women’s gains from the constitution. The gains established from the study include: *Devolution, Better Health Care, Gender Non-Discrimination, Right to Citizenship, Right to Marital Property, and Right to Leadership* as shared and some of the responses:

*R1: “The devolution itself, it has also provided for the women in the grassroots level to engage in leadership, to participate in choosing their leaders, but specifically having government closer to them,” (Pathfinder, Mombasa).*

*R2: “A better health system, a more responsive health system benefits women because then when the health system wants it can free the woman to be able to better participate in the other activities that generates income,” (Pathfinder, Nairobi).*

*R3: “Ensuring that nondiscrimination on the basis of gender is institutionalized, so that there is no sense of or there's no chance that it cannot be sneaked in, in any other way,” (CSO, Nairobi).*

*R4: “The right to marital property and equal rights to look at your children because we know how men have abandoned women,” (Pathfinder, Nairobi).*

### **3.12 Challenges women faced during the Constitution Making Process**

Despite the major role and gains from women’s participation in the constitution-making, they faced myriad of challenges. When asked about the challenges women organizations face in influencing the implementation of the benefits provided by the constitution 2010, respondents noted the following:

Lack of Funds, Lengthy process, Abuse from the Public, Minimal Women Representation, Opposition from the Men, Family Responsibilities, Backlash, Ethnic Divisions, Police Protests, Family Wrangles/Family, Language Barrier, Denial from Voting, Lack of Knowledge, Removal of Women



Issues from the Drafts, Timing of the hearings, Intimidation from Other Women, Affiliation to a Political Party, Politicians' laxity to implement the promises delivered during the campaigns but rather enrich themselves while in office was cited as a challenge, Individualistic competition that has shunned the spirit of teamwork, Lack of a communication channel has deterred the spread of information to the public, Devoid of accountability measures has promoted laxity in the workplaces, the women organization is not actively advocating for women rights like in the past, the courts being slow in implementing the gains realized in constitution, Women are divided not even around their issues. They are divided along with the male political elite divisions, women have no money to vie for political seat and you find that is what makes it difficult for the women to move as they need to be economically empowered to come out and join the men, Lack of timelines in the implementation phase has staggered the process of full implementation of the constitutional gains, The lack of documentation of women's role in a lot of these processes, and even where there has been some documentation. It is not as powerful as it ought to be. Examples of the responses regarding the challenges faced are:

*R1: "People thought that you had money. We do not have money. A lot of this work has been worrying. I can tell you, you volunteer, you fuel your car, you spend your time, but people will see like you're funded to do this. For me, I've never been funded to do whatever I have done for women is only that I'm passionate about women in the role of women in this country," (Pathfinder, Nairobi).*

*R2: "When fighting for the second liberation, there was all sorts of abuse, from the people who thought we were doing the wrong thing, to even talking to the public. It was a problem for some men to see a woman talking in public. It is not religion that bars them, it is some ignorance, or from leaders who do not want to be outshined by women," (pathfinder, Mombasa).*

*R3: "Kenya women would be very far, because we are many. But men, kind of men knows how to take advantage of women. And they can divide and rule them easily. That was the worst challenge that I emitted while in the process. (Pathfinder, Kisumu).*

*R4: "The constitution that we have was not was not in the language that is understandable with the people at the grassroots it was official Kiswahili that would force you to look for other words that you can use that are more understandable by the people, remember we were talking to different kind of people with different levels of understanding so they will understand differently and you had to look for a language that is understandable to all the audiences," (FGD Mombasa).*



### 3.12.1 How Women overcame the challenges

Despite the challenges, the women were resilient and waded through the murky terrains. They shared their experiences on how they overcame the challenges through: *Strength in Numbers, Consul from the Elders, Civic Education, Holding Meetings, Mentorship, Focusing on the Agenda, and Lobbying.* Examples of some of the responses are:

R1: “There are those who believed that women should not have all this gains. So, there was a lot of engagement in terms of exchange from very prominent, powerful people who were difficult sometimes to engage with, but because of the power of the large numbers of women, it became for women to engage,” (Pathfinder, Nairobi).

R2: “The elders came together in the series of meetings and then brought the women together and they spoke in one voice, and said, this is a do or die for us,” (Pathfinder, Nairobi).

R3: “We would make the side, which is trying to object understand why that is important. We also even have the clause of exemption, for Muslims,” (Pathfinder, Nairobi).

“From that constitutional review, you know you can say the good lessons are that this was the first time we had a truly national discussion because the delegations that were represented there came from every corner of Kenya”  
J.A

### 3.13 Lessons learned from the Constitution Making Process.

Every process in life is a learning process and the women shared the lessons learned from women’s mobilization and negotiations during the constitution-making process, which they responded: *There is strength in diversity, Staying Focused Yields Success, Unity is key to achieving our goals, Clarity is important in achieving what is set ahead of us, Having male allies is important in pushing the women’s agenda, Women should be involved in activities to strengthen the agenda, Women should be willing to listen and accommodate each other’s perspective, Intergeneration forum is important in ensuring the passage of knowledge to the young women leaders.* The following are some of the highlights as shared by the respondents:

R1: “Our diversity is our strength; and we can learn that the one you don’t see on the table exists, they are somewhere we just need to find,” (Pathfinder, Nairobi).



R2: *“When we involve women in an activity, the issues come up very strongly as opposed to when we involve men alone,” (Pathfinder, Mombasa).*

R3: *“Women need to have an open mind, have a willingness to see the other person’s perspective. You may not agree that is why they say women fight all the time, but even if we fight all the time, it’s a matter of what do you see in that perspective,” (Pathfinder, Kisumu).*

These responses show that solidarity did not only strengthen their voices but also provided a platform for articulating their problems. The women’s movement deliberately came together through collective feminist inclusion to establish a common women’s agenda even when they belonged to different political parties, professions, regions, and non-governmental organizations. Independence didn’t necessarily mean socio-economic growth, they either formed new organizations or changed the focus of those organizations that had been formed during the colonial era to place more focus on political, social, and economic issues that affected them (Ouko, 1985).

### **3.14 POLICIES AND LEGISLATIONS GAPS FOR ADVOCACY FOR WEE**

This section addresses the research question: What legislation and Policy Gaps exists for WEE for lobbying and advocacy?

With this in mind the section focused on the role of the women movements in pushing for policies and regulations for WEE and challenges do women’s organization(s) face in influencing the implementation of the benefits provided for by Constitution 2010. Participants were asked to give suggestions on how organizations can push for policies and legislation that promote WEE. From the analysis the following suggestions emerged:

- *Uniting on a Common Goal.*
- *Mobilization.*
- *Civic Education*
- *Keep pushing the Agenda*
- *Lobbying*
- *Partner with other Organizations*
- *Push for Accountability*
- *Push Bills through Parliament*
- *Meetings*





More specifically some of the verbatim responses were: Mobilization for push of policies to influence should be done at all levels:

R: *“We must mobilize these women, who were there before, those women, who previously worked with Maendeleo ya Wanawake. We could mobilize even the young women, who are enough to push for issues. And even ask those, who are inside to come up with us together so that we push for the need,” (CSO, Kisumu).*

Women organizations should educate women on the policies that promote WEE:

R: *“Women need to be educated; they need that education. Mostly civic education,” (CSO, Kisumu).*

Participants were asked to give suggestions on how organizations can push for policies and legislation that promote WEE. From the analysis some of the following responses emerged:

R1: *“We must mobilize these women who were there before, those women who previously worked with Maendeleo ya Wanawake. We could mobilize even the young women who are enough to push for issues. And even ask those who are inside to come up with us together so that we push for the need,” (CSO, Kisumu).*

R2: *“We look at women issues and gender issues from a more genuine lens and a push for accountability, without thinking about these other motivations, like political affiliation, political party affiliations and political affiliations,” (Pathfinder, Kisumu).*

These responses depict women’s knowledge that their rights have to be incorporated and addressed by the existing policies and legal frameworks. For instance a study by the Foundation of Netherlands Volunteers (SNV, 2017) established that the 2010 Constitution offers a strong guide for achieving gender equality. It highlighted a new step for the women empowerment movement in Kenya, and sought to address their marginalization, and promote their full participation in growth. The new constitution incorporated equality in the country’s economic journey by availing a platform to promote equality. It also availed a motivation for a guide to attain constitutional outlines (Republic of Kenya, 2015). It is regarded one of the most progressive worldwide for prohibiting marginalization. Additionally, women economic empowerment necessitates well-coordinated processes to achieve WEE (Ames et al., 2001), for instance, the Kenyan Government (2015) developmental guidelines such as the Kenya’s Economic



Recovery Strategy for Wealth Creation (2003-2007), Vision 2030 and the Medium-Term Plans 2 (2018-2022) which highlight the need for sameness in opportunities among both genders if economic development is to be achieved (GoK, 2019). It should be noted that poverty is a broad-based issue that includes, among other things, socio-political concerns. Therefore, addressing poverty cannot be based only on economic strategies, but also the socio-political aspects. In order to realize women's economic empowerment, there is need to develop and implement gender-progressive policies.

Ellis, et.al (2007) suggests the following measures in addressing the policy and legislation gaps for WEE:

- i. The civil society organisations should be vibrant in advancing the gender agenda and assisting the national machinery in facilitating the implementation of gender policies. These include FIDA, KWFT, the League of Kenya Women Voters and the National Council of Women of Kenya among others.
- ii. Capacity building of civil society organizations could help strengthen interactions between the government and civil society organizations and ultimately contribute to a more effective implementation of the government's gender policies. Given that advocacy gains by the women's movement often are undermined by the fact that policy makers lack information and analysis on the economic benefits of gender equality, it would be useful if some of the capacity-building efforts focused on the links between gender equality and economic growth.

Additionally, Advocacy Strategy (2017-2020, SNV-Kenya), also points out the following measures to be adopted at the National Government, County Government and development actors:

- i. Promote women leadership in decision making through the media campaigns, community leaders forum, leadership clubs in educational institutions.
- ii. Develop legal framework for the establishment of a WEE Steering/ Coordination committee for national and county level.
- iii. Establish National Inter-Agency WEE Coordinating Committee with membership drawn from the public sector, private sector, development partners and NGOs.
- iv. Identify the key constraints to women participation in leadership and applying evidence-based and context-appropriate approaches to facilitate women's civic and political engagement.
- v. Advocate for greater women participation and involvement in planning, implementation and monitoring of WEE policies and programmes at the county levels. This will ensure meaningful women participation in development and implementation of Integrated Development Plans and Sectoral Plans.



- vi. Advocate for greater WEE resource allocation. Women and women’s organisations and other agencies implementing WEE programmes should meaningfully participate and monitor budgetary processes e.g., by nominating representatives to County Budget and Economic Forums.
- vii. Advocate for adequate public education on WEE including dissemination of policies, guidelines, and relevant legislations. County Governments and agencies involved in WEE programmes can reach wider audience through traditional and emerging social media platforms.



## **4.0 SUMMARY OF KEY FINDINGS, CONCLUSION AND RECOMMENDATIONS**

It is worth noting that strategies that individual women and women organizations used could be replicated for enhancing and influencing policies for women economic empowerment. It is, therefore, imperative to ensure women and women organizations are provided with an enabling environment for economic empowerment. To reiterate, the primary goal of the study was to examine strategies that women and women movements used to realize gains in constitution 2010 with the aim of strengthening women's self-mobilization for Women's Economic Empowerment (WEE). The key findings, conclusions and the recommendations drawn from the study were anchored on the objectives, which were to: identify the strategies women's movement used during the constitutional review process in Kenya (1997-2010), document emerging Best Practices for women's self-mobilization from the strategies identified, explore the strategies used by women in self-mobilization for WEE, and identify policies and legislations gaps for advocacy for WEE.

### **4.1 Key findings**

#### **4.1.1 Strategies women's movement used during the constitutional review process in Kenya (1997-2010).**

The study sought to identify the strategies women's movements used during the constitutional review process. From the findings, the study established the strategies were two-fold; first the movements were managed by the human element and as such it deemed necessary to identify strategies by individual women and second, to identify strategies at institutional level, thus identify strategies used by women movements or women organizations. It is worth noting that the strategies could not be examined as a stand-alone parameter, because there were underlying factors that prompted the application of the strategies such as, reasons for involvement in the constitution-making process, role played, motivation, successes, lessons learned, and challenges encountered and how they were overcome.

The CSOs were instrumental in constitution-making process, because they facilitated and provided the platform for women to push for their rights. The findings established strategies the CSOs used successfully including but not limited to civic education on constitution and leadership of any kind including political, training and capacity-building, coordination (CSO, Nairobi), funding many processes, supporting women in their activities, position building and technical knowledge building, media facilitation under Kenya Union of Journalists, Kenya Correspondence Association, through



registration of women and women movements, establishment of the branches at the rural levels, mobilization, participation and empowering women economic status of women, starting professional groups, brought together women, push for trade unions in Kenya, and other initiatives such as the African woman and child feature service (AWC), a media-focused, Non-Governmental Organization (NGO) with a regional outlook and a vision of a media that enhances acceptance of diversity and gender equality for sustainable development.

#### **4.1.2 Best Practices for women's self-mobilization**

The CSOs achieved reasonable successes as the study found out: Women vying for political seats, increased women representation, a lot of issues advocated for were included in the constitution, freedom of speech, availability of funding programs, introduction of the Kadhi's Courts, women space for women, voice in ownership of property, consolidation of women's knowledge in the constitution. Furthermore, the women organizations worked together with other organizations during the constitution-making process such as: Association of Media Women in Kenya (AMWIK), Coalition on Violence Against Women (COVAW), Kenya Women Parliamentary Association (KEWOPA), and The League of Women Voters.

Other strategies that the study revealed were: women working together with other women and other leaders and educating the other women about the constitution, and its benefits. Women mobilizing other women on the ground to be able to articulate issues pertaining their rights and needs and taking leadership, in addition to being committed ensuring all women are included in all WEE spheres in the sense that its equitable and accessible to all. Others are formulating policies that will support the organizations, self-mobilization, and training institutions.

#### **4.1.3 Strategies used by women in self-mobilization for WEE**

The study established women played a critical role such as being delegates, mobilizers, skills support personnel, push for constitutional reforms and safeguard women's interests, observers, committee members, district coordinators, public awareness ambassadors. Similarly, women participated in the constitution-making process for various reasons: to advocate for women inclusion in the constitution, create awareness on the constitution, ensure women participation in development, create leadership space for young women and ensure women inclusion in leadership positions.



This could only be achieved through self-mobilization. The need for self-mobilization, which this study refers to as the process of women organizing in groups or collectively towards common goals, was to a large extent driven by the need for women to counter their subordination and exclusion and has aimed at increasing women's individual and collective agency to improve access to resources like land, Labor, capital and opportunities for self-realization including education and leadership. As Fernandes (2018), argues, strategies that have worked for women's self-mobilization for political participation include alliances, networks and coalitions with other progressive social movements to build spaces for political articulation to collectively construct political, economic and social justice.

According to the study's findings, it confirms that strategies that seemed to work well for the women were: civic education, unity of purpose, lobbying, meetings, having male allies, setting a clear agenda, use of skits, debates, writing memoranda and networking. The findings of the study regarding the women having men allies is corroborated by Kabira, (2012), when women took up the challenge of joining hands with their male counterparts to push for the independent constitution review. Besides the individual efforts, some women engaged in collective approach through working with civil society organizations (CSOs). The women worked with various women leaders as revealed by the study this was important because they would be in a position to articulate the women issues more elaborate. Working with men allies was also revealed by the study, contributed immensely towards promoting the issues affecting women.

#### **4.1.4 Policies and legislations gaps for advocacy for WEE**

The study sought to examine which strategies women movements used that could promote WEE. In particular, it probed the challenges women's organization(s) faced in influencing the implementation of the benefits provided for by Constitution 2010, specifically, the economic benefits in the constitution/property rights (Bill of Rights), affirmative clauses. Similarly, it sought to find out how women's organizations could push for policies and legislation that promote WEE and the strategies women could use to mobilize themselves in order to achieve economic empowerment taking into consideration how they could leverage on lessons drawn in self-mobilization to promote policy change for Women Economic Empowerment.

Basing on the above parameters, the findings depict the following in regards to challenges faced: Lack of goodwill from the politicians, individualistic competition, lack of dissemination channels, lack of accountability, weakened women organizations, poverty, jeopardy from the courts, women disunity,





ethnic divisions, lack of finances, few women in leadership positions, lack of timelines, little documentation on women's processes, bureaucracy,  $\frac{2}{3}$  gender rule not effected, affirmative funds and initiatives not being managed well, conflict of interest especially in awarding of tenders specifically for women, youth and persons with disabilities, most national initiatives not cascaded to grassroots level in addition to inadequate information and knowledge of the available initiatives and how to access them.

On how women's organizations could push for policies and legislation that promote WEE and the strategies to could achieve economic empowerment, the key findings established the following: Capacity-building in terms of training on leadership skills, basic bookkeeping, embracing table banking principles, mainstreaming women representation cultural, socioeconomic, political perspectives, in terms of being provided with equal opportunities. Creating awareness and sensitization forums cascading to grassroots and the use of merry-go-round groups, which came up very prominently due to self-building and sustainability capacities.

Others include: Unity of purpose, women working together, supporting each other worked well in promoting WEE, inclusivity, and public participation. This and other findings are supported by chapter four of the Kenyan Constitution, Bill of Rights, whereby every person is equal before the law and equal rights to protection and also benefit from the law. Additionally, women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social sphere. The State is expected to 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. The provision further states:

*...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 members of elective bodies shall be of the same gender.*

The devolved government opened up and provided more opportunities for women to take leadership from the grassroots to national levels. Other additional gains for women from the 2010 Constitution include: Equality in leadership with 33% as the critical mass preferred for women leadership, equality in marriage, equality in employment, equality in access to education, all discriminatory customary practices, which are prohibited, matrimonial property is protected, women rights to inheritance and to own land is guaranteed, equal parental



responsibility, requirement for both public and private entities to comply with the inclusion principles and gender, among others.

#### 4.2 Conclusion

The study examined the struggles women movements underwent due to under-representation and the strategies they used to have their voices heard. In so doing, women were involved in the study by having their voices heard. They shared their struggles, experiences, lessons learnt in their quest to be recognized, appreciated and included, challenges and what they thought would work for them. It is with this understanding that women in Kenya have been known to self-organize into informal groups and sometimes formal associations to address their continued economic marginalization. This to some extent worked for them especially with more returns being realized in the formulation and enactment of the Constitution of Kenya (2010), where progressive provisions for women’s empowerment were enshrined in the supreme law. For instance in Kisumu, Nairobi and Mombasa women formed groups to set forth their agenda, through Kisumu County Women Leadership Focus, which mobilized and lobbied for women leadership and representation. Similarly, in Mombasa there was massive mobilization to the leaders, the chiefs, and commissioners, the madrasa teachers, to ensure that women were given a chance to talk during the chiefs’ barazas about their needs and even at religious meetings. The enactment of the Kenya Constitution 2010 represented an important milestone to the Kenyan women. Similarly, it was a product of their self-mobilization strategies that worked for them despite the challenges identified elsewhere in the study. The strategies bore fruit and it is evident that the same can be replicated for informing the policies for WEE, building networks and alliances for women’s economic empowerment and engaging key stakeholders to champion support for programmes and initiatives in support for WEE. It should also be noted that the movements ensured women voices were heard and represented in the constitution, yet not all the gains were implemented. This calls for continuous mobilization and engagement with government and private sector for influence and possible actions towards WEE. The journey for women economic empowerment continues as it is a relay where the baton must be passed to the next generation till the end of the race.

In the deeply divided Kenyan constitutional reform process, women came together in the ‘Women in the National Constitutional Conference’ to coordinate, strategize and offer a model for overcoming the political stalemate (Suteu & Bell, 2018)



### 4.3 Recommendations

The recommendations are provided under the four objectives of the study. The objectives were reflected in the following research questions:

- i. What strategies did the women’s movement use during the constitutional review process in Kenya (1997- 2010)?
- ii. What are the Best Practices emerging for women’s self-mobilization from the strategies identified?
- iii. What strategies are women using in self-mobilization for WEE?
- iv. What legislation and policy gaps exists for WEE for lobbying and advocacy?

#### 4.3.1 Strategies women’s movement used during the constitutional review process

Based on the study’s findings, women movements faced many challenges such as Lack of funds, lengthy process, abuse from the public, minimal women representation, opposition from the men, family responsibilities, backlash, ethnic divisions, police protests, family wrangles/family, language barrier, denial from voting, lack of knowledge, removal of women issues from the drafts, timing of the hearings, intimidation from other women, affiliation to a political party, diversity

*“ I think they wanted women to be empowered and also to be in power , initially women were just seated at home looking after children and the whole family, but because these women rolled down the program to other women at the grass root level” (Kisumu FGD)*

**Recommendation i:** There is need for civic education and creation of awareness; this would discourage stereotyping and other gender norms that are an obstacle to women’s full realization in WEE initiatives, policies, programs and in leadership. Women need a sound support system from national to grassroots level. The position of women should be seen as complementary.

**Recommendation ii:** Women issues and needs should be articulated and well protected by a well-structured and legal institution which should be mandated to coordinate the representation of the same nationwide and cascaded to the grassroots.



**Recommendation ii:** Intergeneration forums should be held for ensuring the passage of knowledge to the young women leaders, ensuring that women are involved in decision-making especially in issues regarding women.

#### **4.3.2 Document emerging best practices for women’s self-mobilization from the strategies identified**

Women movements’ strategies that made them realize the gains in the constitution-making were well applied through civic education, unity of purpose, lobbying, meetings, having male allies, setting a clear agenda, debates, writing memoranda, networking, unity of purpose, media, meetings, women groups, and power in numbers.

**Recommendation i:** Development of a national guideline manual on strategies that worked envisioned for enhancement of adoption and replication for WEE.

**Recommendation ii:** In regard recommendation (i) there is need to have a tracking system of the gains since the constitution was promulgated. This would also help in keeping stock of management and sustainability of the WEE gains.

**Recommendation iii:** In regard to recommendation (i), there is need for budgetary allocation to manage and sustain the initiative in a structured and systematic manner to realize issues pertaining to WEE.

*“Women had Merry-go-round groups and since they didn’t have time to move around, they would meet educate one another about issues relating to women alone of which the issues of the new constitution promoted women agenda,” (FGD, Mombasa)*

**Recommendation iv:** Need for holistic legal framework to regularize and protect WEE landscape.

#### **4.3.3 Strategies used by women in self-mobilization for WEE**

Based on the study’s findings, women used strategies such as preparing the law, civic education, collection of views and mobilization at the community level Bomas negotiations, the referendum 2005 and 2010, civic education, unity of purpose, lobbying, meetings, having male allies, setting a clear agenda, debates, writing memoranda, networking, unity of purpose, media, meetings, women groups, and power in numbers. They also faced challenges such as inadequate of goodwill from the politicians, individualistic competition, insufficient dissemination



*“The women's movement would need to assess to see where do we have our strength and where do we need a little bit of oiling to be able to say, oh, here we need a little bit of oiling to prepare the grounds, to be able to have women who can actually receive information on economic empowerment, interpreting based on their local, and be able to give us back what they want so that we push it to high levels” A.O*

channels, lack of accountability, weakened women organizations, poverty, jeopardy from the courts, women disunity, ethnic divisions, inadequate finances, few women in leadership positions, mismanaged timelines, little documentation on women’s processes.

**Recommendation i:** Capacity-building by a recognized, independent and non-partisan entity such as an academic institution, and in particular UoN-WEE Hub to chart the way forward for WEE issues.

**Recommendation ii:** Mapping and auditing of all women movements within the country. This means the need for a national database of all women movements, is critical for transparency, accountability, and even enhancing collaboration and networking, key for what worked for women movements to realize the gains in constitution.

#### **4.3.4 Identify policies and legislations gaps for advocacy for WEE**

On how women’s organizations could push for policies and legislation that promote WEE and the strategies to achieve economic empowerment, the key findings established the following: Capacity-building in terms of training on leadership skills, basic bookkeeping, embracing table banking principles, mainstreaming women representation cultural, socioeconomic, political perspectives, in terms of being provided with equal opportunities. Creating awareness and sensitization forums cascading to grassroots and the use of merry-go-round groups, which came up very prominently due to self-building and sustainability capacities.

**Recommendation i:** Need for holistic legal framework to regularize and protect the WEE landscape. This includes but not limited to policies, strategic plans, sessional papers and regulations.

**Recommendation ii:** The need for establishing data and statistics for planning, budgetary allocation and mitigation interventions. This should be prioritized, in addition to involving all stakeholders in WEE.

**Recommendation iii:** Need for a monitoring and evaluation system for checks and balances in spearheading WEE programs.



#### **4.4 Way forward**

The following key questions set the way forward for better understanding and leveraging issues pertaining to WEE:

- i. Have women's movements adopted their strategies and goals to realize or influence WEE policies and regulations?
- ii. Do women have strategies and objectives for advancing WEE issues beyond the constitution?
- iii. Have women and women's rights coalitions set out a clear agenda for WEE?
- iv. Do women have clear strategies for how to engage in and influence the process of WEE?





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**APPENDICES**

**Appendix i: FGD Guide for Grassroots Women Drawn from Women’s Organizations**



**UNIVERSITY OF NAIROBI**  
**AFRICAN WOMEN STUDIES CENTRE**  
WOMEN’S ECONOMIC EMPOWERMENT HUB

**P.O Box- 30197-00100      Tel: 0204918217**

**Email: [weehub@uonbi.ac.ke](mailto:weehub@uonbi.ac.ke)      Web: [www.weehub.org](http://www.weehub.org)**

**EXAMINING THE STRATEGIES WOMEN’S MOVEMENT USED TO REALIZE THE GAINS IN THE KENYA CONSTITUTION 2010**

**FGD GUIDE FOR GRASSROOTS WOMEN DRAWN FROM WOMEN’S ORGANIZATIONS**

**Objective:**

To identify the strategies that worked for women’s organizations, challenges faced, lessons learnt during the making of the constitution 2010 that can be incorporated in advancing women’s self-mobilization.

**CONSENT FORM**

My Name is: \_\_\_\_\_

The Women’s Economic Empowerment Hub at the University of Nairobi (UON WEE Hub) is carrying out a study on..... The purpose of the study is to: ..... This [**questionnaire/ Discussion guide**] aims at gathering information to inform this study. The UON WEE Hub has been licensed to carry out this research by the National Commission for Science, Technology & Innovation (NACOSTI) under License No: NACOSTI/P/21/10596.

Your views will be helpful towards the completion of this study and will hopefully inform future interventions by government and its partners on issues relating to women’s economic empowerment in



Kenya. All information gathered under this study will be treated with confidence and will only be used for the purpose of this study.

***Please, take note that:***

- a) The interview will take about **60 minutes**.
- b) Your participation in this interview is on a voluntary basis and you can withdraw at any point if you feel so.
- c) Your information will be treated with strict confidentiality. This means that we will not reveal you name or any personal or confidential information you share with us.
- d) In the event that you share personal information requiring access to referral services, we will provide you with details on where you can access such services.
- e) You can request for clarifications in the course of the interview where you don't understand.
- f) I kindly request to record your responses on the interview schedule as well as to tape -record them so that I can capture the responses accurately.

Do you agree to participate in the interview?

YES \_\_\_\_\_ (**request the person to sign**)

NO \_\_\_\_\_ (**Thank the person and end the exercise**)

***Please, sign to signify your consent:*** .....

**QUESTIONS**

1. What motivated women to mobilize themselves in order to participate in the Constitution-making process?
2. Which strategies did women use to mobilize themselves in order to participate in the constitution 2010 making process?
3. What challenges did you face when mobilizing women to participate in the constitution 2010 making process and how did you overcome them?
4. What lessons can we draw from women's mobilization during the constitution-making process that women can use to mobilize themselves in order push for the implementation of the gains realized in the constitution?
5. What strategies can women use to mobilize themselves in order to achieve economic empowerment?



Thank you for your time.



### FGD Participants Information

NAME	ORGANIZATION	AGE		PHONE CONTACT	SIGNATURE
		18-39	40 +		





## Appendix ii: Autobiographical Narrative Guide for Women Pathfinders



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WOMEN'S ECONOMIC EMPOWERMENT HUB

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**Email:** [weehub@uonbi.ac.ke](mailto:weehub@uonbi.ac.ke)      **Web:** [www.weehub.org](http://www.weehub.org)

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### EXAMINING THE STRATEGIES WOMEN'S MOVEMENT USED TO REALIZE THE GAINS IN THE KENYA CONSTITUTION 2010

#### AUTOBIOGRAPHICAL NARRATIVE GUIDE FOR WOMEN PATH-FINDERS

**Objective:** To capture the lived experiences of luminary women who were involved in the making of the Kenya constitution 2010 in order to elicit the strategies that worked for upscaling for WEE.

### CONSENT FORM

My Name is: \_\_\_\_\_ Phone Number: \_\_\_\_\_

The Women's Economic Empowerment Hub at the University of Nairobi (UON WEE Hub) is carrying out a study on..... The purpose of the study is to: ..... This [**Discussion guide**] aims at gathering information to inform this study. The UON WEE Hub has been licensed to carry out this research by the National Commission for Science, Technology & Innovation (NACOSTI) under License No: NACOSTI/P/21/10596.



Your views will be helpful towards the completion of this study and will hopefully inform future interventions by government and its partners on issues relating to women’s economic empowerment in Kenya. *All information gathered under this study will be treated with confidence and will only be used for the purpose of this study.*

***Please, take note that:***

- g) The interview will take about 1 hour (60 minutes).
- h) Your participation in this interview is on a voluntary basis and you can withdraw at any point if you feel so.
- i) Your information will be treated with strict confidentiality. This means that we will not reveal you name or any personal or confidential information you share with us.
- j) In the event that you share personal information requiring access to referral services, we will provide you with details on where you can access such services.
- k) You can request for clarifications in the course of the interview where you don’t understand.
- l) I kindly request to record your responses on the interview schedule as well as to tape -record them so that I can capture the responses accurately.

Do you agree to participate in the interview?

YES \_\_\_\_\_ (**request the person to sign**)

NO \_\_\_\_\_ (**Thank the person and end the exercise**)

***Please, sign to signify your consent:*** .....

**Background Information**

**Start Time:** \_\_\_\_\_

**End Time:** \_\_\_\_\_

<b>Name of the Interviewee</b>	
<b>Contact</b>	
<b>Date of Interview</b>	
<b>County:</b>	
<b>Sub-County</b>	

**Section A: THE CONSTITUTION-MAKING PROCESS – 1997 to 2010**

1. Tell us about yourself, where you were born, education, work history
2. Tell us about your role in constitution making process. **Probe for:** why you got involved in the process, which organizations you work with, which women leaders you worked with (name them), were there men you worked with (name them)?



3. What stages of the making of the constitution did the women influence most i.e.?
  - i. preparing the law
  - ii. civic education
  - iii. collection of the views and mobilization at the community level
  - iv. bomas negotiations
  - v. the referendum 2005 and 2010
4. What did you do to ensure that what women wanted was adopted by the constitution? **Probe for:** strategies used by individual women, different organizations, national organizations, women leaders, women politicians, women in religion, women at the grass-roots level, activities at personal level
5. What strategies worked for the realization of the gains for women during the constitution making process? (Probe for what they did at various stages and with various agents/influencers/institutions)
6. What challenges did women face during the constitutional making process and how did they overcome?
7. What are the most important women's gains of the constitution? Probe for Economic empowerment.
8. What lessons can we learn from women's mobilization and negotiations during the Constitution-making process?
9. How can these lessons be used to promote policy change for Women Economic Empowerment?
10. Do you have anything else you would like to share with us?

Thank you for your time and participation in this interview.



**Appendix iii: Examining the Strategies Women’s Movement used to Realize the Gains in the Kenya Constitution 2010**



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**P.O Box-** 30197-00100    **Tel:** 0204918217  
**Email:** [weehub@uonbi.ac.ke](mailto:weehub@uonbi.ac.ke)    **Web:** [www.weehub.org](http://www.weehub.org)

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**EXAMINING THE STRATEGIES WOMEN’S MOVEMENT USED TO REALIZE THE GAINS IN THE KENYA CONSTITUTION 2010**

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**SEMI-STRUCTURED QUESTIONNAIRE ON THE ROLE OF WOMEN ORGANIZATION IN CONSTITUTION MAKING 2010**

**Objectives:** To identify the strategies women’s organizations used, challenges faced, lessons learnt during the making of the constitution 2010 that can be incorporated in advancing women’s self-mobilization.

**CONSENT FORM**

My Name is: \_\_\_\_\_ . Phone Number: \_\_\_\_\_

The Women’s Economic Empowerment Hub at the University of Nairobi (UON WEE Hub) is carrying out a study on..... The purpose of the study is to: ..... This [questionnaire/ Discussion guide]



aims at gathering information to inform this study. The UON WEE Hub has been licensed to carry out this research by the National Commission for Science, Technology & Innovation (NACOSTI) under License No: NACOSTI/P/21/10596.

Your views will be helpful towards the completion of this study and will hopefully inform future interventions by government and its partners on issues relating to women’s economic empowerment in Kenya. *All information gathered under this study will be treated with confidence and will only be used for the purpose of this study.*

**Please, take note that:**

- m) The interview will take about 1 hour (60 minutes).
- n) Your participation in this interview is on a voluntary basis and you can withdraw at any point if you feel so.
- o) Your information will be treated with strict confidentiality. This means that we will not reveal you name or any personal or confidential information you share with us.
- p) In the event that you share personal information requiring access to referral services, we will provide you with details on where you can access such services.
- q) You can request for clarifications in the course of the interview where you don’t understand.
- r) I kindly request to record your responses on the interview schedule as well as to tape -record them so that I can capture the responses accurately.

Do you agree to participate in the interview?

YES \_\_\_\_\_ (request the person to *sign*)

NO \_\_\_\_\_ (Thank the person and end the exercise)

**Please, sign to signify your consent:** .....

**Background Information**

Name of the Interviewee	
Contact details	
Date of Interview_	
Age	a) Below 25 [ ] b) 26 – 35[ ] c.)36 – 45 [ ] d) 46 – 55 [ ] e)Above 55 [ ]
Education Level	a) None [ ] b).Primary [ ] c)Secondary [ ] d.) Tertiary [ ] Other (Specify) _____
Occupation	
Organization	

**SECTION B: CONTEXTUALIZING SELF-MOBILIZATION FOR WOMEN’S EMPOWERMENT**



- i. Tell us about your organization’s role during the constitution making process. **Probe:** successes, challenges faced by the organization, strategies the organization used, who were the key players in your organization.
- ii. Why did the organization choose to get involved in this process?
- iii. What role did you play in this process?
- iv. what motivated you to play this role?
- v. What were the successes and the challenges?
- vi. Were you involved with other women organizations in constitution review process? **Probe:** if yes, what role did you play?
- vii. What can we learn from your experience about women organizing themselves for
- viii. From your own experience in constitution making process, what is the value of women working together to negotiate for their interest?

**SECTION C: STRATEGIES WOMEN’S ORGANIZATIONS USED DURING THE CONSTITUTIONAL REVIEW PROCESS IN KENYA (1997- 2010)**

1. Can you share with us the history of your organization? **Probe:** why was it started, by who, is it local/community/national/international, where does it get financial support/from who?
2. When did the organization start being involved in the constitution review process? **Probe:**
3. Which women’s organization(s) where you affiliated to during the constitution review process?  
.....  
If more than one, please explain?  
.....
4. At what level were you involved in the constitutional review process?
  - a) Division [ ]
  - b) District [ ]
  - c) Constituency [ ]
  - d) Province [ ]
  - e) National [ ]
  - f) Others (Specify).....
5. How were you involved? **Probe:** what activities were you involved in, who were your partners?



6. What key issues did your organization advocate for inclusion in the constitution?

7. What five gains in the constitution review process do you consider most important? **Probe** for economic empowerment

8. What strategies worked for women’s organizations that made it possible for issues to be adopted for the new constitution? Probe and list the strategies as identified

9. Why did these strategies work?

10. Was women economic empowerment

11. What strategies do you think women can use to change policies that influence women economic empowerment? How can women’s organizations mobilize themselves in order to influence other policies in their interest? E.g., push for the full implementation of the gains realized in the constitution 2010?

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12. What lessons did you learn from your involvement in the constitution making process that can applied for women’s self –mobilization for women’s economic empowerment ?

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13. What challenges did your organization experience in this process? **Probe:**

14. How did you overcome these challenges?





**SECTION D: ADVOCACY OF POLICIES AND LEGISLATION FOR WEE**

1. What challenges do women’s organization(s) face in influencing the implementation of the benefits provided for by Constitution 2010? **Probe:** economic benefits in the constitution/property rights (Bill of Rights), affirmative clauses.

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2. How can women’s organizations push for policies and legislation that promote WEE?

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3. Do you have anything else you would like to share with us?

Thank you for your time.