CHALLENGING PATRIARCHY

The Role of Patriarchy in the Roll-back of Democracy

EDITORS: Caroline Kioko, Rosebell Kagumire, Mbalenhle Matandela

CONTENTS

ACRONYMS

ACHPR:	Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa
APHRC:	African population and Health Research Centre
AU:	African Union
BBC:	British Broadcasting Corporation
BPFA:	Beijing Platform for Action
CEDAW:	The Convention on the Elimination of all Forms of Discrimination Against Women
EAC:	East African Community
EPLF:	Eritrean People's Liberation Front
FIDA:	Federation of Women Lawyers- Kenya
ICPD:	UN International Conference on Population and Development
ICCPR:	International Covenant on Civil and political rights
IGAD:	The Intergovernmental Authority on Development
MDGs:	Millennium Development Goals
NGOs:	Non Governmental Organizations
NARC:	National Rainbow Coalition
NASA:	National Super Alliance Coalition
NUEW:	The National Union of Eritrean Women
ODM:	Orange Democratic Movement
PFDJ:	The People's Front for Democracy and Justice (*Hǝzbawi Gǝnbar nǝDämokrasǝn Fǝtǝḥan*)
UNDP:	United Nations Development Programme
UNHCR:	The UN Refugee Agency
UNSCR:	UN Security Council Resolution
USAID:	U.S. Agency for International Development
UNFPA:	United Nations Population Fund
WYDC:	Warsay Ykealo Development Campaign

GLOSSARY

Abba Gadaa: Chairperson of the Gadaa

Ateetee: Ateetee is an indigenous Arsii Oromo womens' musical conflict resolution process and an institution within siinqee. Using collective chanting, music, and support from their fellow women, Oromo women are able to protect and assert their rights in the face of opposition.

Askari: A colonial description of an African military officer.

Dichotomization: Dividing into two opposing groups or kinds.

Femocracy or feminist democracy: A concept that denotes a commitment to socially inclusive and responsible governance .

Gadaa Caffee: The Gadaa General Assembly.

Gadaa System: An indigenous democratic system that encompasses the political, cultural, economic, and religious affairs of the Oromo people, and has been practised in Oromia for over 500 years.

Iron maiden: Women leaders who are seen as bold and politically mature.

Kakuu: Oath giving.

Madamato or Madamismo: Used by Italians to refer to the concubinage between Italian men and African women referring to "something" that was neither marriage nor prostitution.

'Minji Minji': Translating to "small small" denoting the physical appearance of a young and beautiful woman.

Ohangla: Traditional adult musical and dance genre among the Luo.

Oromummaa: Oromo-ness.

Shanee: Members of the Gadaa.

Patriarchy: A social system in which men hold primary power and predominate in roles of political leadership, moral authority, social privilege and control of property.

Patrimonialism: A form of governance in which all power flows directly from the leader.

Seera ambaa/aadaa: Arsi Oromo Customary law.

Siinqee: Defined as a woman-only institution within the Gadaa System used by women as a balance to counter male-dominated roles within Gadaa.

Tegadalit: A female fighter or women combatants that has adopted masculine attitudes and values to fit into a new empowered.

The Daily Nation and The Standard: Two of Kenya's largest print newspapers.

Ulee: A representative stick Oromo women carry with them. The stick symbolises a socially sanctioned set of rights exercised by women from the institution of siinqee. This special stick is given to a woman on her wedding day when she is legally married.

Waayyuu: Represents the sacred one, a symbol of respect, and a reflection of God. God is the greatest waayyuu.

ACKNOWLEDGEMENT

This book is a product of an enormous team effort. Heinrich Böll Foundation is sincerely grateful to all who have made the publishing of this book possible. We are grateful to the contributors for sharing their experiences, recommending solutions and approaches to realise equality and inclusivity. We also appreciate the editors who have worked tirelessly to produce a book that will hopefully inform better democratic processes for the states in the East and Horn of Africa. Appreciation also goes to Bwesigye bwa Mwesigire for the help in shaping the abstracts, Aminah Jasho for proofreading and copyediting the articles in the book and all the others who have helped shape and publish this book. We intend for this book to speak to a wide range of audiences, including policy-makers, scholars, activists and feminists. We hope that this book will aid in challenging patriarchy in the East and Horn of Africa and serve as a source of information towards inclusivity and equality in Africa.

NOTES ON EDITORS

1. **Rosebell Kagumire** is a Pan-African feminist writer, award-winning blogger and socio-political commentator. She is the curator and editor of African Feminism-AF, a platform that documents narratives and experiences of African women. Rosebell was honored with the 2018 Anna Guèye Award for her work on digital democracy, justice and equality by Africtivistes. The World Economic Forum recognized Rosebell as one of the Young Global Leaders under the age of 40. She holds a Masters in Media, Peace and Conflict Studies from the University for Peace in Costa Rica. She has also studied Global Leadership and Public Policy at the Harvard Kennedy School, and Nonviolent Conflict at The Fletcher School of Law and Diplomacy, Tufts University. Her undergraduate degree is in Mass Communication from Makerere University.

2. **Caroline Kioko** is an African feminist and a human rights lawyer. She holds a degree in law from the University of Nairobi. Her specialization is in Public International Law and Human Rights Law. Caroline is an accredited professional mediator by the International Mediation Training Institute. She has a keen interest in development and application of civil, political and social rights in Africa. Caroline is a committee member of the Africa End Sexual Harassment Initiative working towards developing a regional model law on sexual harassment. She has immense experience working on governance and gender democracy, and currently works for Heinrich Böll Foundation-Nairobi Office as the Programme Coordinator on Gender Democracy in Kenya, Uganda, Tanzania, Somalia/Somaliland.

3. **Mbalenhle Matandela** is an African feminist activist and writer who is a graduate of the University of Oxford and the University of Cape Town. Having studied African Studies at the University of Oxford and Gender and Transformation at the University of Cape Town, Mbalenhle writes as a Research Consultant for the AU Working Group on Gender Equality for the African Working Group at Goldsmith University on issues that relate to gender, conflict, peace and security in the Horn and Red Sea Areas. Mbalenhle has written about women's experiences in liberation movements, digital social movements, xenophobic violence and gender-based violence in Southern Africa. She has taught on gender, education, SGBV and development at the University of Cape Town.

NOTES ON CONTRIBUTORS

1. **Amatullah Semmer Aman**, is currently a Junior at Lewis and Clark College in Portland, Oregon, studying International Affairs and Middle Eastern North African Studies, with an interest in International Law. Aman spent a semester abroad in Morocco, which inspired her first ethnographic research project: "The New 'Black' Morocco: the Complex Lives of Sub-Saharan African Christian Mothers" which attempts to delve deeper into the intersectionality of race, gender, religion, and migration status in an ever-fortified and xenophobic Morocco.

2. **Getnet Tibebu Alemayehu** is a PhD candidate at Addis Ababa University. He graduated from Addis Ababa University, Department of Foreign Languages and Literature majoring in English literature. He is also a lecturer at Mizan Tepi University.

3. **Valentina Fusari** holds a PhD in Geopolitics (University of Pisa) and an MA in Anthropology (University of Siena). She has been an Assistant Professor at the Adi Keih College of Arts and Social Sciences (Eritrea), and is currently an adjunct professor of Population, Development and Migration and postdoc fellow at the University of Pavia. Her research interests focus on population dynamics in the Horn of Africa (mainly in Eritrea), demographic anthropology, colonial and political demography, hidden and vulnerable populations. She has authored and co-authored books and articles.

4. **Nothando Maphalala** is an advocacy and communications specialist based in Addis Ababa.

5. **Kevin C. Mudavadi** is a graduate student at USIU-Africa pursuing a Master of Arts in Strategic Corporate Communication.

6. **Protus Akwabi Murunga** is a graduate with a BA in Communications and Media (Print media and public relations) from Egerton University and an MA in Strategic Corporate Communication (Public Relations) from the United States International University-Africa. His research interests are in communications, media, gender, and political communications.

7. **Simon Wanjala Nganga** holds a PhD degree in general linguistics from Bayreuth University, Germany. He has a wide international experience and has published extensively in the areas of Discourse Analysis, Pragmatics and Postcolonial Linguistics. His research interest includes gendered uses of language in a wide range of contexts. Since 2015 he has been a lecturer at the Department of Linguistics and Foreign Languages at Moi University, Eldoret.

8. **Passy Amayo** holds a Bachelor of Arts in Diplomacy and International Studies from the University of Nairobi and has a strong interest in international development especially in relation to governance, security, climate change, environmental restoration, access to sustainable energy, policy formulation and implementation. She is currently serving as the Programme Officer at the Society for International Development (SID).

9. **George Odhiambo Okoth** is a Lecturer, Department of History at the Jaramogi Oginga Odinga University of Science and Technology. He lectures on philosophy of history, history of political ideas, constitutional history of Kenya and women in African history. Fields of interest include party politics in transition to democracy, gender and politics; and ethnicity, boundary disputes and institutional claims. His published research includes the 2013 elections in Kenya, Gender mainstreaming efforts within party processes, balancing the act between China's and U.S aid entry in Africa and political parties as instruments of oligarchy in transition to democracy.

10. **Samuel O. Pere** holds a Bachelor of Arts in International Studies from the University of Nairobi, and currently works as an independent researcher and writer. His background in Information Technology has been overshadowed by his interests in Governance, Security sector reforms, Violent Extremism, Foreign Policy and Diplomacy.

11. **Nerima A. Were**, is a feminist, human rights advocate and an academic working at the University of Nairobi as a tutorial fellow and supporting the Sexual and Reproductive Health and Rights Thematic Area at KELIN.

12. **Linda W Kroeger**, is a feminist, lawyer and human rights activist working as a programme officer in the Sexual and Reproductive Health and Rights Thematic Area at KELIN.

13. **Tabitha S. Griffith** is a feminist, lawyer and human rights advocate working as the Deputy Executive Director at KELIN.

FOREWORD

States and individuals identify with the term *human rights*. However, the understanding and realisation of human rights is contextual. Through the proliferation of human rights instruments, states ratify these instruments to the extent of acceptance by their social, cultural and religious norms. Arguably, this practice has left the realisation of equality, inclusion and the overall practice of democracy to the discretion of states. It begs the question, "to what extent is a state representative of its citizens." Is the voice of the state only an echo of the voice of the political class? Is democracy limited to a group of elites in the political class?

There is no single definition of human rights as Celestine Nyamu- Musembi (2006) opines that 'rights are shaped through actual struggles informed by people's understanding of what they are justly entitled to.' Through the reading and editing of the articles in this book, it was clear that the understanding and practice of feminism is multifaceted. The struggles cutting across the region are contextual, and there is undoubtedly not a single solution or approach to addressing the challenges.

The articles illustrate how the practice of democracy, in its definition, would be instrumental in addressing most of the challenges highlighted in this book. In the words of A. C. Grayling (2018) "A democratic state at the least should aim to promote the observance of such standards, that no one is of less than equal status, that different does not mean unequal, and that equality independent of gender, ethnicity and sexual orientation is the ideal." Any progressive state should aim to grow its democracy; this would consequently challenge patriarchy.

The authors take the reader on a realisation journey of how the above threshold of democracy is unattainable in a patriarchal society. The articles show how democracy in East and Horn of Africa has over time become synonymous to patriarchy. The line between the two is blurry. However, the journey through these articles is not all doom as the hope for equal and democratic states is not lost. The need for equality and equity is overdue. The consistent and continuous use of various platforms to express the discomfort of oppressive states is commendable. It is interesting to note how the utilisation of these platforms for the expression of anger and unsettlement for the governance systems in Africa is picking pace; it is evident that upheaval is imminent.

The subsequent regional reckoning does not necessarily spell doom for the states in the region but provides an opportunity to take part in shaping new world order. I hope that the articles in this book will serve as an inspiration and an eye-opener to all people who have made enormous sacrifices and work tirelessly to ensure equal and democratic societies. This book is a thrilling challenge for all of us to work towards better.

Nairobi, March 2020

Caroline Kioko,
Programme Coordinator, Gender Democracy
Heinrich Boll Foundation- Nairobi

THE CONVERGENCE OF PATRIARCHY AND DEMOCRATIC ROLL-BACK IN THE EAST AND HORN OF AFRICA

MBALENHLE MATANDELA

A collective radical feminist voice in the East and Horn of Africa exists outside of the shadows of patriarchy. As the region reckons with profound questions related to post colonialism and democracy, African feminisms and Pan-African-ness, there are African feminist voices that centre a resilient feminist consciousness and unearth the omissions of continental governments. Patriarchy is one of those omissions that is entrenched in the region and gives room for the continued existence of democratic roll-backs. It is a global trend that has local and contextual manifestations along ethnic, religious, geographical and socio-economic divides. Patriarchy is a system of power and inequality that gives unequal social, economic and political opportunity and access in favour of men and operates at the detriment of women and other marginalised groups. This system of inequality monitors and instils behaviour that counteracts women from attaining civil, political and socio-economic rights. Denial of women's rights is an acceptance of flawed ideas of democracy and human rights. Against the backdrop of the persistence of gender equalities, there is also a growing mandate for strengthened feminist regional mobilisation and a renewed political agenda of gender transformation in the areas of reproductive justice, migration, women's representation and institutional reform. There is still unfinished liberation for women in Eritrea, Sudan, Uganda, Kenya, Ethiopia and a gap between policy and reality in the region.

Regionalism and unity across borders are not limited to the regional bodies that exist such as the African Union, IGAD, the East African Community (EAC) and the Great Lakes regional bodies. African feminism is part of a long Pan-African tradition that builds solidarities across colonial borders that were meant to divide, define and rule. Therefore, African feminisms in principle, understand the multiple oppressions against women through the lens of regionalism and Pan-Africanism. Her-stories that centre the lives of women and their contemporary challenges are important as they revive the work of feminist ancestors and connect multiple axes of oppression.

Mama, A & Abbas, H. (2014) notes that there is a powerful regionalism that has been curated by radical feminist organising and women's rights advocacy that has been pushed to the periphery by

> The continental mainstream Pan-African agenda [that] is dominated by powerful men who are mostly concerned about using conservative pan-African rhetoric to the service of their often anti-democratic purposes. The varied grassroots Pan-African movements of the past have been reduced into a hegemonic Pan-Africanism narrative that has become an institutionalised support for patriarchal values.

Such conservative Pan-African rhetoric guides policy developments and informs the language and timeframes of democratic development key in advancing democracy, but silent on democratic roll-backs and repressed feminist agendas. In both new and established democracies, the gains from democratisation in Africa, including those initiated by women's movements, are in reversal. This is due to the behaviour of political elites, the state of constitutionalism and military and economic competition from foreign actors. Gender equality amid this "is placed against the backdrop of political monopoly, economic deprivation, poverty, violence, displacement, adjusting economies and globalisation, the crisis multiplies tenfold" (Tamale, 2006). This crisis ensues with the shrinking space for civil society and their ability to bridge the gap between citizens and the state to protect the civil and political rights, which are not limited to, but include the freedom of expression, association, information, and the rule of law. Without room for active citizenry and assured protections for those who choose radical feminist strategies and tactics for the advancement of women's rights, the legitimacy of democracy is at stake.

Democratic roll-back affects the legitimacy of democracy domestically and the relationships between neighbouring states. As a terrain central to feminist politics, the human body cannot be left out of conversations about the state of democracy; the body is political. The human body is affected by patterns of migration that affect human security and by-laws that hinder comprehensive access to sexual and reproductive health rights. Body politics are, therefore, directly linked to post-independence policy development in the region and the legacies of colonialism on the continent. Women as decision-makers are often side-lined or not given substantive power in post-independence policy processes that affect gender roles and their livelihoods. Instead, patriarchy limits women to using their agency reactively in order to respond to policy development from the periphery.

On migration, Valentina Fusari's article discusses the consequences of the Eritrean National Service Programme and the subsequent Warsay Ykealo Development Campaign (WYDC) on the gendered composition of households, international migration patterns and the gains made by women in the liberation movement. Forced national service and conscription into the WYDC out of the need to protect state sovereignty has led to the international migration of men and the emergence of female-headed households that carry the burden of survival under dire economic circumstances. There is a long history of Eritrean women using their agency to navigate patriarchy. However, in the context of poverty, lack of opportunities, and inadequate government services, Valentina Fusari poses a critical question, is it forced empowerment or is it their agency that leads them to enter roles historically closed off to them? Migration's impact on human security is evident and well-researched, but the positive effects of social remittances from the diaspora and the potential that a returned politically mobilised youth could have within a democratic 'home(land)' leaves room to observe future research and hopes for democratic development in Eritrea.

The border conflicts, civil wars, political instability and ethnic violence in the region are a consequence of colonial borders, strongman politics and militarism. These are not the only harmful remnants of the colonial history that the region has, there are also harmful social norms and gendered vulnerabilities that have been imported to Africa. These are present in the relationship between the family unit, the state and in the meanings attached to women's reproduction. Tamale (2013) argues

> Colonialists worked hand-in-hand with local leaders to develop inflexible customary laws that evolved into new structures and forms of domination and deployed various legal and policy strategies and discourses in the areas of medical health and hygiene. Traditional customs were reconfigured to introduce new mores, taboos and stigmas. Women's sexuality was medicalized and reduced to reproduction. Through adopting Christianity, Africans were encouraged to reject their previous beliefs and values and to adopt the "civilised ways" of the whites. A new script, steeped in the Victorian moralistic, anti-sexual and body shame edict, was inscribed on the bodies of African women and with it an elaborate system of control.

Nothando Maphalala explores the effects of white supremacy on women's comprehensive access to abortion and reproductive freedoms in Uganda, Ethiopia and Kenya. Maphalala's analysis, guided by Pan-Africanism and reproductive justice, reveals the different forces at play that make abortion access a dangerous endeavour for African women. Colonial frameworks, conservative Christian NGOs, foreign donor policies and African governments are part of the myriad of forces that have constructed rhetoric around abortion that has survived into independence. Abortion is still a censored issue, and the rhetoric that exists does not frame it as a basic health service.

Access to safe and legal abortion is linked to the freedom of choice, a civil right, and women's citizenship. However, it is still heavily stigmatised by political elites, religious leaders and traditional leaders because of the promotion of a sexual and reproductive health rights discourse that is interwoven with the framing of the family as the moral fabric of society. The state upholds such traditional values and protects patriarchy through ambiguity and censorship. Abortion laws are ambiguous, which means that patriarchy protects its power and control over women in the silences. In the Ethiopian case, ambiguity creates an opportunity for safe access. However, on the other hand, in Uganda and Kenya ambiguous laws present opportunities for unjust implementation and further poses a danger to the lives of women.

Besides reinforcing patriarchal values in legal frameworks, the state has been the institution at the forefront of nation-building efforts and in defining democratic advancement, but what norms, exclusions and ideas about feminism does the state hold? State feminism holds the assumption that the state is the provider of all solutions and operates on the principles of participation, representation and democracy. With democratic roll-back taking place because of unaddressed patriarchal values and the behaviours of political elites, how can African feminists engage the state in advancing women's agency and substantive progress in both the private and public worlds that they navigate? In what ways can decades of African feminism theory and practice give direction for the future?

Acholonu (1995) has offered motherism as an Afrocentric alternative to feminism. This theory drawn from post-colonial literature is,

> Anchored on the matrix of *motherhood* which is central to African metaphysics and has been the basis of the survival and unity of the black race through the ages. Whatever Africa's role may be in the global perspective, it could never be divorced from her quintessential position as the Mother Continent of humanity, nor is it coincidental that motherhood has remained the central focus of African art, African literature (especially women's writing), African culture, African psychology, oral traditions, and empirical philosophy. Africa's alternative to Western feminism is MOTHERISM and Motherism denotes motherhood.

This theory connects to other African feminisms that in their varying names and approaches, such as womanism, Black womanism, Black radical feminism and Black feminism, have a shared intellectual commitment to critiquing gender and imperialism coupled with a collective focus on a continental identity shaped by particular relations of subordination in the world economy and global social and cultural practices (Lewis, 2001)

Invoking the socially ascribed roles of women as mothers and wives seems to be an incomplete solution to refusing gender hierarchies. However, Motherism has principles that counteract exploitation in all its forms and promotes balance and healing, which are important to draw from. A radical African Feminist approach to political expression, political participation and inclusive governance should also centre self-healing and collective care. Women are framed as nurturers, but how do they nurture themselves to survive the convergence of patriarchy and democratic roll-back?

Gender mainstreaming was identified in the Beijing Platform of Action (1995), as an effective strategy to dedicate national, intergovernmental and international resources towards alleviating gender discrimination across all sectors of society. This saw the growing demand for gendered expertise and the entry of women into political and economic positions that they were historically excluded from. Mama (2005) describes this act of merely adding women into political institutions without transforming the political culture, the patriarchal values and gendered roles 'as entryism'. Entryism does not address the patriarchal values and the gatekeeping tendencies within governance institutions. It also does not address the challenges that African women have and the practices they resort to in order to take care of themselves amidst political opposition or patriarchal media representation.

This publication delves into how patriarchy affects media framing of women politicians and their experiences within governance institutions in African democracies. It also questions different approaches to inclusive governance and substantive representation. The answers lie in looking at the actors responsible for the regression of democracy, such as the behaviour of political parties and parliaments when faced with gender-transformative legislation or nominations. A glimpse at each country individually in terms of legislation, political party cultures, political will in local and national governments and nation-building, shows that commitments to gender equality are waning or are without substance and commitment. An example of this is the Eritrean People's Liberation Front (EPLF), which included gender equality and empowerment in its strategies of war and conflict. However, once the liberation movement turned into a political party, it was not equally invested in sustaining these gains and shifting Eritrean women's socio-economic position in civilian life.

With Sudan, Sudanese women have been critical in revolutions and political movements that have built the foundations of Sudanese society. Women's political organising has opposed the colonial rule, ousted military dictatorships and advocated for the rights of women. The feminist activism of the First Female Doctor of Sudan, Dr Khalida Sahir, who was arrested for opposing colonial rule in 1946. She was connected to the leadership of Fatima Ahmed Ibrahim in the Sudanese Women's Union in the struggle

to advance women's rights, equal pay and maternity and more recently, the anti-regime resistance that ousted Former President Omar al-Bashir (Elamin & Ismail 2019). However, Sudanese women face the challenges of being excluded from peace processes, post-war governance and the realisation of their Post-War Reconstruction objectives of attaining 30% representation across government institutions. These factors show that those that work against gender equality do so with minimal consequences in a patriarchal society.

The global trend in women's representation as indicative of democracy has necessitated research on affirmative action through implementing progressive gender quota legislation, such as the Two-Thirds Gender Rule in Kenya. The Two-Third Gender Rule was introduced after the promulgation of the 2010 Kenyan Constitution, but a legislative mechanism to implement it has not been passed due to continuous lack of quorum in Parliament. Nchalla (2013) argues that the Kenyan case shows explicitly that the success of affirmative action depends on the political will of critical actors in local and national levels and the very state of constitutionalism. Such realities beg the question on how an African feminist leadership can exist to protect constitutionalism and uphold democratic principles indigenous to Africa.

Can a new reality be forged?

Amatullah Aman gives an example of the Ateetee[1] and the Siinqee[2] systems as indigenous institutions of governance for the self-rule and agency of Arsii Oromo women. These systems were grounded on democratic principles that precede liberal democratic norms and pillars by which the Oromo people used to maintain their security and sovereignty. Although these socio-political institutions sanction perpetrators for domestic violence, sexual and gender-based violence and work as an accountability measure to the leading Gadaa system composed of men, the Ateetee system and Siinqee are viewed as merely ceremonial and are stigmatised by religion and subjected to the dynamics of ethnic tensions in present-day- Ethiopia. Sinqee is also only available to married women, which poses questions on what an inclusive socio-political institutional building would look like for Arsii Oromo women. *Oromumma,* therefore, is offered as a political consciousness that connects to oral histories that are carried from one generation to another through a language that views Arsii Oromo women as being closer to God.

They have *mirga* or rights, that are interconnected with customary law (seera ambaa/ aadaa), the Gadaa System, and the indigenous belief (Waaqeffanaa). In the context of current ethnic-based oppression and gender inequality in Ethiopia, women's oral

---

1   The Ateetee system is a women-led musical dispute process that is part of the Oromo customary law for many, Ateetee is also a female spirit that looks over all Oromo women.

2   The Siinquee is an autonomous women-led and governed institution for decision-making, for social justice and also is a watchdog for the parallel Gadaa system, governed by men.

histories pose the potential to forge solidarities across ethnicities and build a source of pride in African-ness. It is more than evident that many efforts have been made by generations of women leaders to ensure that states uphold democratic principles and transform gendered hierarchies. This notwithstanding, democratic roll-backs threaten histories of resistance in individual states and in the region. This publication and several other efforts are a clear communication that feminist organising is unrelenting in fighting patriarchy and those invested in keeping patriarchy alive in a radical and reflexive way.

REFERENCES

Acholonu, C. (1995). A Motherism: The Afrocentric Alternative to Feminism. Owerri:

Afa Publications.p. 110

Declaration, B. (1995). Platform for Action adopted by the UN Fourth World Conference on Women: Action for Equality. *Development and Peace, Beijing.*

Elamin, N & Ismail, T. (2019). The many mothers of Sudan's revolution. Al Jazerra, Opinion, Retrieved from https://www.aljazeera.com/indepth/opinion/alaa-salah-sudanese-mothers-190501175500137.html

Lewis, D. (2001). Introduction: African Feminisms. *Agenda: Empowering Women for Gender Equity,* (50), 4-10. Retrieved from www.jstor.org/stable/4066401

Mama, A. (2005). Demythologising gender. Feminist Studies in African Contexts. IDS Bulletin 35(4), 121- 124

Mama, A & Abbas,H. (2014). Editorial: Feminism and Pan-Africanism. Feminist Africa. (9):1-5. Retrieved from: http://www.agi.ac.za/sites/default/files/image_tool/images/429/feminist_africa_journals/archive/20/1_fa20_editorial.pdf.

Nchalla B.M. (2013). Tanzania's Experience with Constitutionalism and Constitution-making & Constitutional Reforms in M. M. T, *Constitutionalism and Democratic Governance in Africa: Contemporary Perspectives from Sub-Saharan Africa.* Cape Town: Pretoria University Law Press.

Tamale, S. (2006). African Feminism: How should we change? Palgrave MacMillan Society for International Development. 46 (1): 38-41 Retrieved from https://doi.org/10.1057/palgrave.development.1100205

Tamale, S., 2013. Confronting the politics of nonconforming sexualities in Africa. African Studies Review, 56(2), pp.31-45.

UNMASKING PATRIARCHY: THE FAMILY AND TRADITIONAL VALUES DISCOURSE AND THE QUEST FOR THE REPRODUCTIVE HEALTH AND RIGHTS OF WOMEN

NERIMA A. WERE, LINDA W. KROEGER AND TABITHA S. GRIFFITH

ABSTRACT

On April 4 2010, Kenya took a significant step in enacting a Constitution through a popular referendum that recognised the right to the highest attainable standard of health. Article 43(1) (a) (Constitution of Kenya, 2010) included reproductive health. Beyond this, in line with the Constitution, Article 26(4) went a step further and significantly liberalised Kenya's legislative framework on access to safe and legal abortion. The Constitution, thus, was a laudable step and was widely celebrated. However, the celebrations failed to note the reluctance in which the 'right' to access safe and legal abortion was conceded, not only in the discourse and debate but significantly in the framing of the provision. It is this reluctance that has had significant consequences in the realisation of these rights.

Almost a decade since the Constitution was enacted, there has been a rapid rise in the discourse on family and traditional values, and this has been used to attack women's ability to access safe and legal abortion. Article 26(4) - "Life begins at conception" – has been the cornerstone of this onslaught being used to perpetuate the rhetoric that "abortion is murder" and that women should opt for adoption. This has been demonstrated in the 2015 case by the Federation of Women Lawyers (FIDA-Kenya), challenging what they framed as the unconstitutional withdrawal of the *Standards and Guidelines for reducing morbidity and mortality from unsafe abortions in Kenya*.[1] One of the petitioners, in this case, was a minor J.M.M, a girl who had become pregnant as a result of defilement and procured an unsafe abortion which severely impacted her health.

This paper seeks to critically evaluate the growth of the family and traditional values rhetoric in Kenya and its impact on women's ability to access their reproductive health and rights. In particular, we hypothesise that family and traditional values are a mask for patriarchal notions.

---

1   Federation of Women Lawyers (FIDA-Kenya) and 3 others v the Attorney General and 2 others Petition 266 of 2015.

The methodology employed in this study is an analysis of the opposition to the Petition 266 of 2015 and the growth of the family and traditional values movement since the case was lodged. We shall evaluate the tactics and formation of the movement through a desk review of the literature which is centred around the case. This paper, seeks to challenge the withdrawal of the Standards and Guidelines and will also demonstrate the rise of the movement following the institution of that case.

> **A Kenyan specific study on attributions and attitudes of parents in Kenya noted that while fathers' roles primarily involved adjudicating disputes and controlling wealth and resources which provided them with power over the family, the overall day-to-day survival of children remained with the mother (Oburu, 2011, p. 152-162).**

This paper aims to contribute to the growing literature on the onslaught on the reproductive rights of women but will also add a uniquely African voice on the use of traditional and family values in order to mask patriarchy. In essence, we seek to unmask the entrenchment of patriarchy in the discourse as a tool to control the lives of women in Kenya, and we shall argue that the Constitution laid the groundwork for such a movement to exist - both in its concessions and its boldness.

Keywords:

Sexual and Reproductive Health Rights, Abortion, Human Rights, Patriarchy, Tradition, Family values
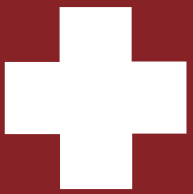
FAMILY
PLANNING

INTRODUCTION

The Constitution of Kenya (2010), presented a historic occasion for women and girls in Kenya which strengthened the normative framework for the protection of their rights and also to address historical imbalances amongst men and women. Significant provisions include Articles 43(1) (a)[2], 27[3] and 26(4), which collectively seek to protect women's reproductive health and rights and protect women from discrimination based on pregnancy. Article 26(4) states that:

Abortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment or the life or health of the mother is in danger, or if permitted by any other written law.

Article 26(4) was especially significant because it marked a culmination of a decade long debate around women's right to access safe and legal abortion and was surrounded by significant opposition (Committee of Experts on Constitutional Review, 2010) However, almost a decade since the constitutional enactment, there is an unwillingness to work towards the realisation of the constitutional promise and a clawback on the gains that have been made by Article 26(4).

This paper seeks to interrogate the centrality of the 'family values narrative' in opposing access to safe and legal abortion and in seeking to limit women's reproductive health and rights.

Background

Central to the *Federation of Women Lawyers (FIDA-Kenya) & 3 others v Attorney General & 2 others; East African Centre for Law and Justice and 6 others (Interested Parties) and Women's Link Worldwide and 2 others (amicus curiae)* (Petition 266 of 2015) is the story of JMM, an 18-year-old girl who died after developing chronic kidney disease as a result of a septic abortion. JMM was 14 when she became pregnant as a result of defilement by an older man. Due to several failures within the system of access to healthcare, she found herself at the hands of an opportunist who performed an unsafe abortion on her that resulted in significant injuries to her body, eventually resulting in her death (Paragraph 13, Petition 266 of 2015).

Petition 266 of 2015 sought to address the challenges faced by JMM and many other women and girls who are survivors of sexual violence but are unable to access both information and healthcare services. The important question around Petition 266 of

---

2   Article 43(1) (a) guarantees the right to the highest attainable standard of health, including reproductive health.

3   Article 27 guarantees the right to equality and non-discrimination and includes pregnancy as a prohibited ground in discrimination law.

2015 was the unconstitutional withdrawal of the Standards and Guidelines for Reducing Morbidity and Mortality from Unsafe Abortion in Kenya (Standards and Guidelines) and the National Training Curriculum for the Management of Unintended, Risky and Unplanned Pregnancies (Training Curriculum).

Unsafe abortions account for over 13% of all cases of maternal mortality in Kenya (Ziraba et al., 2015, p. 34). A 2012 study[4] revealed that an estimated 464,000 induced abortions occur annually. About half of all the post-abortion care clients were less than 25 years of age (48%) and with 17% aged between 10-19 years old. While Article 26(4) of the Constitution allows for safe abortion on specified grounds, the practice continues to be stigmatised and perceived as illegal in all circumstances.[5] In light of these alarming statistics and the need to protect women's reproductive health and rights, the Ministry of Health, after a consultative process, developed the Standards and Guidelines in 2012. However, by December 2013, the Ministry shifted gears and withdrew the Standards and Guidelines and went a step further (in February, 2014), to prohibit the use of the Training Curriculum in training for healthcare workers. This placed workers under threat and made them susceptible to legal and professional consequences, which also coincided with banning the use of Medabon.[6]

This is the backdrop in which JMM's case was brought to the courts. The arguments advanced on her behalf was that the State had failed in its obligation to create an enabling legal and policy framework for the realisation of Article 26(4) and had resultantly failed JMM. While the judgment of this matter was favourable, this paper is not about the judgment but seeks to highlight the rhetoric utilised during this case which sought to limit the rights of women and girls and also limit JMM to a receptacle for reproduction, despite the circumstances of the pregnancy. The theoretical framing of family and traditional values.

In many African states, and Kenya is no different, Oketch, (2016, p. 6) noted that we define the heterosexual family as the: "central social, and therefore economic and political institution in the constitution." The African Charter of Human and Peoples'

---

4   This study was conducted by Ministry of Health in collaboration with the African population and Health Research Centre (APHRC) undertook a study titled 'Incidence and complications of unsafe abortion in Kenya This Study is available at https://www.guttmacher.org/sites/default/files/report_pdf/abortion-in-kenya.pdf The analysis indicates that an estimated 464,690 induced abortions occurred in Kenya in 2012, corresponding to an induced abortion rate of 48 abortions per 1000 women of reproductive age (15-49 years), and an induced abortion ratio of 30 abortions per 100 births in 2012. it also estimated that 157,762 women received care for complications of induced and spontaneous abortions in health facilities in the same year.

5   Section 158-160 of the Penal Code of Kenya criminalise procurement of unlawful abortions in Kenya either by the person who seeks to procure the abortion (woman), the person that provides the abortion (healthcare worker or another party) and a person who provides noxious substances.

6   Medabon is a combination therapy containing two medicines called mifepristone and misoprostol used to conduct medical abortions.

Rights (the Charter) grounds the family as the natural unit and basis of society, placing an obligation on the State to protect both its physical and moral health (Article 18(1) of the Charter). The Charter also places an obligation on the State to assist the family, which shall be the custodian of morals and traditional values that are held by the community (Article 18(2) of the Charter).

While the Charter does not make reference to the sexual orientation of the members that would be in this 'African' family, the Constitution goes further and states as follows in Article 45 (1) and (2):

(1) The family is the natural and fundamental unit of society and the necessary basis of the social order and shall enjoy the recognition and protection of the State.

(2) Every adult has the right to marry a person of the opposite sex, based on the free consent of the parties.

The Constitution mirrors the provisions of the African charter, however, it also illuminates the issue of whom the members of this African family maybe and while there is no specific reference to marriage being central to the family unit, the Constitutional Court in *EG & 7 others v the Attorney General; DKM and 9 others (interested parties); Katiba Institute & another (amicus curiae)* held that:

> Article 45(2) only recognizes marriage between adult persons of the opposite sex. In our view, decriminalizing same-sex on the grounds that it is consensual and is done in private between adults, would contradict the express provisions of Article 45 (2). The Petitioners' argument that they are not seeking to be allowed to enter into same-sex marriage is in our view, immaterial given that if allowed, it will lead to same-sex persons living together as couples. Such relationships, whether in private or not, formal or not would be in violation of the tenor and spirit of the Constitution.

This framing and reasoning underscore the role that marriage has in the protection of the Constitution. While the case before the Court did not turn on the right to marry, ultimately it was the proposition that recognition of homosexuality would lead to the unravelling of the right to marry by opening it up to same-sex couples.

Therefore, conceptually both the Kenyan Constitution and the Charter entrench a framework that nations can and should be founded on a heterosexual couple and their children (Tyler, 2003, p. 7). The Charter goes further and places the responsibility on these families as the custodians of moral and traditional values. The dual effect of

placing the family both at the centre of society, and then placing obligations on the family to ensure morality, has the effect of connecting the family process into state dynamics; this is particularly detrimental to women whose political relation to the State is often constructed as a social relation to a man through marriage (Oketch, 2016).

This has created a problematic and illusory dichotomy with womanhood and motherhood being portrayed as a representation of the icons of a nation, while men and fatherhood are represented as the State (Oketch, 2016, p. 7). This phenomenon is not unique to the African States, and perhaps lessons can be drawn from the United States of America (USA), where the 'family values' narrative dominates the political sphere. The USA, like many African countries, was created as a result of colonial greed and in its earlier years, it lacked many of the social institutions that provided social order and a sense of identity. Due to this, the country sought to create its traditions that would define its identity and in that sense provided a well-defined political role for the family. Tyler (2003, p. 8), hypothesises that: "the nuclear family with a married heterosexual couple and their children, is the foundation of a solid and healthy democracy – and the key to solving social problems." Through this, the family came to be seen as the source or cause of social problems as well as the potential solution and cure; bad families eroded American societies, while good families would restore it (Tyler, 2003, p. 13).

Similar to the experience in Africa, the centrality of the family has had the effect of subjugating or 'othering' persons within the society, and significantly, in the USA the traditional American family was white and protestant. Therefore, this banner of family values was used to fight the civil rights movement and entrench gender norms. Women in the American family, on the one hand, had the role of sustaining the nation by reproducing and nurturing able, balanced and virtuous children – the family was to be a self-sustaining unit that would build the State. Men, on the other hand, had an obligation to both defend the State and be its primary representation (Tyler, 2003, p. 13). In this framework the obligation to ensure that the family unit remained intact primarily fell on women – rising divorce rates and the increase of behaviour thought to be less than virtuous fell on the doorsteps of women (Tyler, 2003, p. 13). Informed by this role, women were kept out of public life, while simultaneously being blamed for failures and ills in different societies. Women were not given space within the political discourse, and through an illusory divide with private life, are expected to lay the foundations for the family on which a healthy and moral society is developed.

Weaponising family values against women

The 'family values' narrative in Petition 266 of 2015 had two central themes:

1. The tension between the life of the unborn child and that of the delinquent mother; (paragraph 167-198) and

2. The failure of the family unit (paragraph 199-250).

These two themes worked almost in juxtaposition to each other, the crux of the first being that women's lives ought to not take precedence over that of unborn children, and it was also a seeping immorality in these women that rendered an abortion necessary while the second, noted the plight of women, who are often victims of violence, seeking to highlight that rape is a social problem that cannot be cured by the provision of an abortion.

The right of the unborn child

On the first theme, heavy reliance was placed on Article 26(2) of the Constitution, which states that "life begins at conception". Article 26 was heavily contested in the constitutional review process, and the inclusion of sub-article 2 was the result of a compromise to ensure the buy-in of religious factions into the constitutional review process (Committee of Experts on Constitutional Review, 2010). While this was enacted, it was noted that even at the time of its inclusion, there was no consensus within religious factions on when life begins: "Muslims believe life begins at "ensoulment", which is on the 40th day of pregnancy, while some Christian churches believe it starts at "quickening" (at about 12 weeks' from conception) (Committee of Experts on Constitutional Review, 2010)." Therefore, without consensus on when life begins, religious leaders amalgamated to support a legal concession on when life begins.

Another heavily contested aspect was Article 26(4) which was initially framed as follows:

> *"Abortion is not permitted unless, in the opinion of a registered medical practitioner, the life or health of the mother is in danger."*

Article 26(4) faced heavy criticism from medical practitioners, firstly, because it was not cognisant of a medical understanding of abortion, which includes a spontaneous abortion (miscarriage) which can neither be prohibited nor permitted. Secondly, the limitation of the grounds to the endangerment of life was criticised because of its failure to take into account the possible impact on health a continued pregnancy may have, such as in the instance of an ectopic pregnancy. Finally, they also noted that limiting access to registered medical providers – which in Kenyan law refers to doctors registered by Medical Practitioners' and Dentists Board - would have a discriminatory effect against poor and rural women who do not have equal access to

medical practitioners (Committee of Experts on Constitutional Review, 2010). These debates resulted in the concession we see enacted in Article 26(4).

With this backdrop in mind, the tension between the unborn child and JMM was palpable in the advancement of arguments in this petition. Article 26(2) was the enabling framework, relied on by the respondents, who noted that they had an obligation to protect the life of the unborn child, highlighting that this unborn child is voiceless with no one to speak for it (Paragraph 190 of Petition 266 of 2015). This was advanced in two ways; on the one hand, they argued that there was a tension between the life of the unborn child and the pregnant woman that the court had to take cognisance of. On the other hand, they pushed a narrative that allowed for an enabling legal framework that would result in abortion on demand. In this narrative, they placed central to their opposition; the actual victim of this case is the unborn child. While never being bold enough to state it outrightly, they continually suggested that while JMM's predicament though something tragic and violent was abortion on demand.

Significantly, it was noted that the decision on whether or not a pregnancy should be carried to term should not be left to an individual's conscience-this individual being the woman (Paragraph 190 of Petition 266 of 2015). Under this limb, it was suggested that the tension could only be relieved if the court properly construes when an abortion should be allowed, that is when the life of the woman is in danger, and only after efforts had been made to save both lives. These efforts include when the physical health of the woman is in danger {they argued for a narrow construction of health and noted that this should be construed so to protect Article 26(2)}, and also when emergency treatment was required (Paragraph 277-228 of Petition 266 of 2015). In seeking to distinguish between physical and mental health, the respondents underscored the fact that while JMM's mental health may have been affected by the sexual violence, her physical health was intact and for that reason abortion was not warranted (Paragraph 205 of Petition 266 of 2015).

This narrative was continued within and outside the case and highlighted opposition tactics to underscore the State's obligation to protect the unborn child. There was an ongoing campaign during this case with anti-abortion billboards being placed near major traffic lights in Nairobi County. These billboards pushed the narrative that "abortion is murder" and called upon the County to shut down abortion clinics. More so, these billboards were accompanied by pictures of foetuses making appeals to their 'mothers' (Bhalla, 2019). The tactic around the ongoing tensions between two equal lives, but with one significantly being voiceless was employed both within and outside the courtroom and was geared towards swaying public perceptions on abortion.

The failure of the family unit

An argument made in the course of the case was that rape is a social issue that cannot be addressed by the provision of abortion (Paragraph 228 of Petition 266 of 2015). This was advanced by the Kenya Christian's Professional Forum who stated that:

. . . the blame for situations such as JMM's should be placed on some of the men in this country who are not taking family responsibility seriously and their failure to be the moral keepers and protectors of their families. (Paragraph 231 of Petition 266 of 2015).

The Ministry of Health latched onto this narrative arguing that while JMM's case was unfortunate, the numerous cases of unsafe abortion in Kenya (almost 500,000 annually) were the result of: "a liberal culture and a lack of quality parenting, which has led to a deterioration of morals as well as a reckless life among the citizens in so far as sexual activity is concerned" (Paragraph 174 of Petition 266 of 2015).

A study exploring the deterioration of the African Family Values Systems through a qualitative analysis of communities in East and South Nigeria underlines the changes to the traditional family and their impact(Oju, Lukpata, & Atama, 2014, p. 43-50). While we have many criticisms of this study which include, firstly, that it paints African communities as a monolith suggesting that a single system of family values can be ascertained. Secondly, it conflates Christian values with traditional African values painting them with the same brush and using them interchangeably; this is illustrative of the perception around women's role in the deterioration of the family. Several key findings result from this study, which places the family as the basic unit of society. It also places marriage as the pivotal foundation of the family, and a common theme is the role that women have played in the neglect of the African family Oju, Lukpata, & Atama, 2014, p. 43). The findings note that: (women's) virginity was held in high esteem in the African family and would result in a higher bride price and respect from in-laws, this is a value that has been mocked and criticised under the banner of "women's rights" Oju, Lukpata, & Atama, 2014, p. 48). Secondly, rising infertility or inability to conceive is the result of women's risky sexual behaviour and sexually transmitted infections they contract or abortions they procured during adolescence. Thirdly the findings show the decline of the polygamous family and finally, the prevalence of sexual decadence which is associated with the increase of women in the labour force, changes in educational status, occupational mobility of women and the decline of marriageable men Oju, Lukpata, & Atama, 2014, p. 48).

The study highlighted and reified the perception that women are responsible for keeping the family intact and many of the failures of the African family were attributed to the failure of women to maintain their roles as icons of the nation. This was similarly

suggested by the respondents in Petition 266 of 2015, by making the argument that JMM's tragedy was occasioned by a lack of quality parenting seemingly suggested that JMM's predicament was the result of a lack of quality 'mothering'. A Kenyan specific study on attributions and attitudes of parents in Kenya noted that while fathers' roles primarily involved adjudicating disputes and controlling wealth and resources which provided them with power over the family, the overall day-to-day survival of children remained with the mother (Oburu, 2011, p. 152-162). Traditionally, the role of parenting daughters was left to mothers and grandmothers while fathers focused on transferring skills to boys over seven (Oburu, 2011, p. 156).

> **A Kenyan specific study on attributions and attitudes of parents in Kenya noted that while fathers' roles primarily involved adjudicating disputes and controlling wealth and resources which provided them with power over the family, the overall day-to-day survival of children remained with the mother (Oburu, 2011, p. 152-162).**

Cumulatively, the arguments advanced by the respondents sought to remove the failure to provide an enabling legal framework for access to safe and legal abortion from the State and place it on the family, suggesting that stronger families which are grounded in morality would address rape and alleviate the suffering of JMM and similar women and girls. Further, reading these arguments in the context of the perception of the role women play in the family unit, the arguments alluded to sought to suggest that the failure was a failure in 'mothering'.

Framing the discourse as a rights narrative

By extending 'family values' to the nation and state-building and placing the family at the centre of society, the exclusion of women is entrenched in Kenyan society. Women, within these frameworks, are portrayed as the repository of uncontaminated national and family values (Oketch, 2016, p. 7). The mantle of the mother of the nation implicitly suggests that their role in protecting the family unit must be tied to their role in ensuring nationhood. Therefore, the family values discourse places obligations on women on the supposition that the heterosexual family will reproduce good, well-balanced citizens that will play a role in building the nation. Thus, while women are limited in their ability to control public life and policy, failures in public life and policy are sometimes linked to them, as it was in the case of JMM.

In light of this, we suggest a reframing of the discourse on two fronts; firstly, to suggest that duties must have corresponding rights. The Charter already places an obligation on the State to protect the physical and moral health of the family. Thus, if the family is centred as the foundation for society, then the State must play a role in protecting this unit – the USA experience around this has been around an increase in social protection for families (however they manifest) and to ensure that the units are healthy through welfare programmes, access to education among others (Tyler, 2003). Not to suggest that these measures should be adopted, but Kenya at this point is indulging in a narrative of failing families, without placing any of the obligations to ensure that the family unit remains intact in the State. Secondly, it would be to deconstruct the family and embrace the plurality of views and experiences that Kenyan families have.

The Constitution and the Charter place the family at the centre of the Kenyan society. However, the Kenyan family is not founded only on marriage, granted marriage plays a critical role, but the family is not a nuclear unit. This suggests that it is prescribing to western notions that are often criticised heavily because the family consists of the extended family as well. Thus, framing a discourse solely around a marital unit, seeks to exclude women from political life consequently undermining the understanding of family in Kenyan culture. Finally, in seeking to appreciate a plurality of views and experiences we consider Ngwena (2018) who describes Africa as a land of cultural, racial and sexual otherness underscoring colonial imperialism's subjugation of African values and discourse in the creation of an 'other'. This very linear understanding of the family as a heterosexual receptacle for the values of a nation is the creation of an 'other', one that is not worthy of participating in the promise of that nation.

Conclusion

The tragic story of JMM is narrowly the illustration of the State's failure to meet its obligation to protect the reproductive health and rights of women and girls in Kenya, but broadly it is the illustration of a State eschewing its responsibility to provide healthcare by placing blame on the family for its failure to protect women and girls within the society; it is the story of a State that places the burden on women to reproduce and nurture citizens who will participate in the building of a nation, while simultaneously excluding them from political participation. Finally, it is also the story of a State that places the blame of crimes and ills, such as rape, on families and blames women for their perceived failure in fulfilling their prescribed role of taking up the mantle as the icons of this nation.

REFERENCES

The African Charter on Human and Peoples' Rights: Rights and Duties. (1989).

Bhalla N. (2019, April 25). Anti-abortion billboards fuel stigma in Kenya, say women's rights group. *Reuters* [Nairobi]. Retrieved from https://www.reuters.com/article/us-kenya-women-abortion/anti-abortion-billboards-fuel-stigma-in-kenya-say-womens-rights-groups-idUSKCN1S02YH

Committee of Experts on Constitutional Review, 11 October 2010, available at. (2010). *'Final Report of the Committee of Experts of Constitutional Review',*. Retrieved from https://katibaculturalrights.files.wordpress.com/2016/04/coe_final_report-2.pdf

Dr. Awino Oketch. (2016). *Statecraft and Pursuing Women's Rights in Africa.* Accra, Ghana: The African Women's Development Fund (AWDF).

Laws of Kenya: The Constitution of Kenya. (2010). Kenya: Chief Registrar of the Judiciary.

Ngwena, C. G. (2018). *What is Africanness?: Contesting Nativism in Race, Culture and Sexualities.* Pretoria University Law Press (PULP).

Oburu, P. O. (2011). Attributions and Attitudes of Mothers and Fathers in Kenya. *Parenting, 11*(2-3), 152-162. doi:10.1080/15295192.2011.585561

Ojua, T. A., Lukpata, F. E., & Atama, C. (2014). Exploring the Neglect of African Family Value Systems and its Effects on Sustainable Development. *American Journal of Human Ecology, 3*(3). doi:10.11634/216796221403585

Tyler May, E. (2003). "Family Values": The Uses and Abuses of American Family History. *Revue Française d Etudes Américaines, 97*(3), 7. doi:10.3917/rfea.097.0007

Ziraba, A. K., Izugbara, C., Levandowski, B. A., Gebreselassie, H., Mutua, M., Mohamed, S. F., … Kimani-Murage, E. W. (2015). Unsafe abortion in Kenya: a cross-sectional study of abortion complication severity and associated factors. *BMC Pregnancy and Childbirth, 15*(1). doi:10.1186/s12884-015-0459-6

FAILED DEMOCRATISATION AND FEMALE EMPOWERMENT: THE CASE OF ERITREA

VALENTINA FUSARI

ABSTRACT

The paper investigates the long-term relationship between the patriarchal system and women's empowerment in Eritrea. Women in Eritrea underwent a 'forced emancipation' mainly attributable to the liberation struggle, and the policies promoted by the current ruling party. The differing mortality rates in terms of gender, mobilisation, and migration within the Eritrean population have resulted in women having greater responsibility and power in society. This has shifted the roles of women from those that tradition had given, despite their experiences in the national liberation struggle and the existence of national policies that promote gender equality in Eritrea. Therefore, this paper offers a counter-narrative that highlights colonial and liberation periods and moves beyond it to pay more attention to independent Eritrea (1991-2018), which is less explored in literature, particularly in relation to the link between the (failed) democratisation process and patriarchy's dilution.

Keywords:

Eritrea, Democratisation, Migration, Mobilisation, Liberation Movements, Empowerment

INTRODUCTION

Patriarchy tends to be deployed as an overarching concept to signify a power difference between men and women, in which women are the victims and men are the unnamed perpetrators of gendered wrongs (Sultana. 2012). In Eritrea, patriarchy has outlined the conditions for unequal structural relations in every sphere of life and has justified women's marginalisation, rooted in social classification and stratification. This social classification and stratification is reinforced by the interplay between nature and culture (MacCormack, Strathern 1980; Stolke 2004). Therefore, patriarchy is a useful descriptive tool for discussing social patterns because it does not have a single form or site, but it encompasses a much broader realm. It comes in many varieties and evolves through different stages. By positioning gender at the centre and factoring voices from the margins, the paper explores the long-term changes in the agency of the Eritrean female population and investigates how they carry or counter patriarchal values. The paper further looks at the prevalent discourse about the lessening effect of the patriarchal system on women in order to evaluate whether it depends on real empowerment enhanced by gender-oriented policies or whether it is a consequence of the worsening socio-political environment.

Colonialism, the liberation struggle and human migration patterns are all involved in the reworking of traditional power relations. However, the exclusion of women still exists, and patriarchal perspectives continue to determine women's status, despite the promotion of gender equity and equality through the country's policies. Colonialism and the liberation struggle are both periods that have already been studied by several scholars using a gender perspective. However, there is scope for new insights that traces the continuities and discontinuities that stem from that period, which is understudied. New insights reveal an interesting nexus that has developed in the long term between democratisation, patriarchy's dilution, and women's empowerment in independent Eritrea. Therefore, this paper centres the liberation struggle (1961-1991) because women actively joined the liberation front, fostering new women figures within Eritrean society. This study moves on to focus on independent Eritrea (1991-2018), which is less explored, because of government's suspicion towards fieldwork that aims to understand how the direct and indirect population policies promoted by the government have affected gender roles.

Following from a glimpse at Eritrea's patriarchal traditions and images of women disseminated by the Italian colonialism, I analyse the nature of women's participation in the Eritrean People's Liberation Front (EPLF) and the challenges faced in adapting the EPLF's model of gender equality for civilian life–at a national scale. Finally, the paper focuses on how the current socio-political environment in Eritrea affects the patriarchal system, leaving room for women's agency and vulnerability simultaneously.

Between Tradition and Colonialism

The patriarchal norms entrenched in the Eritrean's traditional systems limit gender equity, access to material and immaterial resources (e.g. land, food, education, job opportunities), and women's entitlement to legal and political representation. These traditional systems have cemented relations of subordination and domination that have now been institutionalised in many aspects of social life: including family, law, and education (Cowan, 1983). Socialisation through formal and informal institutions facilitates correcting and enforcing behaviours present in different Eritrean cultural groups and does this by assigning specific gender roles to men and women. Girls are socialised from early childhood and developed to be submissive, passive, meek, and quiet in society (Senait Bahta, 2004). Their roles in their respective communities are often viewed as being less important for the livelihoods or the survival of households- and society more broadly. Instead, the roles played by men in Eritrean society are highly valued. This imbalance appears in the norms and rules that affect social life, which is defined and controlled by men, and aimed at dominating women's sexuality. The domination of women through their sexuality can be attributed to the fact that women are considered the protectors of family virtue (Favali, Pateman, 2003).

The strength and value of tradition and the perceived appropriate gender roles drawn from tradition are likely to render any changes unacceptable and, therefore, untenable in many situations. Traditional beliefs and patriarchal structures profoundly create barriers towards attaining gender equality and agency. Instead, traditional beliefs and structures perpetuate a subordinate position in which women are limited to their reproductive and wifely roles. Such roles lead to the exaltation of women as mothers and as both protectors and socialisers of traditional principles (Gaim, Kibreab, 2008). These roles, therefore, constrain them to the domesticity and limit job opportunities for women. As a result, this creates a labour market segregated into male and female sectors, where any social mobility or nonconformity is viewed as going against tradition.

Italian colonialism (1882-1941) brought about political, economic, social, and cultural transformations, which divided ethnicities and kin groups and further resulted in the reshaping of authority structures and local economies. The Italian domain and the subsequent British Administration had long-term effects on the Eritrean society, which opened new opportunities for women (NUEW 1985; Araia Tseggai, 1990). However, the creation of new opportunities did not reverse their subordinate position in society (e.g. salaried labour system and domestic work) and, instead, introduced

new stigma (e.g. *madamato*[1]). Italians inaugurated a curious connection that can be compared to a leitmotif in Eritrea. The less democratic the environment is, the more diluted the patriarchy seems. Indeed, since men joined the colonial army (i.e. *askari*), women managed their households, particularly during faraway military campaigns.

The widows of the soldiers of the indigenous troops had the right to widow's pension, and often they advanced their demands directly to the Italian authority. This demonstrates a certain degree of agency and guaranteed access to economic resources that they could manage independently, but as a result of a loss of their husbands. Certain roles that women had in the labour force such as religious careers in Catholic missions, domestic work in Italian families, employment as low-cost labour in light industry and foreign-owned plantations are examples of female social and spatial mobility during colonial times. Such roles that were granted to women gave them a certain level of economic and familial independence, even though they were accompanied by social stigma. Despite these opportunities, the indigenous population suffered from unequal access to material and immaterial resources (e.g. land tenure systems and grabbing education, and politics). However, living conditions under colonialism were diverse and disparate based on whether the household was in an urban or rural area. Despite this, women continued to experience pregnancy and childbirth that, combined with the poor nutritional state, contributed to high maternal mortality.

Joining the liberation front

The ever-increasing presence of women in conflicts across Africa demonstrated that war is not exclusively a male endeavour and that women are not always peaceful, neither are they always the victim, the spectator nor the prize. In Eritrea, women are indispensable in non-state armed groups when they wage their wars against states, for example, women comprised almost a third of the troops at the front, and 13.0% of front-line fighters during the liberation struggle (Pool, 1997). Women played their socially prescribed gender roles, but also assumed new responsibilities by performing an array of activities that include nursing, spying, fundraising and fighting, because of their nationalist sentiments and identification with the ideology of the liberation movement. The EPLF was a syncretist, secular, multi-ethnic, independent Marxist-oriented guerrilla movement, and their members appeared to transcend gender norms because men and women performed the same tasks and lived communally as comrades in mixed units (Bernal, 2001). The EPLF tried to expand the notions of

---

1   Italians used to call the concubinage between Italian men and African women, madamato or madamismo. Such a colonial concubinage was usually referred as "something" that was neither marriage nor prostitution. Indeed, African prostitutes were usually called by Italians sciarmutte (recycling an Arab expression), while concubines were called madame, through an ironic distortion of the French world Madame. Italians used such terms only to refer to the Horn of Africa and to a specific intimate and sexual relationship, the most of the time resulting in 'misgenation' (Barrera 2005; Campassi 1987; Iyob 2005; Stefani 2007; Trento 2011; Volpato 2009).

what women could do by breaking down the gender barriers that had kept women out of certain socio-economic positions. The EPLF's approach to gender equality was grounded in Marxist ideas, rather than feminist ones, and policies regarding gender were conceived and implemented in a top-down way by male leadership–instead of by women themselves. Therefore, despite the EPLF's claims on gender equality, no women sat on its governing council until 1987.

Upon the election of women to the Central Committee, General Secretary Isaias Afwerki voiced his desire that the six new female members would approach their new role 'not as women' (Akinola, 2007). Since the EPLF constructed gender equality, in part through the erasure of the feminine, many women combatants adopted masculine attitudes and values to fit into a new empowered role: the *tegadalit* [female fighter]. The *tegadalit* is characterised as a woman in unisex dress and with an unkempt hairstyle which is personified as an image of progress, a rupture of the past and liberation from oppressive traditions (Weber, 2011). Many of the first women fighters came from urban and educated backgrounds, but they were successful in mobilising other women from different socio-economic and cultural backgrounds. The first women fighters mobilised peasants who had waged lifelong battles either with the landed gentry or against colonial land grabbing and formed alliances with women who resisted patriarchy and had flocked to the EPLF (Jameson, 1988; Wilson, 1991).

> **Since the EPLF constructed gender equality, in part through the erasure of the feminine, many women combatants adopted masculine attitudes and values to fit into a new empowered role: the tegadalit [female fighter]. The tegadalit is characterised as a woman in unisex dress and with an unkempt hairstyle which is personified as an image of progress, a rupture of the past and liberation from oppressive traditions (Weber 2011).**

During the armed conflict, woman combatants experienced transitory emancipation from the patriarchal social order, although they continued confronting gender-based discrimination in varying degrees. Even with this emancipation, they remained susceptible to patriarchal control, as it was still deeply embedded in society. The continuous reinforcement of discriminatory patriarchal values ensured that positions of superiority and power were reserved for men before, during, and after conflict (e.g. liberation front and the party hierarchy). Hence, patriarchy did not cease to operate, even when equality was a projected goal of the liberation, so women suffered in gender-specific ways that include countless experiences of sexual harassment (Gaim Kibreab, 2017a).

The EPLF promulgated several new laws and policies in the liberated areas to promote women's equality and enhance women's rights. These changes were present mainly in customary practices perpetuated as the key locus of women's subordination (e.g. land and marriage laws, stopping female genital mutilations). The EPLF tried to revolutionise the social position of women by changing the ideas that men have about women and about what they can do, by virtually eliminating the family as a social institution within its ranks. Many civilian women had to assume traditional male roles and their responsibilities of managing households, properties, and businesses in the absence of their brothers and husbands who were fighters, exiles, and refugees. However, once they returned, they reasserted their claims to family resources and authority.

Erase and Rewind

Patriarchal ideology was partially diluted during the conflict but resurfaced as soon as the violence subsided, and peace attempts were initiated. Women's visibility in conflict quickly became invisibility in the peace-making process. This change took place to legitimise the return to roles prescribed by patriarchy at a familial and institutional level since there was no place for female cadres to take part in peace talks. Despite its intentions to facilitate the contrary, the EPLF was unable to break entirely with tradition (Gruber, Garcetti, 1998) and over time, women combatants were not recognised as equal stakeholders in nation-building and became the victims of selective amnesia - save during national celebrations.

The difficulties of translating women's gains within the front into a gain in social life during peacetime lie in the resurgence of domestic relations, and also in the difference between the relationship that a liberation movement has with its members and the relationship that governments have with their citizens. In the aftermath of the war, Eritrean women became second-class citizens. About 30,000 female ex-fighters began new lives in Eritrea, but only 14.0% of them had readily employable skills, and many did not have a home or a family to return to (Hains, Ijumba, Nicholls, 1994). Thus, opportunities for employment became crucial to reintegrate into civilian life in a context where the EPLF could no longer guarantee subsistence. In such an environment, neglect, apathy, and stigmatisation replaced the euphoria of the glorification of women as the backbone of the liberation struggle.

Since independence, the return to civilian life has encouraged ex-fighters to resort to assuming traditional gender roles which have different outcomes for women and men. Women were painfully caught between the revolutionary aspirations they learned through political education and in the *mieda* [battlefield] and the conflicting gendered values and expectations that were being asserted in newly independent Eritrea. However, women ex-combatants rarely conformed to the traditional roles of

wife and mother, which led to the common experience of rejection and marginalisation as soon as marriage and marital status re-emerged as defining elements for women's social and economic well-being. Fertility problems were also common among ex-combatants because of war wounds or post-traumatic stress disorder, which penalised them twice, as both wives and mothers, and an independent society that had returned to patriarchal norms that redefined their value in Eritrean society based on their contribution to kinship and the nation, in the form of fertility.

In 1979, The National Union of Eritrean Women (NUEW) was established as the EPLF's mass organisation and, after independence, changed into an "autonomous non-governmental organisation" dedicated to improving women's status in society. During the liberation struggle, the organisation succeeded in organising and encouraging women's participation in war efforts. Once independence was obtained, NEUW's primary goal was to ensure the protection and development of those rights achieved by women during the struggle. It had the role of enhancing women by raising their political consciousness through literacy campaigns, credit programs, English language lessons, and other training. The task was arduous, given the resilience of traditional gender roles based on patriarchal structures, and the new challenge of male dominance in the new government.

The shift from the governance in EPLF to the *Həzbawi Gənbar nəDämokrasən Fətaḥan* (PFDJ), which is the political party in government, also mirrored what took place during the transition from war. Besides this, the shift also traded a nationalist project for a developmental one. Female ex-fighters continue to deserve respect because of their wartime contribution (Müller, 2005). However, once they returned to civilian life, where women's roles had not been transformed as radically as they had in the field, the skills they had learned had very little marketability (Gebremedhin, 2001). During the liberation struggle, women served as labourers and fighters gaining skills for guerrilla time, but the capitalist development in Eritrea called for a different set of skills and assets. This resulted in the new labour market rewarding men and women differently and also shaped certain feminised labour sectors (e.g. textile factories, *beit cursi* [bar] service), and reinforced the so-called glass ceiling (Afewerqi Weldemichael, 1996). This situation is not unique as it is also common in other post-war societies, where sex work and other stigmatised informal jobs become a survival and resilience strategy (Coulter, Persson, Utas, 2008) because of the hard reintegration process that did not allow them to support their livelihoods in civilian life.

Although post-war policies had implications for gender relations, like the Family Law and the Proclamation of Land Tenure 58/1994, patriarchy survived. It was not as if patriarchy did not exist during the conflict, but it was further reinforced in the post-

conflict situation, which contradicts the proclaimed democratisation process. Any partial breakdown of the patriarchal system in wartime turned out to be temporary, as this had no significant implications for the rearrangement of the social structure in peacetime Eritrea. In such an environment, the NUEW still tries to ensure that all Eritrean women confidently stand for their rights and equally participate in the political, economic, social and cultural spheres of the country and share the benefits of that amongst themselves. The mission of NUEW practically meant fighting against several factors that continue to inhibit women's progress, namely early and arranged marriage, female genital mutilations, and other traditional barriers, that are rooted in the patriarchal culture and that discourage female education and access to political rights. Women's lower socioeconomic status, the everlasting transitional political situation, limited institutional capacity and the lack of public dialogue on women's issues hinder efforts to increase women's political participation.

Despite the difficulties faced in implementing the declared gender-oriented policies, the constraints of everyday life transformed resilience into women's empowerment under adverse conditions, especially at the familial level. This links back to the experience women lived during colonialism and the liberation struggle. The side effect of the Eritrean National Service programme that has been running since 1994 (Gaim Kibreab, 2017) and the following Warsay Ykealo Development Campaign (WYDC)[2] is the Eritrean exodus of women's empowerment, leading to more and more female-headed households, as confirmed by the Eritrean Demographic and Health Surveys. Female-headed households increased from 31.0% in 1995 to 47.0% in 2002 and to 47.2% in 2010. However, there are differences based on residence and age. In urban areas, the trend is much more evident because in 1995 female-headed households were 44.2%, 52.2% in 2002, and 53.0% in 2010 (National Statistics Office, Macro International Inc 1995; National Statistics and Evaluation Office, ORC Macro 2003; National Statistics Office, Fafo AIS '2013). Female-headed households are more common in the 20-44 age group, as compared to the older age groups that have more male-headed households. The following factors have culminated to cause this increase: the male death toll because of the liberation struggle (1961-1991) and the last border war with Ethiopia (1998-2000), embedded with a set of domestic political processes, regional dynamics, and international policies (Lyons, 2009; Tekeste Negash, Tronvoll, 2001).

---

2   Proclamation No. 82/1995 introduced all Eritreans' forced recruitment in the National Service regardless of family responsibility or gender, with the sole exclusion of the veterans of the independence struggle and the physically or mentally impaired. Then, in May 2002, in the aftermath of the border conflict against Ethiopia (1998-2000), the Eritrean government introduced the WYDC requiring Eritreans in the National Service to serve indefinitely due to the 'no war no peace' situation with Ethiopia. Thus, conscripts are assigned to the Eritrean Defence Forces, allocate to ministries or to private firms, and participate in productive activities to ease the national socio-economic development but they are paid uniform pocket money (Gaim Kibreab 2009; 2017b).

> **It was not as if patriarchy did not exist during the conflict, but it was further reinforced in the post-conflict situation, which contradicts the proclaimed democratisation process. Any partial breakdown of the patriarchal system in wartime turned out to be temporary, as this had no significant implications for the rearrangement of the social structure in peacetime Eritrea.**

These intermeshed issues have resulted in male displacement within the nation as civilians or army servants, because of conscription into the national service and the WYDC. Both factors have also led to international migration by the male in Eritrea. Also, tightened control over the population and human rights violations have resulted in a women's 'forced empowerment', characterised by an increase in tasks and responsibilities that women have to cope with despite scarce resources. Though some women have access to resources usually entitled to males, they are struggling with scarcity or the low quality of such resources. In other terms, the post-independence dire conditions opened new horizons for women, but simultaneously, women also have to overcome new challenges to translate entrance into domains previously closed off to them into realms of durable empowerment.

Given the recruiting process in the WYDC, the labour market has become biased in terms of gender. The latest estimates report that 78.7% of the over-15 years old population is employed and that the labour force participation rate for individuals in the same age group is 84.8% (80.0% for females and 89.8% for males), but 77.4% are classified as 'working poor'. They have purchasing power parity equal to $2 per day (United Nations Development Programme 2015), which is below the international poverty line. This creates reliance on remittances from the growing Eritrean diaspora for survival. Such figures result from the widespread mobilisation since conscripts have not been demobilised *en masse* since 2001. Until demobilisation takes place, there will be no labour market capable of absorbing the working-age population and one that guarantees a fair wage. It will be hard to realise a painless demobilisation.

Over time, the policy position of 'service for life' has become the main driver of migration out of the country (Bozzini, 2011). Besides this, the other factors include the high rate of inflation and the high cost of basic products, after introducing the new government-issued notes in 2016 that cancelled the black market. These developments have made wages received within the Eritrean economy insufficient for family survival, which explains the need to resort more and more towards the support got from remittances. However, together with economic remittances, social remittances may stiffen the gender roles, particularly in Muslim communities where relatives have migrated to the Gulf States. Muslim communities seem to grow over time because of higher fertility and return rates. Besides, their investments in commercial activities in the country are increasing because of money remittances from people living in Gulf States (Abbebe Kifleyesus, 2012). Although this has positive implications on the economy, there are also conservative gender roles, sometimes perpetuating harmful social conventions that are promoted through cultural and religious remittances (Hirt, Mohammad, 2018).

Migration reduces the likelihood of civil conflict within Eritrea and allows people to express their discontent abroad. However, on the one hand, women's migration is also a feature of the Eritrean migration and allows women to assume more emancipated roles, and this they share as social remittances. On the other hand, the 'youth drain' diminishes the potential that youth groups could have in being able to demand change to the patriarchal order, as it is mainly older people who are more tied to traditions that remain in the country.

From failed democratisation to women's empowerment

Eritreans have fled the country in large numbers since the 1960s because of guerrilla wars, poverty, and the lack of freedom. In around 30 years, the independence war produced a diaspora of over a million people mainly based in Sudan, the Middle East,

Europe and the United States; only a few returned during the 1990s. Also, the border conflict with Ethiopia (1998-2000) and the mobilisation policies that followed resulted in further mass displacement (Fusari, 2011).

The leader of the nation, Isaias Afwerki, used the crisis following the border war as a cover to exert control over society and the state. The ensuing policy, designed to expand the sovereignty and the control of the state over the population, is the immediate cause of the current economic, political, and citizenship and refugee crisis (Woldemikael, 2013). The more Eritrea pursues a stringent policy to protect its national sovereignty and control the economic and political sphere: the more it will generate continuous economic weakness, political tension, social upheaval and more refugees will join the Eritrean diaspora communities around the world. Young Eritreans aged between 15 and 40 are most likely to leave to avoid the long-lasting WYDC and also in response to their perceived limited prospects within the country (O'Kane, Redeker Hepner 2009; Müller, 2012). This conscription mobilisation has progressively led to family disintegration, as men are kept away from their families for long periods. Further family disintegration is because of the deteriorating economic conditions (Mohammad, 2013). Such conditions make households increasingly dependent on remittances from abroad and increase the motivation of young people to leave the country to support their families; some young Eritreans even consider leaving the country to be a patriotic duty (Riggan, 2013).

Bio politics and forced migration have resulted in female-headed households *de jure* (widowed or divorced) and *de facto* (absence of adult male). There are key differences between these two categories. For example, in the case of male migration, *de facto* female-headed households may receive and manage remittances from husbands or other male relatives. Besides this, they may have closer links with their husbands' wider kinship for material and financial support[3]. With mobilisation, although the couple is separated, women cannot rely on remittances. Remittances are estimated to be around one-third of national gross domestic product and a significant proportion of private household income. They are used in subsidising livelihood costs, subsistence costs and financial outlays such as education (Tewolde, 2008).

Many Eritreans cite their country's conscription policy as the main reason underpinning their decision to move, together with other key factors, including poverty, lack of opportunities, and inadequate government services. Migrants leaving Eritrea are mostly men under forty; although the feminisation of migration is increasing it seems

---

3   However, it is important to underline that Eritreans face huge risks during their journeys, because of traffickers' activities along the borders, the dangers associated with smugglers' services and states' border control activities. Nevertheless, it is not only routes within Africa that are risky, as journeys from Libya to Italy are often undertaken on overcrowded makeshift boats, with a mortality rate across all journeys of 2.0% (Regional Mixed Migration Secretariat 2015).

to remain within a 'patriarchal framework'. It is rarely a free woman's choice, but it is more often linked to family needs or the mobility of male relatives. This mobility challenges traditional gender roles and raises questions for women remaining at home (land) on how to provide adequate support for their households, as the male demographics crumble. In Eritrea, poorly educated or uneducated women usually enter the formal unskilled labour market or the informal sector. This increases their autonomy and decision-making power, but with limited demanding power to aspire to better working and living conditions given the economic conditions.

Conclusion

Despite *mieda* socialisation and gender-oriented efforts, Eritrea experienced an 'evaporation of gender policies in the patriarchal cooking pot' (Longwe, 1997), since in practice custom remained more important than law and family and became more powerful than government.

Although during the liberation struggle and the border conflict, women were mobilised ostensibly in the name of social change and gender equality, the primary purpose was to increase the fighting capability of the liberation movement. Thus, what women gained in wartime did not automatically translate into a progressive public policy after the shooting stopped (Gaim Kibreab, 2017a). As an additional factor, the policy that has expanded the control of the state over the population to maintain its security and sovereignty has not been of any help. This policy has had the unintended consequence of making Eritrea a refugee producer, which has resulted in many *de facto* and *de jure* female-headed households in the country of origin. This situation charges women with decision-making and management responsibilities; however, they still struggle to translate this into a collective agency capable of breaking down the patriarchy structures because of the economic conditions, even when such 'forced emancipation' is indirectly undermining the patriarchal system.

In the labour market, underdevelopment prioritised investments in economic development, which, as a result, have reversed Eritrean society back to old gender relations upheld by patriarchal policies (Turshen, 2010). Despite the progressive ideological foundations of the liberation movement, women and girls still face vulnerabilities and exploitation, which goes against the revolutionary changes gained in gender roles in exceptional situations. These exceptional situations are not fixed, and there is a high risk that revolutionary changes are reversed to an earlier patriarchal social setup. For example, immediately after independence, in Eritrea, men blocked the distribution of land to women, reversing the progressive gains during the liberation struggle. In this gap between policy and practice, the peacetime society gave a new challenge for the war veteran women, where they still had to confront the conservative

values of their people in civilian life (Connell 2010). However, the NUEW as a war veteran organisation remains the institutional vehicle for representing women's interests in the wider society. The side effect of Eritrean migration seems to weaken the patriarchal culture and female subordination. This suggests that 'forced empowerment' is the response to the low democratisation process and is rooted in necessity and contingency, which involves the struggle to settle in the entire society, especially in rural areas, where over 70.0% of the population still lives.

Eritrean women are still facing the highs and lows of the liberation process, where they have to keep engaging in a fight against patriarchy in everyday life. Meanwhile, at national level, they have to merge the changes in gender roles brought from war experience and migration, even though a brief phase of open borders has followed the 'summer of love' with Ethiopia (Peace Treaty in July 2018). Following the peace agreement, Eritrean and Ethiopian citizens could cross the border with no passport or permit and without having to indicate a possible return date. This lack of restriction has resulted in an inflow of tourists and traders into Eritrea, and in outflow to Ethiopia, which is mostly made up of Eritrean asylum seekers. With the temporary opening of the border in Bure and Zalambessa, the new entries have risen to around 390 people a day. The new situation has been taken as an opportunity to leave Eritrea, reducing migration risks, so that around 15,000 people arrived between mid-September and late October 2018. About 10,000 have applied for asylum by registering at the UNHCR office at Endabaguna and over 80%, mostly women and children, crossed the border to reunite with their relatives. Therefore, the *détente* between Eritrea and Ethiopia resulted in a high gendered cross-border mobility, which does not bode well for the potential for change left at home (land). Although migration is beneficial, its impact on the struggle against restrictive social norms or gender specific vulnerabilities is not yet clear.

REFERENCES

Abbebe Kifleyesus (2012). "Women Who Migrate, Men Who Wait: Eritrean Labor Migration to the Arab Near East". *Northeast African Studies*, 12(1): 95-127

Afewerqi Weldemichael (1996). *Women's Barriers for Top Managerial Position: Case Study in Asmara Area*. Asmara: Unpublished manuscript

Akinola O.A. (2007). "Politics and Identity Construction in Eritrean Studies, c. 1970-1991: The Making of *Voix* Éeythrée". *African Study Monographs*, 28(2): 47-85

Araia Tseggai (1990). "Eritrean Women and Italian Soldiers: Status of Eritrean Women under Italian Rule". *Journal of Eritrean Studies*, 4(1-4): 7-12

Barrera G. (2005). "Madamato". In AA.VV., *Dizionario del fascismo*, Vol. II, Torino: Einaudi, 69

Berhane Tewolde (2008). *A Socio-Economic Analysis of Migration and Remittances in Eritrea*. Roma: GAN

Bernal V. (2001). "From Warriors to Wives: Contradictions of Liberation and Development in Eritrea". *Northeast African Studies*, 8(3): 129-154

Bozzini D. (2011). "Low-tech Surveillance and the Despotic State of Eritrea". *Surveillance & Society*, 9(1-2): 93-113

Campassi G. (1987). "Il madamato in Africa Orientale. Relazioni tra italiani e indigene come forma di aggressione coloniale". *Miscellanea di storia delle esplorazioni*, XII: 219-260

Connell D. (2010). "Strategies for Change: Women and Politics in Eritrea and South Africa". In Turshen M. (ed), *African Women: A Political Economy,* New York: Palgrave Macmillan, 137-154

Coulter C., Persson M., Utas M. (2008). *Young Female Combatants in African Wars. Conflict and Its Consequences*. Uppsala: Nordiska Afrikainstitutet

Favali L., Pateman R. (2003). *Blood, Land and Sex: Legal and Political Pluralism in Eritrea*. Indiana: Indiana University Press

Fusari V. (2011). *Dinamiche etnodemografiche all'interno dello spazio geopolitico eritreo*. Siena: Libreria Scientifica

Gaim Kibreab (2008). "Gender Relations in the Eritrean Society". In Tesfa G. Gebremedhin, Gebre H. Tesfagiorgis (eds), *Traditions of Eritrea: Linking the Past to the Future*, Trenton: Red Sea Press, 229-262

Gaim Kibreab (2009). *Eritrea. A Dream Deferred*. Melton: James Currey

Gaim Kibreab (2017a). "Sexual Violence in the Eritrean National Service". *African Studies Review*, 60(1): 123-143

Gaim Kibreab (2017b). *The Eritrean National Service. Servitude for "the Common Good" and the Youth Exodus*. Suffolk: Boydell & Brewer

Gruber J., and Garcetti E. (1998). "'He Gave Me Permission to Go'. Gender in Post-War Eritrea". Paper presented at the African Studies' Association Annual Meeting, Chicago, Illinois, October 29 – November 1

Hains, Ijumba, Nicholls (1994). *Gender and Development Strategy*. Asmara: World Vision Eritrea

Hirt N., Mohammad A.S. (2013). "'Dreams Don't Come True in Eritrea': Anomie and Family Disintegration Due to the Structural Militarisation of Society". *The Journal of Modern African Studies*, 51(1): 139-168

Hirt N., Mohammad, A. S. (2018). "The Lack of Political Space of the Eritrean Diaspora in the Arab Gulf and Sudan: Torn Between an Autocratic Home and Authoritarian Hosts". *Mashriq & Mahjar: Journal of Middle East Migration Studies*, 5(1): 101-126

Iyob R. (2005). "Madamismo and Beyond: The Construction of Eritrean Women". In Ben-Ghiat R., Fuller M. (eds), *Italian Colonialism. Italian and Italian American Studies*. New York: Palgrave Macmillan, 233-244

Jameson J. (1988). "Eritrean Women: Fighters and Peasants". *Eritrea Information*, 10(4): 6-12

Longwe S.H. (1997). "The Evaporation of Gender Policies in the Patriarchal Cooking Pot". *Development in Practice*, 7(2): 148-156

Lyons T. (2009). "The Ethiopia–Eritrea Conflict and the Search for Peace in the Horn of Africa". *Review of African Political Economy*, 36(120): 167-180

MacCormack C.P., Strathern M. (1980, eds). *Nature, Culture and Gender*. Cambridge: Cambridge University Press

Müller T.R (2005). *The Making of Elite Women: Revolution and Nation Building in Eritrea.* Leiden: Brill

Müller T.R. (2012). "Beyond the Siege State–Tracing Hybridity during a Recent Visit to Eritrea". *Review of African Political Economy*, 39(133): 451–464

National Statistics and Evaluation Office [Eritrea] and ORC Macro (2003). *Eritrea Demographic and Health Survey, 2002.* Calverton: National Statistics and Evaluation Office and ORC Macro

National Statistics Office [Eritrea] and Fafo AIS (2013). *Eritrea Population and Health Survey, 2010.* Asmara: National Statistics Office and Fafo Institute for Applied International Studies

National Statistics Office [Eritrea] and Macro International Inc. (1995). *Eritrea Demographic and Health Survey, 1995.* Calverton: National Statistics Office and Macro International Inc.

Nicole A. Cowan N.A. (1983). "Women in Eritrea: an Eye-Witness Account". *Review of African Political Economy*, 10(27-28): 143-152

NUEW (1985), "The Position of Women in Colonial Eritrea". Paper presented at the International Conference on Eritrean Women, Bergen, Norway, March 29-31

O'Kane D., Redeker Hepner T. (2009). *Biopolitics, Militarism, and Development. Eritrea in the Twenty-First Century.* New York: Berghahn

Pool D. (1997), *Eritrea: Towards Unity in Diversity*. London: Minority Rights Group International

Regional Mixed Migration Secretariat (2015). *A Certain Catalyst: an Overview of the (Mixed) Migration and Development Debate with Special Focus on the Horn of Africa Region*. Nairobi: RMMS

Riggan J. (2013). "Imagining Emigration: Debating National Duty in Eritrean Classrooms". *Africa Today*, 60(2): 84-106

Senait Bahta (2004), "Women's Folklore: Eritrea". In Peek P.M. (ed), *African Folklore: an Encyclopaedia*, New York: Routledge, 512-514

Stefani G. (2007). *Colonia per maschi. Italiani in africa Orientale: una storia di genere*. Verona: Ombre Corte

Stolke V. (2004). "La muer es puro cuento: la cultura del género". *Estudos Feministas*, 12(2): 77-105

Sultana A. (2012). "Patriarchy and Women's Subordination: A Theoretical Analysis". *Arts Faculty Journal*, 4: 1-18

Tekeste Negash, Tronvoll K. (2001). *Brothers at War. Making Sense of the Eritrean-Ethiopian War*. Athens: Ohio University Press

Tekle M. Woldemikael (2013). "Introduction to Special Issue: Postliberation Eritrea". *Africa Today*, 60(2): V-XIX

Trento G. (2011). "Madamato and Colonial Concubinage in Ethiopia: A Comparative Perspective". *Aethiopica: International Journal of Ethiopian and Eritrean Studies*, 14: 184–205

Turshen M. (2010), *African Women: A Political Economy*. New York: Palgrave Macmillan

United Nations Development Programme (2015). *Human Development Report 'Eritrea'*. New York: UNDP

Volpato C. (2009). "La violenza contro le donne nelle colonie italiane. Prospettive psicosociali di analisi". *DEP. Deportate, Esuli, Profughe*, 10: 110-131

Weber A. (2011). "Women without Arms: Gendered Fighters Constructions in Eritrea and Southern Sudan". *International Journal of Conflict and Violence*, 5(2): 357-370

Wilson A. (1991). *The Challenge Road: Women and the Eritrean Revolution*. London: Earthscan

ARSII OROMO WOMEN'S SOCIO-POLITICAL AGENCY: THE GADAA SYSTEM, SIINQEE, AND ATEETEE

AMATULLAH SEMMER AMAN

ABSTRACT

Historical trends show that the Oromo have lacked substantial political representation since the Amharization of the Ethiopian state. These subjugations have not always been the reality for the Oromo people as records show that, between the 16th and mid-19th centuries, Oromo people lived under one Gadaa administration. Under this administration, Siinqee played a central role in checking and balancing gender roles. During this time, the Gadaa System formed the political, economic, social, cultural, and religious institutions in which Oromo life was organised. The relative stability within the region changed after the colonial conquest of the European powers, which brought an influx of firearms into the region. Although Europe did not colonise Ethiopia, the Ethiopian colonial state and its access to European weapons effectively suppressed the traditional democratic system in most parts of Oromia. Despite internal strife and external attacks on the Gadaa system, it remains a foundational pillar in Oromo society with its principles remaining as the hallmark of the Oromo nation. This paper will focus on the institutional decay of Gadaa and Siinqee systems and the subsequent erosion of female Arsii Oromo socio-political agency in Ethiopia.

Keywords:

Gender Relations, Oromo, Ethiopia, Ateetee, Gadaa System, Indigenous Rights, Women's Rights, Religion

The Gadaa System

Prior to their experience of European-backed Ethiopian colonialism, the Oromo people were organised both culturally and politically using the social institution of Gadaa to maintain their security and sovereignty. The Gadaa system is an indigenous democratic system that encompasses the political, cultural, economic, and religious affairs of the Oromo people, and has been practised in Oromia for over 500 years. Before the norms of social equality and democracy had reached Europe and North American societies, the Siinqee/Gadaa system had already been designed to prevent social and political exploitation in Oromo society. As such, under the Gadaa System, the Oromos enjoyed relative stability and political sovereignty.

There are ample scholarly works, which emphasise the relevance of Gadaa when compared with the modern democratic constitutional system. As Legesse (1973) quotes:

> Oromo Democracy is one of those remarkable creations of the human mind that evolved into a full-fledged system of government, as a result of five centuries of evolution and deliberate, rational legislative transformation. It contains genuine African solutions for some problems that democracies have had to face ...Institutions that reached maturity in the 16th and 17th centuries cannot be transplanted wholesale into the 21st century where the Oromo nation faces a different set of challenges. Nevertheless, we can derive some of the principles critical to the democratic philosophy of the Oromo and present them as source material for contemporary African constitutional thought.

The structural elements of the Gadaa system comprise a legislative body known as the Gadaa General Assembly. As a system of governance, Gadaa is organised into five classes comprising an *Abba Gadaa* (chairperson), *Shanee* (members), and a *Gadaa Caffee* (Gadaa General Assembly). With the rotation of power being every eight years, each class progresses through a series of levels before they can function in an authoritative role. Within the system (*Adaa)*, while women are consulted in decision-making, Gadaa is a patriarchal system whose members are exclusively men, beginning at a young age. An oral historian teaches each class covering vast topics such as; history, laws, myths, cosmology, rules of conduct, and the functionality of the Gadaa System.

The Gadaa meetings and cultural ceremonies take place under a sycamore tree (considered the Gadaa symbol), while major clans have later established Gadaa centres and ceremonial spaces according to the territory. Decisions made by the general assembly, and any previous assembly, are final and cannot be reversed. The legislative

and the supreme power of the general assembly is deeply embedded in Oromo culture. Its functionality includes proclaiming new laws, conflict resolution, impeaching men in power, rulings on reparations, and protecting women's rights. The patriarchal Gadaa and matriarchal Siinqee are two sides of the same coin. On one hand, the Gadaa system regulates all the institutions of the Oromo people, but on the other, women use Siinqee as a balance to counter male-dominated roles within Gadaa.

In line with the representation of the stick (*Ulee*) Oromo women carry with them, the Siinqee institution gives Arsii Oromo women a socio-political platform to voice their concerns and address their social justice issues effectively. Although the Gadaa System actively excludes women from its administrative structures, the parallel women-only institution, Siinqee, was formed to ensure that the Oromo people prevented gender segregation from transforming into gender inequality. Oromo men and women "had a functional interdependence and one was not valued any less than the other" in the system (Kumsa, 1997). With the creation of the Siinqee institution, Oromo women formed a space to support one another in which they could use their collective force to generate decision-making power. With this power, Arsii Oromo women can put up sanctions against male counterparts who have attacked their women or violated community norms. In Asmarom Legesse's novel, *Oromo Democracy: An Indigenous African Political System* (1973), he notes "What is astonishing about this cultural tradition is how far Oromo have gone to ensure that power does not fall in the hand of war chiefs and despots. They achieve this goal by creating an indigenous system of checks and balances as complex and functional as the systems we find in Western democracies."

> **Although the Gadaa System actively excludes women from its administrative structures, the parallel women-only institution, Siinqee, was formed to ensure that the Oromo people prevented gender segregation from transforming into gender inequality**

Just as Gadaa has multiple interrelated meanings within *Afaan Oromoo,* so is Siinqee. Not only is Siinqee defined as a woman-only institution within the Gadaa System, but it is also an institution that is used as a social justice watchdog for the Gadaa System. The representative stick (*Ulee*) symbolises a socially sanctioned set of rights exercised by women from the institution of Siinqee. This special stick is given to a woman on her wedding day when she is legally married. Not only is Siinqee seen as embodying womanhood and the legal rights attached to it, it also represents the

power and respect of a married woman in order to enforce her legal rights. Therefore, Siinqee has traditionally been used in various situations. Some examples of its use are:

1. During religious ceremonies, in particular when women go for Ateetee–a religious woman-only ceremony. During this religious ceremony, women march to a nearby riverbank while praying to God. This is done when the community faces problems such as the lack of rain, infertility, diseases among people or livestock, political instability and, war.

2. If a woman is insulted, intimidated, or sexually abused.

3. If a husband harms or disrespects his wife during her pregnancy or while she is wearing the *qanaffa,* which is a necklace worn postpartum.

4. When there are conflicts between clans (*gosa).*

5. During marriage ceremonies.

6. When protecting the women's property rights.

This legal right of Siinqee is only available to Arsii Oromo women who are married per the culture of the Gadaa System. Those who married outside of the rules of Gadaa, or by *butta* (force), do not have the same protections within Siinqee.

The fear of Siinqee mainly stems from the perception that women are closer to God than men. A well-known Arsii Oromo saying best expresses this idea; "What a woman blesses will be blessed, what a woman curses will be cursed" (Østebø, 2015). With a considerable degree of influence from religious institutions, Siinqee is being framed as a backwards tradition. After the collapse of Ethiopia's Marxist-Leninist regime in 1991, there has been a substantial religious revitalisation within the country (Fiqruu, 2018). In various new sects, such as Wahhabism in Islam and Protestantism in Christianity, participation in Siinqee has been discouraged and unwelcomed. In discouraging Oromo women from participating in Siinqee rituals, it has not only endangered the existence of the Siinqee institution's but also leaves the patriarchal Gadaa system without a matriarchal balance.

Ateetee System

Ateetee is an indigenous Arsii Oromo women's musical conflict resolution process and an institution within siinqee. Oromo women use collective chanting, music, and support from their fellow women, to protect and assert their rights in the face of opposition. As the Arsii view women as being closer to God, they hold a special set of *mirga,* or rights. This indigenised language of rights is centred on respect, both within and outside Ateetee. The international concept of women's rights is often referred to as *mirga dubartoota.* Mirga dubartoota is locally used when talking about Ateetee and for demands that can be covered by Ateetee. It is also used when referencing demands that Ateetee does not cover, such as divorce or land ownership. In addition to local

notions of women's rights, Ateetee is interconnected with customary law (*seera ambaa/ aadaa*), the Gadaa System, and indigenous belief (*Waaqeffannaa*).

From oral histories passed down through the generations by mothers and communities, there is explicit evidence in how Ateetee is an effective means for Arsii Oromo women to defend their rights. It is seen as both an active cultural and judicial practice for women in Oromo society, which forms part of the customary legal system (*seera ambaa/aadaa*), and the Gadaa System. Customary law (seera ambaa/aadaa), is widely used within Arsii Oromo society and is often preferred over the slow and bureaucratic Ethiopian legal system. Although there is access to the Ethiopian court system, there is not the same amount of community support within the courts for Ateetee. For Arsii Oromos, the legal system and Ateetee are interconnected. The laws that govern Ateetee ceremonies are an essential aspect of the Oromo customary legal system and are explicit in the Ateetee process, which can be detailed as follows:

1. After an Arsii Oromo woman's rights have been violated, she can voice her grievances to the women's council. Then, if they deem that the offence is a *yakka* (wrong), the council will then begin the Ateetee process.

2. On the way to the offender's house, she sings of all the offenders' offences, exposing the violations committed by the offender for all to hear. This is a call to action and solidarity from all the neighbouring women so they could join her walk to the offender's house.

3. Once at the offender's house, she and the other women sing about the offence and sing prayers for a resolution.

4. During this time, groups of women that include the women's committee are involved in negotiations with the male elders.

5. Once the negotiations are finished, the offender apologises by slaughtering a cow. The male elders distribute the meat and hides, and they then put blood on the women's foreheads as a blessing.

6. After this act of reparation, the women bless the offender and the other male elders who facilitated the Ateetee.

As outlined in the Ateete process, there is an interconnectedness between secular and religious life in Arsii Oromo culture. There is fluidity between Ateetee and the Oromo belief system, which is seen through the way in which it interweaves the rights of women with the sacredness of the woman. Ateetee evokes many meanings for different Arsii Oromo women. Although it is a musical dispute process, for many, Ateetee is also a female spirit that looks over all Oromo women. This spirit is called many things, such as Mother (Haadhaa), Grandmother (Akko, Akkayyoo), or Maryam (in reference to the Virgin Mary).

> There is fluidity between Ateetee and the Oromo belief system, which is seen through the way in which it interweaves the rights of women with the sacredness of the woman.

Waayyuu

Although it is difficult to translate its meaning into English, Waayyuu is instrumental in Arsii Oromo women's sense of agency and safety within the Oromo community. Waayyuu represents the sacred one, a symbol of respect, and a reflection of God. While God is the greatest waayyuu (Waaqnii Waayyuu), heaven is Waayyuu (Samii Waayyuu) as it is God's home.

This status of Waayyuu extends to a great list of women, such as women in-laws, mothers, pregnant women, virgins, those who hold Siinqee, those who wear qanafa, those who wear hanfala, (a belt made of leather, that married women wear around their waist), and many more. This belief shows how Arsii Oromo women's religious position protects them from sexually unacceptable behaviour. For example, if a woman is wearing a qirii, a large piece of cloth in which one ties around one's neck, it is considered waayyuu. When wearing qirii, a man cannot touch or untie the qirii without the expressed permission of the woman. This concept is best expressed in the Oromo saying, "*Qiriin obolessa kute yoo isiin toola gote, tola yoo isiin goragote, gora.*" This translates to, "when a man unties the qirii of a woman, if she says that it

is ok, it is ok; if she says that it is Gora (prohibited), then it is Gora (prohibited). This expression gives the woman the sexual right to determine what is acceptable and what is not. The agency given to women within Arsii culture goes even beyond the western understanding of affirmative sexual consent. This successfully breaks the assumptions of the "oppressed African woman," using the indigenous rights of women that were so ingrained in Oromo society, that if an Arsii Oromo woman were to deem a sexual behaviour as unacceptable, it would be believed.

In cases where men deny the accusation of sexual misconduct, such as rape or taking a girl's virginity outside of marriage, the elders in his clan will push him to accept the accusation. The case will reach the level of kakuu - oath giving if the man remains adamant. At this stage, lying can have detrimental consequences. If one lies while under oath, it is believed that themselves, their clan, and their future descendants will be cursed. As it is formally presumed that Arsii women do not lie under oath, there is a strong incentive to admit their faults before getting to the level of kakuu. In the case of sexual misconduct, this firm belief in the woman and their sanctity (waayyuu) illustrates how highly Arsii Oromo women are regarded within Oromo culture.

Religion

Religion is an integral aspect of Arsii Oromo identity and has often been used to divide and politicise the Oromo cause. Going as far back as the time of King Menelik II in 1889, Menelik and the Amhara priests from the Ethiopian Orthodox Church and other leaders did everything in their power to wipe out the Arsii Oromo population (Haji, 1994). Alexander Bulatovich, a Russian officer who toured Oromo territories in 1896, observed that Menelik's war of conquest had reduced the Oromo population in half from an estimated 10 million in 1870 to 5 million in 1900 (2001) (Jalata, 2017). In his journals Bulatovich stated, "the dreadful annihilation of more than half of the population during the conquest took away from the Galla [Oromo] all possibility of thinking about any sort of uprising." (2001) (Jalata, 2017). Arsii Oromos are sovereign people with their native religion, language, culture, way of life, and political philosophy; this is what Menelik found dangerous, and why Ethiopian soldiers were unrestrained in their killings. The heinous acts endured by the Oromo population during Menelik's conquest amount to genocide - according to the strict definition of the term (Haji, 1994).

The affected Oromo territories experienced a cataclysmic population decline, and for the Oromo's that remained, two-thirds of the lands held by Oromos were taken away and redistributed to the ruling class, the Orthodox Church, and the state (Gnamo, 2002). The one-third of the land left for the Oromo people was given to them on two conditions: to become forced labourers to the state and to give tithes to the state and

the church. In the end, Menelik realised that the Arsii Oromos "were too many to be exterminated or expelled; they had to be incorporated." (Perham, 1948) His legacy to date reflects an immeasurable loss of human life, an erasure of Oromo culture, and social instability.

The human rights abuses endured by the Arsii Oromo community also continued under the regime of Emperor Haile Sellassie (Tareke, 2009). Economic exploitation was accompanied by the socio-cultural and psychological dehumanisation of the Oromo. Sellassie championed Amharization, or de-Oromization, to ensure the survival of Amhara culture and power to the Amhara elite. This policy was implemented in the form of replacing Oromo place names with Amharic ones, by destroying Oromo cultural and religious shrines, and by banning the Oromo language in the public sphere (Tareke, 2009). During this time, the Oromo national identity and way of life was systematically attacked and erased. The following quote, by General Waqo Gutu, the leader of the Bale uprising of the 1960s, captures the political, economic, and ethnoreligious grievances of the Arsii Oromo against their colonisers:

> "Notice, when the Amhara occupied our country with the help of European imperialists in 1885-1889, many of our people were massacred. Then the survivors were allotted like slaves to the settlers, who partitioned our lands amongst themselves. Remember that they plundered and distorted our historical legacy that is widely known; that they violated our dignity, calling us the filthy Galla. Do you realise how many times you have been denied justice in the courts of law? You, Muslims, your religion has been denigrated, and you do not share equality with Christians. Innumerable crimes that have not been committed by European colonialists on African people, have been perpetrated upon you. You have been crushed for eighty years now" (Tareke, 2009).

Christianity, for many Arsii Oromo, is synonymous with Amhara. This is because of the Ethiopian Orthodox Church's failure "to transcend cultural barriers and connect with the people of the south [such as the Arsii Oromo] in a meaningful way." (Girma, 2011) As Abbas Haji Gnamo states, the Orthodox church "justified imperial conquest and the alienation of the subject peoples' including its followers whom it plundered and reduced to serfdom. The Orthodox Church was allocated up to 30% of the land in the country, most of which was expropriated from the newly incorporated Oromo regions." (2002) The Amhara priests' driving force, in relation to Oromo people, was not to convert the populous but to take control of their land and natural resources. Because the Orthodox church was intertwined with the identity of the elite if an Arsii Oromo had any political ambition, they had to convert to Orthodox Christianity. Their

conversion necessitated learning Amharic and supporting laws that subjugated their people to ensure social mobility. Despite efforts to gain acceptance by going against their own culture, Oromos who converted were still treated as second-class citizens by the church (Gnamo, 2002).

Due to the Orthodox church's oppression of the Arsii Oromo, Oromo's adopted Islam, which was permissive of Oromo's traditional religion in its early expansion. This is why today, Arsii Oromos are predominantly Muslim but are also followers of their traditional religion, with only a small percentage being Protestant or Orthodox Christians. As Arsii Oromos collectively struggle with religion and identity within the confines of the colonising powers that rejected their identity, it is Arsii Oromo women who still suffer the most. With the rise in religious politics, Ateetee is facing criticism by those who see it as incompatible with their religion. The emergence of Wahabist Islam also presents a threat to Arsii women's freedom to exercise leadership in public. Leaders in the Church and Mosque have been against Ateetee for fear of syncretism (Fiqruu, 2018), which is a threat to the survival of the practice. With the current religious revitalisation, the fear of syncretism has led to the decline of the practice of this centuries-old institution that protects women's rights and Arsii Oromo women (Fiqruu, 2018). These developments have led women to feel powerless in resolving conflicts on their own and have left the patriarchal Gadaa System with unchecked power.

Conclusion

From the time the Oromo were colonised until the recent emergence of *Oromummaa* (Oromo-ness), *Oromumma* primarily existed on personal and interpersonal levels. Expressing *Oromumma* attracted a target on oneself and the loved ones. The forced internal displacement of Oromos has prevented the exchange of information and goods for more than a century, and as a result, has also lead to the destruction of the collective Oromo national identity. As the patriarchal Ethiopian state has systematically worked to dismantle the Oromo identity historically and in the present, the first space under threat is the Arsii Oromo women's institution of siinqee. Consequently, there are many Oromos that have internalised imposed regional or religious identities because of their low level of political consciousness and of their political opportunism. Oromos who had not developed a national political consciousness that is indigenous and linked to the socio-political institutions of the Oromo people have confused regional, religious, and clan politics with Oromo national politics.

It is therefore disheartening to see a generation of Arsii Oromo women growing up without knowledge of *waayyuu* and its intention. With the rampant gender inequality and ethnic-based oppression, Arsii Oromo women are among the most oppressed in

Ethiopia today and rarely organise under siinqee against perpetrators anymore. This tendency stems from their husbands'/fathers' insistence that the family maintain loyalty towards mosques and churches, rather than their culture (Kumsa, 1997). Therefore, the role and significance of siinqee as an institution for protecting women's rights is declining, and this is affecting the stability of Gadaa and Oromo society. Soon, and without urgent intervention, Siinqee's significance will diminish and will exist as merely ritualistic.

With all that's been said, I still see hope. With the region's recent women's movement in neighbouring Sudan and the resurgence of *Oromummaa* in the last few decades, there has been greater social mobility for women in Ethiopia. Due to this, there is hope and possibility of a Siinqee/Ateetee resurgence. Ateetee is a married woman's justice process that still exists, but need to adapt in the future as Arsii Oromo women's lifestyles and statuses continue to change. For the future of Arsii Oromo women's socio-political agency in Ethiopia, Oromo's need to embrace an Oromummaa identity that emerges from Oromo cultural and historical foundations. This will be the first step in decolonising western notions of human rights and popularising waayyuu and indigenous women's rights. Whether by a physical constitution or a Gadaa revitalisation, the Oromo people must go beyond religion and regional politics in providing a liberatory narrative for the future of Oromiyaa.

REFERENCES

Braukämper, U. (1982). Islamic History and Culture in Southern Ethiopia: Collected Essays. *The Journal of African History*, *23*(02), 246. doi: 10.1017/s0021853700020582

Fiqruu, T. (2018). Reviving Aspects of Ateetee: An Arsi Oromo Women's Musical Ritual to Empower Women to Protect Their Human Rights and Participate in Society's Social and Religious Life. *Doctor of Ministry*.

Girma, M. (2012). Understanding Religion and Social Change in Ethiopia. doi: 10.1057/9781137269423

Gnamo, A. H. (2002). Islam, the orthodox Church and Oromo nationalism (Ethiopia). *Cahiers d'Études Africaines*, *42*(165), 99–120. doi: 10.4000/etudesafricaines.137

Gnamo, A. (2014). Conquest and Resistance in the Ethiopian Empire, 1880 - 1974. doi: 10.1163/9789004265486

Gnamo, A. H. (2002). The Introduction, Expansion, and Impact of Islam among the Arsi Oromo. *Conquest and Resistance in the Ethiopian Empire, 1880 - 1974*. doi: 10.1163/9789004265486_007

Haji, A. (1994) Menelik's Conquest as the Genesis of Ethiopian Crisis: A Case of the Arsi Oromo, *The Oromo Commentary.*

Imperato, P. J., Bulatovich, A., & Seltzer, R. (2001). Ethiopia through Russian Eyes: Country in Transition, 1896-1898. *African Studies Review*, *44*(3), 137. doi: 10.2307/525629

Jalata, Asafa. *Phases of Terrorism in the Age of Globalization: from Christopher Columbus to Osama Bin Laden.* Palgrave Macmillan, 2017.

Jalata, A. (2019). *Cultural Capital and Prospects for Democracy in Botswana and Ethiopia*, 159–174. doi: 10.4324/9780429277184-7

Jalata, A. (2017). *Phases of terrorism in the age of globalization: from Christopher Columbus to Osama bin Laden.* Basingstoke: Palgrave Macmillan.

Kumsa, K. (1997). The Siiqee Institution in Oromo Women. *Journal of Oromo Studies*.

Legesse, A. (1973). *Oromo Democracy: an Indigenous African Political System*. Trenton, NJ: Red Sea Press.

Melbaa, G. (1980). *Oromia: a brief introduction*. Finfine (Oromia): n. Pub.

Perham, M. F. (1948). *The Government of Ethiopia*. New Haven, CT: Human Relations Area Files.

Smith, A. D. (1896). Expedition through Somaliland to Lake Rudolf. *The Geographical Journal*, *8*(2), 120. doi: 10.2307/1773613

Tareke, G. (2009). *The Ethiopian Revolution: War in the Horn of Africa*. Addis Ababa, Ethiopia: Eclipse Printing Press.

Østebø, M. T. (2015). Translations of Gender Equality among Rural Arsi Oromo in Ethiopia. *Development and Change*, *46*(3), 442–463. doi: 10.1111/dech.12159

WOMEN'S RIGHTS AND MOTHERISM IN AFRICA

GETNET TIBEBU ALEMAYEHU

ABSTRACT

Motherism is a multidimensional theory, which involves the dynamics of ordering, reordering, structuring, building and rebuilding in cooperation with Mother Nature. This paper aims to discuss Motherism as an African type of feminism, (motherism) which is embedded in African cultural tenets and realities to protect women's rights in every African society. An aspect central to Motherism is cooperation with nature and the healing and protection of the essence of the family, the child, society, and the environment. Therefore, to live the theory and be a Motherist involves being a humanist, a healer, a co-creator with God and nature, and an environmentalist. The Motherist must see the whole of humanity, the universe and the entire planet (earth) as her constituency. (Acholonu 2000)

Postcolonial theory has been used for the analysis of this paper. This analysis is useful in the African context for certain reasons. Firstly, in the post-colonial era, most African writers show commitment and care towards empowering women in their narratives. Secondly, in line with the concept of post-colonialism, African writers after the 1970s have proceeded beyond the stage of disillusionment and the post-independence mourning and moved the ideology into new terrain to resist the western hegemony and neo-colonialism form in their literary texts. This new terrain involves demanding change in the political and social aspects of the societies in which they exist. This paper utilises the Black writing model as a research tool for the analysis of Ngugi's *Matigari* novel and Achebe's *Anthills of the Savannahs* as for data on contemporary African novels.

INTRODUCTION

Background

African literature, in essence and origin, is tied with historical, cultural and societal circumstances (Reddy, 1994). Creative writers often represent both their individual and community experiences within their societies in their writings. In *Homecoming,* Ngugi emphasises that literature is ideological and is a part of imaginative conditioning:

> Literature does not grow or develop in a vacuum; it is given impetus, shape, direction and even area of concern by social, political and economic forces in a particular society. The relationship between creative literature and these other forces cannot be ignored. (Ngugi, 1972)

By implication, the above expression shows that African writers depicted the social, political and economic condition of Africa through their literary interventions. The textual strategies used as part of post-colonial resistance will be investigated under this study. Therefore, one can say that African literature is chained to the experiences of the people of the continent.

A study carried out by Ojo-Ado (1983:138) states that literature is a function of life, and that fact feeds fiction. Thus, post-colonial or post-independence studies cannot afford to address the functions of African life, without consideration of their socio-political and historical settings.

Feminist literary criticism is a branch of literary criticism that closely examines how male dominance and female powerlessness manifest themselves in specific aspects of life. Its main concern includes "the ways in which literature (and other cultural productions) reinforces or undermines the economic, political, social, and psychological oppression of women" (Tyson, 83). Its goal is to bring about a more equitable society where women acquire an equal share of opportunities, on the assumption that women are economically, politically, socially and psychologically oppressed in every domain where patriarchy reigns (Tyson, 92). However, postcolonial feminist criticism came into existence as a response to the fact that feminism seemed to focus only on the experiences and works of white women, without considering issues of racism and colonial imperialism that particularly affect black women.

The representation of women in African Anglophone novels since the 1970s can be interpreted as a stride or a shift in literary scholarship. In the post-colonial period of

African literature, writers draw psychoactive intellectual and strong female characters. The representation of psychoactive female and male intellectual characters depicted in Achebe's recent novel *Anthills of the Savannah* differs from his earlier novels and is supported by an analysis of Ngugi's novel, *Matigari.*

This study will conceptualise postcolonial motherism. Due to its varying nature and the conceptual complexities of African feminisms, motherism theory is localised and based on its practical application, which is understood as praxis. For some branches of feminism, the essence is political participation, equality, property ownership, sharing the burden of labour. In contrast, for others, feminism is concerned with issues such as domestic violence, sexual harassment, and sexual assault, among others.

In terms of this variation of African Feminism, Acholonu in *'A Motherism: The Afrocentric Alternative to Feminism' (1995)* referred to writers who express solidarity with African women who are humanists, healers, co-creators with God and nature, and environmentalists as Motherists. Solidarity in motherism also refers to an allegiance to achieve equality, charity, love and protection, healing, restructuring the gender structure, seeking freedom and justice. The theory is inclusive of women, men, and seeks to eradicate racism, hunger and malnutrition, political and economic exploitation, child abuse, maternal mortality, drug addiction and homelessness around the world.

Motherism also seeks to challenge the belief that men are superior, and western feminism's approach to address male monopoly in politics, social power and the economy has not been entirely successful. Despite African women's contribution, their positions and influence have continuously been suppressed, while men have been celebrated and valued in society. Acholonu (1995) discourages both patriarchal and matriarchal extremes. She alludes to this by stating that:

> Africa, as the birthplace of human life, must also be the birthplace of human struggle. One can optimistically conclude … that by virtue of its inclusive and humanistic character, the emergence of African feminism no doubt signals a major step in the intellectual and pragmatic struggle for societies devoid of class, caste, racial and gender biases (2000).

One can infer from the above extract that the emphasis on women by Motherism as a variant of African feminism does not seek to elevate women by undermining men, however it is to ensure that neither is oppressed. Therefore, gender equality is achieved through equalising women's position, personality and contribution as humans and attaining all their freedoms, which is reflected in Achebe and Ngugi's novels.

In terms of literature, as a concern of this study, the motherist writer is not sexist and does not create works from a patriarchal, masculine and dominating perspective. This study will contribute towards the goal of African feminisms to promote women's equality in a world where "gender issues play a part in every aspect of human production". (Tyson 91–93)

> **By Motherism as a variant of African feminism does not seek to elevate women by undermining men, however it is to ensure that neither is oppressed.**

Objectives

General Objectives
This study aims to investigate the representation of motherism and women's struggle in building democracy and gender equality from the post-colonial perspective.

Specific Objectives:
The specific objectives of this study are:

- To point out the issues that motherism addresses, that are represented in the development of African literature.

- To identify different strategies of resistance portrayed through characters in the selected Anglophone African novels: *Anthills of the Savannah* and *Matigari*.

- To state the concept of post-colonial motherism in Africa

- To point out the political struggle and philosophical stance of women in postcolonial Africa

Significance of the Study
This research carves out a space for further research that explores the nexus between Motherism and postcolonial literature from the perspective of researchers from other countries and also from the Ethiopian context. This research is concerned with identifying how women are represented through psychoactive intellectual characters (strong characters), who are also characterised as activists, in the postcolonial era to develop further knowledge on motherism literary criticism in Africa.

The Methodology of the Study

The study is qualitative and is limited to an analysis of resistance and representation, using postcolonial motherism theory. The study will use data and information obtained through the close reading of Ngugi and Achebe's postcolonial texts. The reading will be juxtaposed with other books on postcolonial theories, postcolonial resistance and representation.

According to Ashcroft (2002), four significant models have emerged to date as models of postcolonial literature. These four models are discussed in the subsequent sections of this paper. Among those models, the Black writing model has been used for analysis in this study.

Literature Review

There are various studies related to womanism and Black feminism conducted by Africans. Motherism has similarities and differences with the Black feminism and womanism theories, to understand the difference and the relationship between these theories, it is necessary to review the related research.

Fatima. L. Adamu's article titled '*Women's struggle and the Politics of Difference in Nigeria* (2006) identifies and describes the scholarship of development feminism as one that is preoccupied with the struggle against race, age and religion. She argues that the struggle for women's rights in Nigeria has divided women more than it has united them.

Melakenh's (2010) PhD dissertation titled 'Post-colonial and mainstream Anglophone novels' could be extrapolated and linked to this study. Melakenh (2010) reflects on the presence of certain paradigm shifts in post-colonial novels since the 1970s. The paradigm shift has moved the preoccupation of postcolonial writers from despair to hopefulness, from submissiveness to resistance, from individualism to mass mobilisation in seeking freedom.

This study differs from Melakenh's (2010) as it centres motherism as an essential stride for the representation of women in African literature. It will explore what determines the importance of motherism and how it differs from other feminist approaches by highlighting major theoretical questions discussed in the section below:

Theoretical Framework

Since motherism emerges from post-colonialism, this study uses both post-colonial and motherism theories for analysis.

> Postcolonial theory is a literary theory or critical approach that deals with literature produced in countries that were once, or are now, colonies of other countries. It may also deal with literature written in or by citizens of colonising countries that take colonies or their peoples as its subject. The theory is based around concepts of otherness and resistance. The postcolonial theory became part of the critical toolbox in the 1970s. (Ashcroft, 2002).

Connected to postcolonial theory, Motherism is a multidimensional theory which involves the dynamics of ordering, reordering, creating structures, building and rebuilding in cooperation with Mother Nature at all levels of the human experience. A combination of these theories has been used as a critical framework for a close-reading analysis of; *Anthills of the Savannah a* novel by Chinua Achebe and *Matigari* by Ngugi wa Thiong'o.

Critical Models of Post-Colonial Literature
As writers and critics became aware of the distinctive characteristics of post-colonial texts, they saw the need to develop an adequate model to account for them. According to Ashcroft (2002), four major models have emerged to date:

First, 'national' or regional models emerged to emphasise the distinct features of particular national or regional culture. Race-based models, which identify specific shared characteristics across various national literature, such as the common racial inheritance in the literature that emerged from the African diaspora, followed this development. The 'Black writing' model addresses this common race inheritance. Third, comparative models were introduced with varying complexity, which seeks to account for particular linguistic, historical, and cultural features across two or more post-colonial pieces of literature. The fourth critical model of postcolonial literature development includes more comprehensive comparative models which argue for features such as; hybridity and syncreticity. Syncretism is the process by which previously distinct linguistic categories, and, by extension, cultural formations, merge into a single new form. Both hybridity and syncreticity, are presented as constitutive elements of all post-colonial literature.

The development of national literature and criticism is fundamental to the whole enterprise of post-colonial studies. Without such developments at the national level, and without the comparative studies between national traditions, no discourse on the post-colonial could have emerged. It is not merely a matter of development from one stage to another, all post-colonial studies continue to depend upon national literature and criticism. The study of national traditions is the first and most vital stage in the process of rejecting claims that centre exclusivity. (Ashcroft, 2002, 14-15).

The Black Writing Model

Post-colonial literature builds on the idea that race is a major feature of economic and political discrimination and draws together writers in Africa and the African diaspora. The 'Black Writing' model addressed this and became one of the significant aspects of the post-colonial literature. It overlooks the vast cultural differences between literature, produced by a Black majority population of an independent nation and those produced in the diaspora. The Black writing model describes racial discrimination and European prejudice and stresses integration and wholeness over-analysis and dissection.

With this model in mind, postcolonial theory as a theoretical framework associated with resistance will analyse Anglophone novels from Africa writers. The Black writing model is applied to evaluate and analyse the selected novels from the 1980s, and the writers' perspective of resistance and representation depicted in the novels of Achebe and Ngugi.

Analysis, Interpretation and Discussions

Men Showing Care for Women and Mother Nature as Represented in the Novel Matigari.

In the story of Matigari, besides Guthera, the protagonist male characters' role is a good example of the roles men should take to support women and their livelihoods from oppression. As an example, it is Matigari who saves Guthera from the betrayal of the police in the story.

> *"Leave her alone. What kind of law is this which allows policemen*
> *to harass defenceless women? ... get up... Come, stand up, mother*
> *..." He said (Matigari, P.32).*

Most times, in the story, Matigari struggles to resist against his mothers' burden. The author reflects the care directed towards mothers as is described in the above extract.

By implication, motherism is everybody's concern in all parts of Africa. If Mother Nature's true equality and freedom are respected in every society, women's gender equality could be respected. Women should not be considered solely as caregivers or only useful for domesticity. Instead, women should participate equally in the social, political and economic aspects of their nation and their contributions should be valued fairly. For this reason, post-colonial writers strongly resist stereotypes by portraying strong women characters that are working towards strengthening equality in their literary works**.**

Women as the decision maker, a healer of a country and the continent

The determination, hope and commitment shown by Matigari and Guthera in Ngugi's novel reflect both men and women's active involvement in the struggle to fight neo-colonialism.

> Guthera says, "One can die only once, and it is better to die in pursuit of what is right. ...' I want to do something to change, whatever it is, that makes people live like animals, especially us women. What can we as women do to change our lives? Are we not in the majority anyway? Let's go! From now on, I want to be among the vanguard. I shall never be left behind again. Matigari, stamp your feet to the rhythm, let the bullets tinkle! May our fears disappear with the staccato sound of our guns?" (Ibid, P: 114).

Guthera's speech above implies that women must not be left behind and they should participate in every social and political struggle to bring equality in society. Such actions could be taken as an excellent example of post-colonial motherism. Historically, the women's role under colonial norms was solely to take care of their spouse and to bring up children - activities that are limited to the private sphere. However, motherism broadens this.

Motherism protects and seeks gender equality contextual to society, particularly in the African continent. It addresses not only values around motherhood or the motherland, but it also makes demands for women and centres them as healers. Through the portrayal of Beatrice, Achebe shows the presence of strong women who will be integral to Africa's transformation.

> In reserve until the ultimate crisis arrives, and the waist is broken and hung over the fire, and the palm bears the fruit at the tail of its leaf. Then as the world crashes around man's ears, the woman in her supremacy will descend and sweep the shards. (Antills of the Savannah, 98).

In '*Anthills of the Savannah*' the author portrays women's voices as new and revolutionary. Not only does Achebe portray strong women in his choice of characters, but Ngugi also portrays female characters as strong and psychoactive intellectuals. These novels show similarity in resistance. They both introduce characters that are motherist in that they resist social, political and economic domination and unfair treatment in the society.

Motherism as a Means of Resistance against Patriarchal Domination

Anthills of the Savannah' is often noted for portraying strong, believable female characters. Beatrice in *Antills of the Savannah* is one of the characters that is often referred to as a brilliant, assertive and a philanthropic woman. Beatrice seems to be a role model and an embodiment of a successful woman, whom the destiny of the entire nation relies upon. Amid political strife and injustice, the women in the novel maintain a connection with their heritage and culture and stand for moral strength and sensitivity.

Mother as Top of the Social Ladder

In the representation of mothers at the top of the social ladder, but not at the expense of the subordination of others, a discussion that Ikem has with Beatrice is important:

> Meanwhile, our ancestors out here, unaware of the New Testament were working out independently a parallel subterfuge of their own. Nneka, they said **Mother is supreme.** Let us keep her in reserve until the ultimate crisis arrives, and the waist is broken and hung over the fire, and the palm bears its fruit at the tail of its leaf. Then, as the world crashes around men's ears, the woman in her supremacy will descend and sweep the shrubs together. (Anthills of the Savannah, 98)

From the characters in the text, Beatrice hears the voices of the people who need help. She stands on the side of Ikem and Chris to play her role in their struggle and resistance against the military Junta. The second important part of motherism is its relationship with the motherland. Motherland is a feature of identity-formation in Africa and a concept that motherism advocates for in the political, social and economic struggles of women, beyond motherhood.

Motherism Demands for Gender Equality

Acholonu (1995) referred to writers who express solidarity with the African woman as being Motherists. As seen in the depiction of characters in '*Anthills of the Savannah.*' An example is Ikem who stated in the novel, in conversation with Beatrice, that he has "the most profound respect for three kinds of women: peasants, market women and intellectual women" (92). Besides this, Achebe also depicted the major characters as strong women who demand gender equality and fairness in society. The African women reflected in the post-colonial period are depicted as people with a myriad of challenges, but also with the autonomy to resist marginalisation and acquire social, economic and political rights.

Thus, Achebe, as an author, has shifted from portraying women characters as submissive in his previous novels to a representation of women being resistant, authoritative and autonomous. Ikem makes an eloquent speech that:

> The women are the biggest single group of oppressed people in the world and, if we are to believe the Book of Genesis, the very oldest. But there are not the only ones. There are others-rural peasants in every land, the urban poor in industrialized countries… (P.90).

By implication, the author has depicted this character to show that both men and women play a great role in bringing gender equality, freedom and justice in the society. The author also, by implication, introduces an aspect of intersectionality in equality. This mirrors, Acholonu (1995) sentiments in her book on Motherism, the author discourages patriarchal and matriarchal extremes and values political resistance.

Motherism for Seeking Freedom and the Struggle for Democracy.
Motherism also addresses mothers' political role in society by exploring their relationship with nature and nurture. Beatrice, the protagonist in *Anthills of the Savannah,* through her insightful thinking, realises the importance of establishing "vital inner links with the poor and dispossessed." Beatrice reforms the society around its core or reality and not around an intellectual abstraction (Anthills of the Savannah, 100). She works for the betterment of society with a remarkably womanist stance. Her objective envisages 'the survival and wholeness of both men and women in society.

Therefore, the cooperation of women and men, gender equality in its totality and cohesion with Mother Nature and the motherland are a means of building democracy as depicted by the concept of Motherism. Motherism is also preoccupied with transforming society and creating awareness of the various cultural practices and the value in the resistance against patriarchy. It is portrayed well in the postcolonial novels and their characters.

Conclusions
In conclusion, motherism is primarily focused on the centrality of motherhood and womanhood in African societies. The life of African women cannot be dissociated from a mother-child love relationship as it is revealed in the selected authors' works. It is through motherhood that African women can achieve psychological and social freedom, however, their contribution to society is not limited to motherhood and extends to social, economic and political activity.

Through the literary intervention in this study, both male and female writers reflect on motherism in contemporary African literature as it is depicted in the selected novels.

Motherhood, therefore, shifts African women from being framed as submissive to being resistant and further shifts their destiny from one of despair to hopefulness, particularly in their display of resistance to achieve justice in the social and political sphere.

Recommendations

Highlighting motherism and researching on it may spark interest lead certain societies to show solidarity towards African women as mothers and the other roles that they play. This article aspires to bring about attitude change and solidarity from both men and women by presenting women's subjectivity and strong and active characters in the post-colonial novels. Therefore, both governments and prolific African writers should play a role in resisting patriarchy and bring new insights that can be used in restructuring and rebuilding gender structures and social organisation outside of the patriarchal paradigm.

In conclusion, readers, experts and prolific writers should advance and transform the concept of motherism throughout Africa in various ways. Motherism, as a concept, will support the practice of gender equality and will enhance peace and democracy in Africa. Literature, therefore, will be a critical weapon in the fight against all forms of gender equality in Africa.

Acknowledgements

REFERENCES

Primary Sources

Achebe, C. (1987). *Anthills of the Savannah*. London: Heinemann.

Wa Thiong'o, N. (1987). *Matigari. (Trans). London: Heinemann.*

Secondary Resources

Acholonu, C. O. (1995). *Motherism: The Afrocentric alternative to feminism*. Owerri: Afa Publications.

Ashcroft, B., Griffiths, G., & Tiffin, H. (1989). *The empire writes back: Theory and practice in post-colonial literatures.* Routledge.

Griffiths, G., Menin, S., Ashcroft, B., Ashcroft, F. M., Griffiths, G., & Tiffin, H. (2002). *The Empire Writes Back: Theory and practice in post-colonial literatures.* Psychology Press.

Mengistu, M. (2010). *Post-Colonialism and Mainstream Anglophone African Novel [ca. 1970-2000]: A Comparative Approch* (Doctoral dissertation, Addis Ababa University).

Ojo-Ade, F. (1983). *Female writers, male critics* in Jones, E. D., & Palmer, E. (Eds.). (1983). *African Literature Today: A Review. Recent Trends in the Novel*. Heinemann.

Reddy, K. I. (1994). *The novels of Achebe and Ngugi: A study in the dialectics of commitment*. Prestige Books.

Slemon, S. (2002). *The scramble for post-colonialism*. in Tiffin, C., & Lawson, A. (Eds.). (1994). *De-scribing empire: post-colonialism and textuality*. Taylor & Francis.

Tyson, L. (2014). *Critical theory today: A user-friendly guide*. Routledge.

Whetstone, C. M. (2013). *Is the Motherist Approach More Helpful in Obtaining Women's Rights than a Feminist Approach? A Comparative Study of Lebanon and Liberia* (Doctoral dissertation, Wright State University).

Web recourses

Adamu, F. L. (2006). Women's Struggle and the Politics of Difference in Nigeria Retrieved on December from *gender. politik. online. http://www. gender-politik-online. de/(13. 04. 2011). http://www. postcolonialweb.org/africa/godona1.html*

COUNTERING PATRIARCHAL POLITICS: ROLE OF FEMINISM IN WIDENING DEMOCRATIC SPACES

SAMUEL OLTETIA & PASSY AMAYO

ABSTRACT

Global trends in democracy and governance have manifested themselves in the East and Horn of Africa region. Despite concerted efforts to advance gender equality, an inalienable civil and political right, Kenya and Sudan have attracted poor freedom ratings. This paper gives a comparative analysis of the two countries intending to situate the means through which patriarchy dampens the freedom of women. Besides, this paper will identify the efforts put forward to counter such a vice. The two states; Kenya and Sudan have promulgated constitutions, but the provisions of the laws have not been operationalised. In principle, the constitutions are therefore constantly violated in policies and governance initiatives. Political parties that are key stakeholders in crucial political processes are the major culprits in entrenching patriarchy. The tool of analysis used is state feminism that embraces the importance of women being mainstreamed into state politics and power matrices, through movements and policy agendas. The paper is based on literature from desk-research and has had its sources triangulated to ensure the reliability of the findings. The recommendations made from the findings of this paper include initiating joint programs with political parties, aimed at changing the rigid political structures within the parties. These joint programs with political parties will attain a fairground for women and should initiate further research on the different means to countering other forms of inequality, like economic that have a causal effect on political influence.

Keywords:

Constitutionalism, Sudan, Kenya, Gender, Policies, Governance, Democracy, Patriarchy, Freedom, Constitutions

INTRODUCTION

The attainment of a thriving democracy has always been a challenge globally. Research has established that there are hardly any consistencies in the realisation of civil liberties, equity and justice. Samuel Huntington (1991) defines this phenomenon [democracy] in the context of democratic waves that are characterised by both gains and reverses. Detailing these transitions, Huntington situates them along with notable global trends from the pre-war period to the culmination of the Cold War. This paper will, however, limit the analysis of the positive and negative developments to the third wave which commenced from the early 1990s to the 21st century. During this period, several states had slid back to authoritarianism due to factors that are not limited to, but include, "systemic failures" in the provision of welfare, prosperity, equity and justice (Huntington, 1991). This ultimately challenged legitimacy.

To identify the novelty in perpetuating patriarchy in the contemporary political environment, this paper seeks to interrogate the principle of constitutions–constitutionalism–which the East and Horn of Africa is seen to have deviated from. The two countries under review; Kenya and Sudan have promulgated constitutions, but as scholars argue, the existence of the laws under these constitutions is not a measure for the realisation of civil liberties, especially in relation to women (Yash G., 2017). This is further supported by literature that distinguishes between conceptualising democracy and the operationalisation of the provisions of democracy (Paxton, 2008).

The existence of the challenges mentioned above, both the drawbacks and reversals, have affected women to a great extent. Solutions have been pursued by women and proponents of African feminism to deter the roll-back in democracy.

Constitutions and Constitutionalism: Conceptualization

Defining a constitution invites numerous debates based on different scholarly orientations, and could further limit the context of this study. Okoth Ogendo, however, gives three abstractions relevant in political processes; Constitutions as "organised power", a "power map" and the making of it is "predominantly a political process" (Yash G., 2017). The existence of such a power map, however, is not effectively embedded in the foundations of the political system, which are democratic in practice (Nchalla, 2013). Scholars and practitioners, therefore, agree on the need to operationalise constitutional provisions that are founded on values and principles of democracy since, like every other law, constitutions can be manipulated for political expediency. This manipulation affects the sacred nature of constitutions.The centrality of the concepts of power and politics in constitutions, therefore, makes them opportunistic and subservient to particular interests within states. At face value, constitutions have been valued for the importance that they can give to perceived sovereignty and the protection of regimes (Yash G., 2017).

Constitutionalism comes in as a metric of evaluating the "form, substance and legitimacy" of constitutions (Nchalla, 2013). Constitutionalism has, to a great extent, despite its conceptual mutation, hinged its argument on the separation of powers between government institutions. While the checks and balances principle holds, the value of human rights has been inculcated into constitutionalism (Shivji, 1991). In responding to the violations of constitutionalism in the Horn of Africa, it is important to outline basic features that scholars have associated with it [constitutionalism]. These features include a limited government, adherence to the rule of law and the protection of human rights, which have all been cited as "facets" of constitutionalism. The paper will, however, dwell on the last two facets; that of adherence to the rule of law and the protection of human rights in the states of Sudan and Kenya.

Betrayal of Constitutionalism: A comparative analysis of Kenya and Sudan

Governments that are largely made up of elites are prone to subverting constitutionalism, which is stated in the previous section as characterised by the adherence of the rule of law and the protection of human rights. The practice of subversion, therefore, seeks to mutilate and choke the realisation of two facets of constitutionalism. Yash Pal Gai, a renowned scholar within constitutional law, points out two phenomena that manifest in the subversion process. These include; coups and one leader states and second, the calculated failure in implementing human rights provisions, especially those that affect the less privileged groups in society (Yash G., 2017). Kenya and Sudan have experienced both phenomena at varying degrees.

Forty-seven years after gaining independence, Kenya promulgated a new constitution in 2010 that marked an essential step in political maturity. Despite a radical change from the Kenyan independence constitution, the new law ushered in an age that was seen to provide redress for groups that had been previously marginalized. In chapter seven of the Kenyan constitution, there is a caveat against gender inequality, with a section stating that "Not more than two-thirds of the members of elective public bodies should be of the same gender"(Constitution of Kenya, 2010). Further, the same Chapter outlaws the use of "violence, intimidation, improper influence or corruption". The proposal to have a gender-balanced senate and national assembly in Kenya has been the eye of a political storm, ranging from failed bills to failures in respecting court advisory opinions.

An advisory opinion by the Kenyan Attorney General in the Kenyan Supreme Court, on what he termed as an *inconsistency* in the law outlined the complexity in the realisation of gender equality envisioned in the Kenyan constitution.The controversy from the provisions stems from the fact that they state that "any measures" can be put

in place to realise gender equality. This has attracted a lot of legal and political jitters. Ultimately, the main contention was on implementing these provisions, whether implementation should be progressive or immediate. The court ruled that affirmative action be implemented immediately–during the 2013 elections. The government institutions and the political parties have, however, failed to implement the court's directive. The bureaucracy that is involved in implementing gender equality is an outright subversion of constitutionalism. Following the advisory opinion, there have been several bills introduced in the national assembly and senate that have failed after many attempts, because of quorum hitches. Kenya, despite its democratic strides, lags behind its neighbours Rwanda, Tanzania and Uganda.

> **The proposal to have a gender-balanced senate and national assembly in Kenya has been the eye of a political storm, ranging from failed bills to failures in respecting court advisory opinions.**

One of the bills, introduced by Member of Parliament (MP) Hon. Samuel Chepkonga, [The Two Third Gender Rule Laws–Amendment Bill 2015] was heavily criticized for proposing a progressive implementation of the gender equality constitutional provision. Similarly, another bill introduced by the leader of the majority party [The Constitution of Kenya Amendment Bill, 2018] was also termed unconstitutional by civil society organisations (Nyabola, 2018).

Sudan, on the other hand, is prone to military dictatorships that have suspended the country's constitution each moment they seize power. There has, however, been an interim constitution put into place since 2005. The national law has a section on the bill of rights that presupposes the equality of men and women, and further directs that the state should implement affirmative action to help women. Prior to the promulgation of such a constitution, Sudanese women presented some of their Post-War Reconstruction objectives for attaining gender equality, with an example being a minimum of 30% representation of women across government agencies.

Contrary to the guidelines of the constitution, Sudan has only achieved 13 percent women representation in one of its elections in 2010 (Zeinab, 2013). The electoral laws in Sudan could be a significant hindrance to the achievement of constitution-envisioned equality. The law does not stipulate the procedures that can be put in place to attain the 25% quota that the interim constitution upholds (Tønnessen. L & Kjøstvedt, 2013). The Sudanese parliament, similar to that of Kenya, has been slow in legislating on the provisions of the constitution, and equally slow in the review of

laws, considered discriminatory by women's movements. These discriminatory laws are usually influenced by the nexus of patriarchy and culture, for example, where Islamic laws outlaw a woman at the child-bearing age from addressing crowds and speaking out Elsawi, 2011).

The challenges of representation in politics can also be traced to the role of political parties in elections or nominations for political candidacy. Women face several challenges in elections, which are linked to primary party nominations. Kenyan party nominations are characterised by violence and corruption. The Kenya National Commission on Human Rights (KNCHR) noted several cases of violence in party primaries during the 2017 elections and in particular against female aspirants. An incident occurred where a female candidate was forced out of her home for taking part in a political party nomination exercise. During the same period, another female candidate was threatened with a gun in a nomination exercise in Western Kenya. Such incidents illustrate that political parties have not instituted proper structures that give women a competitive edge in such democratic exercises. The problem evident within political parties is that they affect the whole electoral system since the politicians further replicate these actions within political parties at a national level (Friedrich, 2010). Some political parties in Kenya have used nominations to deny women from contesting election malpractices in the courts. Besides, it should also be noted that promises of being nominated rarely materialise (National Democratic Institute, 2018).

These nomination positions lack the political influence that can give women an upper hand in governance. Apart from the nomination slots, the creation of exclusive women representative positions has been used to reduce political competition. Sentiments have been captured where men tell off women who try to seek other positions, due to the exclusively reserved women representative slot (Okoth, 2018).

The Kenyan context is an explicit example of the patriarchy that has been entrenched in political parties. The constitutional provisions will not be fruitful unless the basics of political processes such as the party primaries are instituted within the law. The electoral system in Kenya is mainly under the auspices of established political parties and political leaders. The support that they have given to women has been minimal and, therefore, substantive representation and gender equality remain a challenge for women.

There are several similarities in how patriarchy has manifested in both countries. It is notable how bureaucracies have been built up to deny the realisation of constitutional provisions in both countries, mainly through lack of political will. However, Kenya has advanced to some degree due to the public discussions in the form of bills presented to parliament compared to Sudan, which has had no publicised processes to debate on gender equality. Differences, however, exist since in the Kenyan context there are no charges for nominating candidates compared to the Sudan electoral laws that stipulate that there is a charge of 45 US dollars for each nominated candidate (Elsawi, 2011) therefore affecting small parties that may be more progressive in terms of preserving the voices of women.

State Feminism concept

Different scholars have advanced several concepts that try to interrogate the place of gender in leadership and governance. State feminism, however, is relevant in the research and analysis of the relevant political influence in states. State feminism seeks to explain the integration of ideas and stakeholders in state affairs through the use of women's rights policy agencies (Mazur & McBride, 2008). The policy agencies and movements are critical tools for advocating for gender equality, and therefore, state feminism stands out as a mechanism to push back on patriarchy preserved by the state and gender inequalities. Some feminists consider the state to be at the centre of the patriarchal system. State feminism deviates from such a generalisation and tries to envision the reconstruction of state-society relations through the use of movements from the grassroots level (Mazur & McBride, 2008). The ideas engendered in government by state feminism are required to advance participation, representation and democracy. These three principles are essential to state feminism.

Feminist Movements and the fight against patriarchy

Efforts have been made by women leaders and activists in both countries under study, to respond to male domination. These women leaders have led women's movements and advanced key policies and legislations to counter patriarchy, which the state feminism concept envisions. Sudan has also had notable women leaders like Fatima Ahmed Ibrahim who pioneered movements like the Sudan Women Union (Tønnessen & Kjøstvedt, 2012) which faced several challenges of censorship and forceful take-overs by the government (Elsawi, 2011). The prolonged wars in Sudan have affected women movements, due to the exclusion of women in peace processes that further results as an exclusion in governance structures and institutions in the post-war period. Sudanese women have become the face of the revolution that ousted President Omar Al-Bashir, who is accused of dictatorship and ethnic cleansing. Alaa Salah, a 22-year-old university student, became an internet sensation and a source of admiration for being on the frontline of the recent revolution.

Further, women have contributed to the movement by cooking for demonstrators and by taking part in the actual picketing and demonstration (Elsawi, 2011).

The success of the efforts of women and women's movements that have targeted legislative and policy change may not have been fast, but they initiated a drive towards gender equality. The affirmative action that was brought by the new constitution in Kenya was a third and successful attempt. Phoebe Asiyo and Martha Karua, both former members of parliament, had previously tabled affirmative action bills which were unsuccessful (Adawo et al., 2011). There has been a staggering increase in the election of women; for example, Kenya saw an improvement from 16 women parliamentarians in 2007 to 96 in 2017 (Mzalendo Trust, 2019). An increase in individual women leaders to influence policies and laws is an obvious catalyst to strengthen efforts against patriarchy and towards gender parity.

Drawing from the three principles that state feminism advances–participation, representation and democracy–there is notable progress that has been accrued from women movements and policy agencies. Albeit the positive change towards gender equality, the rollbacks are mainly because of the new ways that patriarchy is being perpetuated as discussed earlier in this paper. The opening up of political spaces to a multi-party system was a score for democracy; however, political parties as earlier noted have mechanisms of manipulating processes that relate to elections. A faulty electoral system automatically affects representation, participation and democracy. Kenya and Sudan, according to the World Freedom Report 2019, have been rated as partly free and not free consecutively.

Conclusion

Kenya and Sudan have failed to achieve the required standards of democracy. The ability that political parties have to manipulate constitutional provisions has affected and further disadvantaged groups, like women, in politics. The existence of constitutions is therefore not a safeguard against patriarchy. Political parties have failed to initiate the necessary structures and guidelines that give women an equal footing in the political arena. Women movements and individual political leaders in both countries have set the pace in gendering leadership and governance. There is still the need to reinvent the wheel so that the gains that have been made are not lost. Sudan's revolution, for example, has taken a different turn after the negotiations began, where women have no representation (Mohamed, 2019). That is an outright rollback in a process women spearheaded.

Recommendations

There is a need to engage political parties, increase programs aimed at establishing internal structures on elections, and democratic processes. An improvement in party primaries will have a positive effect on the whole electoral system and would improve the participation and representation of women. Kenya has the option of independent candidacy. Though a hard option to take, it might show resentment from women candidates to the male-dominated party systems.

The tool of activism through picketing, demonstration and digital platforms has brought about slow but progressive legislation and policy change towards gender equality. Thus, the role and progress made by women's movements and policy agencies should continually be recognised, encouraged and supported. Digital platforms to a great extent are also useful in terms of awareness creation and should be included in the policy-making process.

Research should be embraced, especially research that helps identify and situate the contemporary ways that patriarchy is being perpetuated. Elitist groups have captured government institutions and political parties, and while there is a proclamation of democracy, bureaucracy has been entrenched as patriarchal behaviour and continues to disadvantage women in governance.

REFERENCES

Adawo L. et al. (2011). *History of feminism in Kenya.* Fundación Mujeres.

Advisory Opinion, 2 (Supreme Court Of Kenya, 2012). Retrieved August 1, 2019, from http://kenyalaw.org/caselaw/cases/view/85286

Constitution of Kenya. (2010).

Elsawi.Z. (2011). *Women Building Peace: The Sudanese Women Empowerment for Peace in Sudan.* The Association for Women's Rights in Development (AWID).

E, O. (2018, November 20). Kenya MPs set to rule on bill to raise women representation. *Daily Nation.* Retrieved July 13, 2019, from https://www.nation.co.ke/news/politics/Kenya-two-thirds-gender-rule-/1064-4859898-sk10mqz/index.html

Freedom House. (2019). *Democracy in Retreat.* Freedom House.

Friedrich Ebert Stiftung. (2010). *Institutionalizing Political Parties in Kenya.*

Huntington, S. (1991). Democracy's Third Wave. *Journal of Democracy, 2*(2).

(n.d.). *Interim Constitution Of The Republic Of Sudan.*

KNCHR. (2017). *The Fallacious vote : A Human Rights account of the 2017 political parties primaries.*

Mazur A.G & McBride D.E. (2008). State Feminism. In G. G. A.G, *Politics, Gender and Concepts : Theory and Methodology.* Cambridge University Press.

Mzalendo Trust. (2019). *Owning The Space : The Inclusion and Participation of Women in Kenya's 11th And 12th Parliament.* Mzalendo Trust.

Mohamed H. (2019, April 28). Sudan's female protesters leading the pro-democracy movement. *Al-Jazeera.* Retrieved July 12, 2019, from https://www.aljazeera.com/news/2019/04/sudan-women-protesters-leading-pro-democracy-movement-190423134521604.html

National Democratic Institute. (2018). *A Gender Analysis of the 2017 General Election.*

Nchalla B.M. (2013). Tanzania's Experience With Constitutionalism, Constitution-Making & Constitutional Reforms. In M. M. T, *Constitutionalism and Democratic Governance in Africa : Contemporary Perspectives from Sub-Saharan Africa.* Cape Town: Pretoria University Law Press.

Nyabola. N. (2018). A Seat at the Table: The Fight for Gender Parity in Kenya . In N. N. M, *Where Women Are.* Heinrich Boll Stiftung.

Okoth G.O. (2018). Women and Political Party Participation in Kenya: An Analysis of Gender Mainstreaming Efforts within Party Processes in Nyanza Region. In N. N. M, *Where Women Are.* Heinrich Boll Stiftung.

Paxton.P. (2008). Gendering Democracy. In A. &. Mazur, *Politics, Gender & Concepts : Theory and Methodology.* Cambridge University Press.

Shivji. I.G. (1991). State and Constitutionalism : An African debate on democracy. In S. I, *State and Constitutionalism.* Harare: SAPES TRUST.

Tønnessen. L & Kjøstvedt H.G. (2012). *The Politics of Women's Representation in Sudan : Debating Women's Rights in Islam from the Elites to the grassroots.* Chr. Michelsen Institute.

Yash. G. (2017). Constitutionalism: African Perspectives. In P. K.-M. Odote, *The Gallant Academic : Essays In Honour Of Hwo Okoth-Ogendo.* School Of Law - University of Nairobi.

Zeinab Faroug. (2013, October 26). Women Representation in Sudanese Parliament.

PATRIARCHY AND DEMOCRACY IN AFRICA: REFLECTIONS ON THE UNDERLYING INFLUENCE OF ISLAMIC AND INDIGENOUS AFRICAN TRADITIONS ON WOMEN PARTICIPATION IN KENYAN POLITICS

GEORGE ODHIAMBO OKOTH

ABSTRACT

Emerging evidence demonstrates that women in the East and Horn of Africa face many hurdles when trying to attain power in society, with obstacles restricting their access to decision-making positions and processes. One constraint to women's participation in governments and political structures is the patriarchal system which is latent and not visible in a state's political system. Different regions of Africa present different worldviews on patriarchy depending on their religious institutions and historical backgrounds. This paper takes the different worldviews in Kenya, as defined by different religions and ethnic groups, as the foundation of understanding the declining state of democracy. The paper further explains how the patriarchal culture is reproduced, operated, and inherited through cultural, religious and state institutions. Two areas in this study served as the locus of the research in Kenya; Islamic communities in Kenya; and case studies of Kikuyu and Luo communities. However, to augment discussions on democracy, this research takes the state as an institution that perpetuates and sustains traditional and religious views and inhibits the capacity to enact favourable laws to expand women's participation in politics. In its conclusion, the recommendations of this research are to answer the question of how women in Kenya can make political advancements in a patriarchal system.

Keywords:

Religion, Ethnicity, Tradition, Women's Participation, Kenya, Governance

INTRODUCTION

The main finding of different uses of 'patriarchy' shows that it is mainly used to describe a system of fatherly authority in the household, and a system of structural male domination over women in society. This study holds the view that the two phases of patriarchy are responsible for the challenges that women have experienced in participation in politics in Kenya. Dogo (2014) argues that, Kenyan societies like other African societies, are patriarchal and the status and roles of men and women in every community are shaped by patriarchy which has been exacerbated by structural domination and the oppression of women in public spaces, which has continued unabated in legal, political, and economic terms.

Based on such limitations, the hope and momentum for advancing women's full and equal political participation has never been stronger as it is in Kenya. This study shows that the limited participation of women in the Kenyan political space is a function of the social division of labour, the rigid dichotomisation of the public and private spheres and the social construction of the political realm as a man's domain.

Theoretical Conceptualization of Patriarchy.

Different theoretical arguments have been advanced to explain the origin and manifestation of patriarchy. This study uses two theories to inform discussions on patriarchy and the rollback of democracy in Kenya. Max Weber (1978) described patriarchy in patrimonialism, creating an understanding of patriarchy and patrimonialism as related forms of domination in human societies. In Weber's Economy and Society (Weber, 1978), patrimonialism mainly refers to forms of government that are based on rulers' family-households. The ruler's authority is personal-familial, and the mechanics of the household are the model for political administration.

According to Ademiluka (2018), considering the framework of patrimonialism, men in traditional families, like Kenya, have enjoyed the advantage of their privileged positions to access and exercise political control over women, as household relations shape patrimonial rule. Political authority in every community follows a patrilineal family system and is passed down from generation to generation, creating political dynasties as the basis of local political structure. This social structure still defines the political landscape among most communities in Kenya, where some families dominate politically over those who are outside the noble lineage, where most women remain disadvantaged.

Robert Filmer's patrimonial-monarchical theory has also been used in different ways to justify the limitation of women's democratic rights. This theory posits that patriarchy was instituted at the moment of the creation of Adam, the first King. All kings are therefore descendants of Adam and have a divine right to rule over a kingdom with no

consent of the people. Based on this theory, the monarchy became the natural political situation and implicitly, patriarchy then became the natural social situation (Filmer, 1991). This theory presents a historical model that generations of male politicians in Kenya have always inherited, generating a genealogy of political power that can be traced back in history through the inheritance of authority in the family by male heads. This continues to keep women out of public spaces in different communities. The theory is also used to broaden men's control of a disproportionately large share of political power, narrowing equal opportunities for women.

> **Dogo (2014) argues that, Kenyan societies like other African societies, are patriarchal and the status and roles of men and women in every community are shaped by patriarchy which has been exacerbated by structural domination and the oppression of women in public spaces, which has continued unabated in legal, political, and economic terms.**

The two theories used in this study highlight various forms of oppression of women in Kenya today, particularly their marginalisation in political participation being read as natural, historical and inescapable. Therefore, the oppression arises from supposedly natural, and therefore, unchangeable factors. The theories imply that "men hold power in all the important institutions of society" and that "women are deprived of access to such power".

Patriarchal Images and Gender Stereotypes among the Kikuyu of Central Kenya

This study uses metaphors to communicate underlying expressions of attitudes towards women among the Luo tribe in the Nyanza region and the Kikuyu tribe from central Kenya. These were mainly used to target adult listeners who could interpret the hidden messages that were not meant for the youth. The oral narratives used by the Agikuyu reflect a patriarchal society and how men justify themselves as the owners of moveable and immoveable property. Wanjiru & Kaburi (2015), posit that narratives are often used to teach, warn and advise, but the young are also told narratives about the heroes of their communities like Ndemi, the hard-working leaders who cleared the bushes and started farming in Gikuyu land; Mathathi who introduced traditional medicine to make soup; and Mugo wa Kibiro the Gikuyu overseer who prophesied the coming of the white man.

These stories of Gikuyu heroes show that women had no place among the big names in society and ensured that from an early age, children were made to understand that power lay with men. With the Gikuyu, narratives were also used to portray women as careless, hence deprivation of property, the narratives showed that women owned property, like animals, but were unable to look after them. For instance, in a Gikuyu narrative- Mbogo na Thia, (Buffaloes and Antelopes), by Chege (2006), buffalos and antelopes are shown to have been cows and goats owned by women. The woman in this narrative is said to have mistreated her animals. One day when there was heavy rain, the woman left her animals in the bush while the man took his animals home. The animals belonging to the woman disappeared into the forest, and she never found them again, and the animals became forest beings.

According to Wanjeri (2006), most Kikuyu proverbs encourage male domination and oppression of women. Women and their presumed characteristics are negatively presented, while men are positively presented. This is reflected in the proverb, mbu ya arume itikagwo ni athamaki (men's alarm or shouts are answered by elders), showing that men do not just shout for the sake of it because they are brave and so their shouts are always answered promptly, as it is assumed that there must be something important. The proverb can be translated to imply that women raise false alarms, and that nobody takes notice of their shouts.

Kabira and Mutahi (1988) state that the status of women, as expressed in most of the proverbs, is that of otherness and of being outsiders as showed in the proverb arume ti aka (men are not women), meaning that women are different from men. This hints to the different obligations of men and women. A woman is referred to as mundu wa nja meaning (one who belongs outside). Socially, a woman is an outsider before marriage, and that is why she is often discriminated against in terms of modern formal education because one day, she will leave the family to go and serve another family. This position has however been challenged by recent developments that have seen women like Martha Karua, Beth Mugo, Ann Waiguru rise to senior political positions in Kikuyuland.

The proverb giathi githaragio ni gaka kamwe, (A market can be dispersed by one small woman), shows the supposedly evil power of a woman because even a tiny woman can disperse a gathering. This proverb uses the diminutive term Gaka [ka-woman] to make women even lesser beings. On the other hand, man is represented as the all-powerful saviour, unveiling the patriarchal nature of this society (Wanjiru & Kaburi, 2015). It is therefore clear in these narratives that there is a hierarchical order between men and women in a Gikuyu society where men are viewed as superior to women and as respected, clever, organised, and prompt in their way of doing things, while women are traditionally viewed to be everything that men are not.

Traditional Views of Men and Women in the Luo Community

Luo culture has been traditionally built on patriarchy. The socialisation of males and females from childhood plays a vital role in the way they relate to one another, males internalise the status of superiority and dominance to women and are portrayed as powerful, strong, domineering and respectable members of the society (Ocholla-Ayayo,1980). A Luo woman is not only subordinate to her husband and the men in her family but also all members of her husband's family. Women's dependence on men is conditioned by a range of institutional practices embedded in the family and the Kin-group.

Like the Gikuyu community, the discrimination of women through language is rampant in Luo patrilineal society, where stereotypes regarding gender divisions of labour and gender- differential social practices are prevalent (Magak & Okombo,2014). Male superiority in Dholuo is portrayed using several items, for instance, animals like lion, rhino, elephant, buffalo, bull among others. In Ohangla, a traditional adult musical and dance genre among the Luo, the artist Lady Maureen, uses several metaphors regarding male figures. For instance, she says that Raila Odinga is a buffalo. For Orwa, & Cellyne (2016), this means that Raila's attributes are comparable to those of a buffalo and, in this context, the positive traits of the buffalo are passed onto Raila Odinga. In the Luo society, a buffalo is an animal that is revered because it is strong, brave and resilient. It also has a thick skin which enables it to survive in its habitat.

According to Magak & Okombo (2014), in the Luo perspective, men still play the gender roles assigned to them by the society as leaders, protectors and defenders. Listeners of Luo songs, therefore, accept the objectification of men into domains that are set aside for them by society. Since music is a socialising agent, it influences a person's perception of self and others. A male youth listening to such songs will grow up knowing and accepting the position bestowed upon him by society and will also grow up from their youth looking up to the man for protection, as they have been socialised by society.

For Achieng' Ndede (2016), images used in Luo dirges embody gender-based linguistic expressions, which aids in the promotion of one gender and denigration of the other, making the inferiority of women a natural law. Expressions embodied in the dirges such as 'Ogwang thur gi bor' which translates to 'a wild cat's home is far away' shows how the Luo society perceives women. The implication is that one cannot domesticate a wild cat; however much one tries; it will eventually go away to its home, which is in the unknown. Ogwang is a metaphoric term used to refer to women in Luo society. The patriarchal ideology embodied in this is that a woman does not belong to her natal home; she will eventually go away to her husband's home. This phrase makes a man be an in-group while the woman an out-group. She thus occupies a lower position in her home since she is 'the other' who belongs somewhere else.

When a woman eventually goes to her 'home,' her area of operation is restricted, giving her yet another lower position in her husband's home. This position is seen in dirges such as 'dhako ipogo didek; kawiye mar dapi, kadiere mar nyathi to kumodong mar wuon dala (a woman is divided into three parts, the head is for the water pot, the mid-section for the child and the remaining parts for the owner of the home). This dirge implies that a woman has three functions; domestic duties, bearing children and to meet her husband's conjugal rights. It further defines the role of women as domestic, leaving no room for leadership and governance engagement (Eckert and Connell,1992).

Orwa, & Cellyne (2016), believe that women are prevented from occupying positions of leadership, or from participating in significant roles, leaving men to control access to decision-making. The husband is referred to as Wuon dala; the owner of the home, which implies that a woman is just one of the properties owned by the owner of the home. This ideology is also reflected in the dirge 'Osiepna ma ok bed e ot ka dhako' which translates to 'my friend who does not sit in the house as a woman.' Underneath this statement lies the ideology that a man's place is out in the fields; to hunt for food, and to fight enemies to protect their families. Women, on the other hand, do not occupy the public space and this has been used to deny them positions of leadership in the public domains.

According to Nasong'o, & Ayot (2007), the language of the Luo dirges portrays a male-cantered worldview, which devalues or excludes female perceptions, critique, and contributions. It is therefore common that in Luo society, men dominate the formal political system, which is visible in the assignment of women to positions in political parties and county administration that stereotypically reflect their genders, such as family planning and community work. From the oral traditions of the Kikuyu and Luo in Kenya, women face discrimination because patriarchy transfers their property rights to males in their families. Women, among the Kikuyu and the Luo, remain a vulnerable, marginalised group yet to enjoy equality in status, and access to services and resources with male counterparts.

Social construction of gender among Islamic Communities of Kenya

The 'cultural' interpretation of experiences among Muslim communities in Kenya shows that patriarchal values are an inherent element of Muslim identity (Fattah, 2006). Socialisation under Islamic norms ingrains patriarchal values as an inherent attribute of Muslim political practices, and political participation has been interpreted in a male-centred fashion, and as adherence to Islamic norms, which blocks women's advancement in politics. As expressed in the Kikuyu and Luo narratives, sayings in Islam like, "Men are in charge of women because Allah has made one to excel the other" (Sura 4:34) are given a great deal of weight when compared to the sections of

the Quran like in Sura 4:19 where it says, "It is not lawful for you to inherit women by compulsion…and live with them in kindness" (Dicko, 2015). According to Abusharaf (2013), the patriarchal system in Islamic communities in Kenya is manifested through male domination, early marriage, restrictive codes of female behaviour, the linkage of family honour with female virtue, and occasionally, polygamous family structures.

 The legal systems under which women live in Muslim communities are mostly dual. They comprise civil law, which is indebted to state legal systems, and family law, which is mainly built upon Sharia, the Islamic religious-based law (Fortes, M., & Evans-Pritchard, 2015). The constitution of Kenya provides for equal rights between women and men, but Islamic family law poses obstacles to women's equality. Thus, Islamic family law, which addresses marriage, divorce, child custody, and inheritance, has long been a target for reform to further state interests by removing hindrances to women's full participation in the labour force and politics. However, reforms of family law often have been limited by the state's perceived need to appease conservative social elements (Fattah, 2006).

Caught between the traditional patriarchal family model and an egalitarian nuclear model, today's Muslim families have been called "neo-patriarchal". They continue to feature intra-familial gender-based inequality like domestic violence which has featured prominently on the agendas of women's rights advocates in Muslim communities in Kenya (Offenhauer & Buchalter, 2005). According to MacKinnon (2007), across Muslim societies in rural Kenya, traditional or customary law is applied more than the formal law, so sexual, and gender-based violence often goes unpunished, mainly because traditional societies do not openly discuss these issues or do not report them to the formal criminal justice system.

According to Mohamed (2014), politics among Islamic communities in Northern Kenya revolves around clannism and the politicisation of clan identity which is perceived to be one of the most significant barriers to women's political participation and leadership. Somali culture is organised according to a clan system with membership in a diya group based on kinship. For Gardner & El Bushra (2004), among the Somali of northern Kenya, "Male Traditional Elders" make decisions and women are not part of decisions taken by this group but are represented by male relatives if a grievance concerns them. Most Somali women are excluded from clan discussions and decision-making structures because the political system is predicated on balancing power between clan and sub-clan groups. The exclusion that women experience in clan structures is directly mirrored by informal local politics through exclusion and the concentration of power among male elders.

Friedl & Afkhami (1997) believe that women are seen as unreliable clan representatives in political office because of their dual affiliation to their father's and husband's clan and are thus associated with split loyalty. Women already working in the political space, therefore, have to leverage supportive relationships with progressive male clan leaders and other male power-holders within and outside of the political system to support their candidacies, besides strengthening and maintaining support within their communities through regular engagement

According to Sezgin (2013), land grabbing by male relatives following the death of a father is a problem in the Somali community, and widows rarely inherit land under customary norms and are often deprived of access to their husband's land, especially if they are barren. The land is therefore vested in trusteeship with uncles and other male relatives and is then inherited by children when they become of age.

There is a general agreement that there is significant 'cultural stigma' attached to women in leadership positions (Ahmed, 1992). This stigma is reinforced through gendered norms and expectations, which delegitimise women's authority and capacity to lead in political spaces. Cultural norms and stigma have been linked to some aspects of Islamic jurisprudence, which are interpreted to prohibit women from taking on political roles or positions of senior leadership, in as much as no part of Islam prohibit women from entering politics.

However, in as much as women in Kikuyu, Luo and Islamic Somali communities in northern Kenya are under-represented in formal politics, Paxton & Hughes (2015), observe that the advancement of women's rights and interests is widespread and growing. Advocacy and activist groups have proliferated among these groups, exhibiting great variety in their political complexion, in their avowal of religious commitment and the radicalism of their demands for change. Kerr & Symington (2004) observe that the new constitution has created new spaces for social, political and economic engagement and more women have contested leadership positions than ever before. This has been exercised through connections, and through their experiences growing up in supportive family environments. In these cases, Moghadam (1994) argues that women believe that their access to education is a critical factor in building their skills, competencies, confidence, and aspiration, besides providing them with exposure to professional and political environments.

Delimitation of the scope of women's participation in Kenyan politics

Women in Kenya have been kept out of politics by a series of robust policies that distinguish sharply between public and private domains; a separation that curtails the range and content of public affairs. According to Moghadam (2011), women's subordination in politics is exercised through state institutions, that comprise religious
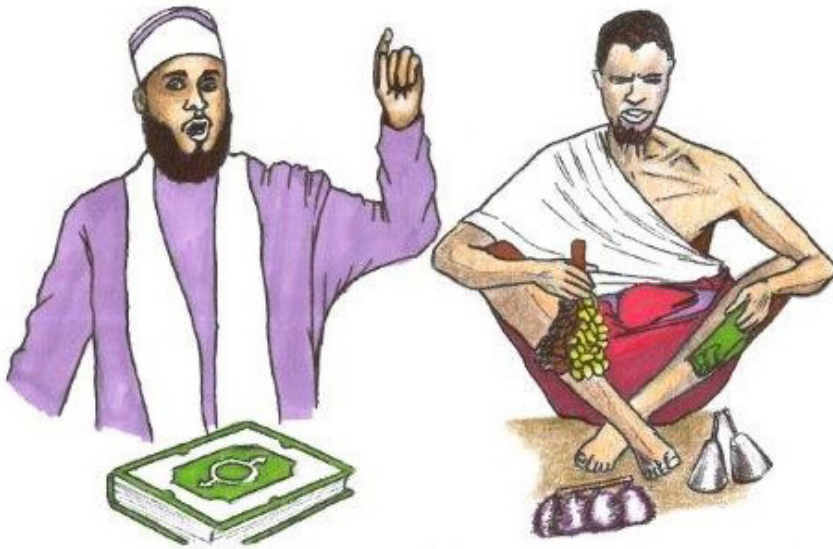
institutions, educational establishments, political parties and the media. These bodies are instrumental in reproducing patriarchal structures that place women in subordinate positions and contain them in the private sphere where the patriarch exerts direct control over them.

Sultana (2010) posits that in the public domain, the principle strategy applied by individual male political actors, and institutions like parliament, is mainly the segregation and subordination of women. This is because patriarchy has a deep footing in political structures and institutions in Kenya where the state appears to have a systematic bias towards women's interests in its policies and actions. Chege & Sifuna (2006) state that, in as much as women in Kenya continue to fight for spaces in the political realm, only a few have been able to get the chance to participate in national administration through party nominations and general elections because the public space in Kenya is typified by an exemplary masculinity, where decision-making is consistently monopolised by men who take the lead role.

It, therefore, appears that the underlying influence of patriarchy has made men and women in Kenya behave, think, and aspire differently in terms of politics because they have been enculturated to roles in ways which condition difference. The patriarchal system in Kenya depicts what is acceptable for men to have, or what they should have in the form of a set of qualities and characteristics that are in a binary with those directed towards women. Sidanius & Pratto (2001) state that such 'masculine' qualities include

strength, bravery, fearlessness, dominance, and competitiveness while the 'feminine' qualities include caring, nurturing, love, timidity, obedience. Consequently, people's patriarchal views are formed, and political institutions are developed in ways that cooperate with these perceptions.

Most of the political parties in Kenya do not have clear policies on how women get selected for leadership positions and participation at other levels (Mumbi & Gikandi, 2016). This is because patronage determines resources, candidacies, and positions in parties. Under these conditions, we cannot expect women leaders, if they emerge, to be connected to gender equality concerns.

According to Southall (1999), major political parties in Kenya are organised mainly based on patronage, or by the kleptocratic operation of a single powerful family. They also identify with highly personalised leadership systems based on family dynasties, where decision making is not open to internal challenges. Women's political apprenticeship within such systems involves exploiting kinship connections and, in situations where a woman has gained a position within a party via such a route, there is less chance that she will seek connections with feminist organisations or other expressions of women's concerns in civil society, or even pose a challenge to the masculine party hierarchy by supporting gender causes.

'Women's wings' of political parties have rarely provided the essential incubating ground for women leaders, for female solidarity in parties and feminist policy proposals. Instead, women's wings are commonly captured by the spouses of male leaders and have developed a species of female sycophancy (Cornwall & Goetz, 2005). Women's wings in dominant parties like Jubilee and ODM have sought to control and contain the broader women's movement, harnessing women's energies to support the president. However, similar efforts by political spouses have emerged to monopolise global resources for women's development and to limit women's independent associational activity. These efforts have rightly made women wary of engagement with politics and parties (Masese, 2013).

Much energy has been directed towards the need to change the conditions leading to the development of domestic laws and policies on mainstreaming gender issues; however, the political commitment to implement the two- thirds gender policy on expansion of women participation in politics has been unsuccessful (Milligan, 2014). The working of participatory democracy has, therefore, made a limited impact in challenging the distinction between public and private realms in Kenya, and against the popularity of liberal democracy. Patriarchy, therefore, has proved resistant and a barrier towards achieving a substantial representation of women in politics. This is attributed to the fact that, even though women can access the public sphere, the

patriarch in the public sphere maintains the subordination. Women have entered the public domain, but under unfair circumstances, thus, their contributions in Kenyan politics remain inferior (Biegon, 2016).

In conclusion, this study observes that there are new possibilities for the improved role of women in politics in Kenya because of the expanding democratic space. Liberalisation and governance reforms have cut into old political institutions and fostered the growth of diverse new democratic spaces for the participation of women in governance. This reconfiguration of the landscape of governance has been potentially significant for the representation of traditionally marginalised political actors like women whose pathways into politics have been restricted. New democratic spaces through civil society have helped to offer a variety of sites for women to learn and network to generate new leads and to create alternative entry routes for women into politics. The exponential growth of 'civil society organisations', together with the new political spaces opened by the waves of democratisation, has offered women's organisations and movements the possibility of influencing policy processes from outside formal political institutions.

REFERENCES

Abusharaf, R. M. (Ed.). (2013). Female circumcision: multicultural perspectives. University of Pennsylvania Press.

Achieng'Ndede, L. (2016). Language, Gender and Power Relations: A Study of Power Structure in Dholuo Dirges. Language, 6 (6).

Ademiluka, S. O. (2018). Patriarchy and women abuse: perspectives from ancient Israel and Africa. Old Testament Essays, 31(2), 339-362.

Ahmed, L. (1992). Women and Gender in Islam: Historical roots of a modern debate. Yale University Press.

Chege, F. N., & Sifuna, D. N. (2006). Girls' and women's education in Kenya: Gender perspectives and trends. UNESCO

Dicko, N. (2015). The Rights of Women in Islamic West Africa (Doctoral dissertation) University of Delaware.

Dogo, S. A. (2014). The Nigerian patriarchy: when and how. Cultural and Religious Studies, 2(5), 263-275.

Eckert, P., and McConnell-Ginet, S. (1992). "Think practically and look locally: Language and gender as community-based practice." Annual Review of Anthropology 21:161-190

Filmer, R. (1991). Filmer: patriarchal' and Other Writings. Cambridge University Press.

Fortes, M., & Evans-Pritchard, E. E. (2015). African political systems. Routledge.

Friedl, E., & Afkhami, M. (Eds.). (1997). Muslim Women and the Politics of Participation: Implementing the Beijing Platform. Syracuse University Press.

Gardner, J., & El Bushra, J. (Eds.). (2004). Somalia-the untold story: the war through the eyes of Somali women. CIIR.

Kabira, W. M., & Mutahi, E. K. (1988). Gĩkũyũ Oral Literature. Heinemann Kenya.

Kerr, J., Sprenger, E., & Symington, A. (2004). The future of women's rights: global visions and strategies. Zed books.

MacKinnon, C. A. (2007). Are women human? Harvard University Press.

Magak, K., & Okombo, L. (2014). Portraits of an African Aphrodite: The Woman's Body as a Social text in popular Luo Music. International Journal of Science, Commerce and Humanities, 2(3).

Masese, E. R. Negotiating History for Negotiated Democracy in 2013 election: A Case Study of Kisii County, Kenya. Kenya's Past as Prologue: Voters, Violence and the 2013 General Election, 130.

Menkhaus, K. (2000). Traditional conflict management in contemporary Somalia. Traditional cures for modern conflicts: African conflict "medicine, 183-200.

Milligan, L. (2014). 'They are not serious like the boys': gender norms and contradictions for girls in rural Kenya. Gender and Education, 26(5), 465-476.

Moghadam, V. M. (2003). Modernizing women: Gender and social change in the Middle East. Lynne Rienner Publishers.

Mohamed, H. (2014). Gender and the Politics of Nation Building:(Re) Constructing Somali Women's History. LAP LAMBERT Academic Publishing.

Mumbi, A., & Gikandi, J. (2016). Effect of equality rule on women empowerment in political parties in Nairobi, Kenya. European Journal of Gender Studies, 1(1), 1-10.

Nasong'o, S. W., & Ayot, T. O. (2007). Women in Kenya's politics of transition and democratization. Kenya: The struggle for democracy, 164-196.

Ocholla-Ayayo, A. B. (1980). The Luo culture. A reconstruction of the material culture patterns of a traditional African society. The Luo culture. A reconstruction of the material culture patterns of a traditional African society, (54).

Offenhauer, P., & Buchalter, A. R. (2005, November). Women in Islamic societies: a selected review of social scientific literature. Washington, DC: Federal Research Division, Library of Congress.

Orwa, Q. A., & Cellyne, A. N. C. N. (2016). The Portrayal of Masculinity in Dholuo Ohangla Music. Journal of Language, Technology & Entrepreneurship in Africa, 7(2).

Paxton, P., & Hughes, M. M. (2015). Women, politics, and power: A global perspective. CQ Press.

Sezgin, Y. (2013). Human rights under state-enforced religious family laws in Israel, Egypt and India. Cambridge University Press.

Sidanius, J., & Pratto, F. (2001). Social dominance: An intergroup theory of social hierarchy and oppression. Cambridge University Press.

Southall, R. (1999). Reforming the state? Kleptocracy & the political transition in Kenya. Review of African Political Economy, 26(79), 93-108.

Sultana, A. (2010). Patriarchy and Women s Subordination: A Theoretical Analysis. Arts Faculty Journal, 1-18.

Wanjeri, M. M. (2006). Language and gender: Male domination among the Kikuyu of Kenya, East Africa.

Wanjiru, E., & Kaburi, C. (2015). Social Construction of Gender in Gikuyu Community as Portrayed in Narratives, Songs and Proverbs. International Journal of Arts and Commerce, 4(6), 120-130.

Weber, M. (1978). Economy and society: An outline of interpretive sociology (Vol. 1). Univ of California Press.

PATRIARCHY AND PRINT MEDIA COVERAGE IN KENYA: AN ANALYSIS OF NEWSPAPER FRAMING OF WOMEN POLITICIANS IN PRE-AND-POST 2017 GENERAL ELECTION

KEVIN C. MUDAVADI

ABSTRACT

This study investigates how the media covered women politicians pre and post the 2017 Kenyan general election. It also explores, from a valence perspective, whether the coverage was done in a negative or positive tone and also investigates the most dominant patriarchal and gender frames featured in the print media coverage of Kenyan women politicians. Findings from a content analysis of 184 articles from *The Daily Nation* and *The Standard* newspapers indicate that attribution of responsibility is the most dominant frame followed by human-interest, conflict and morality frames. In valence terms, the print media coverage of women politicians was neutral. While iron maiden was the most prevalent patriarchal frame, which denotes that women can handle political matters, it is important to note that there was less use of gender frames during the election period.

INTRODUCTION

Kenya's 2017 general election will go down in history because of its results. History will remember this period as the first time the country held a re-run election. Besides, it was also the first time that the country had its national election nullified by the Supreme Court of Kenya. In 2010, the Constitution of Kenya (2010) introduced the quota-system meant to increase the number of women in elective and government-appointed bodies. The key enablers of women seeking positions in public offices have been the devolution function, under Article 20, and the new constitution. However, many obstacles do remain, one of them being the implementation of the new constitution. Most critically, while the 2013 general election outcome saw the number of women within national and county government increase, their substantive influence in office remained constrained by institutional, legal, political, economic, and social factors.

The theoretical underpinning of this study is the media framing theory. The study investigates the most prevalent media frames in the coverage of women politicians pre and post the 2017 Kenyan general election. The four frames under the study included: attribution of responsibility, conflict, human-interest, and morality frames. The study also found out from a valence perspective, if the coverage of women politicians was done in a positive or negative tone. When establishing the most prevalent gender frames; marital status, physical appearance, place of marriage, age, and no use of media frames were used and drawn from Thuo's (2012) study. Patriarchal frames that include seductress or sex object, mother, cheerleader or child/pet, and iron maiden, as listed by Kanter (1977), were also adopted.

According to Bouka, Berry and Kamuru (2018), the gender principle has not strengthened the women's movement around a shared agenda. The findings of this study indicate that networking between women in politics, public service and the private sector is ad hoc, often along party lines and confined mainly to Nairobi. Women not only suffer because of political inclination, but they also face challenges due to gender and patriarchy. Gender biases, according to Heldman and Olson (2000), have an influence on electoral results, which should be treated with importance in political analysis. These gender differences, or biases, have significant negative impacts on women, for instance, leading them to withdraw from the election or even lose the election entirely (Khan, 1994a; Khan, 1992; Khan, 1996).

With such importance attached to the media framing of women leaders and the impact that gender and patriarchal frames have on their political career, it is surprising that few studies have been done in Kenya in this area. This study looks to address this area when investigating the coverage of women politicians in the media pre and post the

2017 Kenyan general elections. It also establishes, from a valence perspective, whether the coverage of the election was done in a negative or positive tone. The study also highlights the most dominant patriarchal and gender frames featured in the newsprint media coverage of Kenyan women politicians during the 2017 election period.

This study is significant as it addresses the lack of gender dimension(s) that has, according to Gadzekpo (2011), existed in political communication. The results of this study will show the consistencies and inconsistencies that the Kenyan media presents in as far as the coverage of women politicians is concerned and compares this with results from other countries. More so, its findings will strengthen the framing theory and inspire scholars in this field to undertake more studies in gender, media, and politics in Kenya and around the world.

Theoretical Concepts of Framing

Framing as noted by Scheufele (2004) is "considered to be one of the most prominent features within the field of communication science" (p.401) such that it has "gained popularity in both the scholarly literature and the public imagination" (Reese, 2007, 148). The importance of this theory more so has grown over the years, from just two abstracts in the period of 1976 to 1980 to an impressive 165 from 2001 to 2005 (Weaver, 2007). The increased attention assigned to framing has seen it elapse major theories like agenda setting and priming (Ireri, 2013).

To frame "is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, or treatment recommendation for the item described" (Entman, 1993, p.52). A-frame, on the other side is "a central organising idea or storyline that provides meaning to an unfolding strip of events" (Gamson & Modigliani, 1987, p.143).

Frames do play an important role in how the public interprets information, much that, Nelson, Clawson, and Oxley (1997) view frames as essential determinants of public opinion. Journalists do play a significant role when "choosing images and words that have the power to influence how audiences interpret and evaluate issues and policies" (Scheufele, 2009, p.17). This they do when they decide to emphasise certain items that they hope the audience will consume (Tewksbury & Scheufele, 2009). These items determine how the audience interprets issues. Studies on media frames can be categorised into two groups: (1) media frames and (2) audience frames (de Vreese, Peter & Semetko, 2001). This study's focus is on four media frames, that have also been adopted by previous research, namely: attribution of responsibility, human-interest, conflict, and morality.

The media plays a more significant role than just disseminating the information through framing; it also casts the information in either a positive or negative manner, which is referred to as valence framing Druckman (2004). Some of these media frames, as posits de Vreese and Boomgaarden (2003), contain either valence mentions or are neutral. Using valence frames by the media in analysing political information, such as the Kenyan general elections, holds either a positive or negative impact on the audience (Schuck & de Vreese, 2006). In the analysis of political information, Grbesa (2010) points to media framing as a major contributor to political victory. These discussions point towards the importance of media framing and the impacts they have on audiences" thinking. This study investigates the newspaper coverage of women politicians in the 2017 general elections while highlighting the frame prevalence, valence, gender and patriarchal traits.

Literature Review

The media play a crucial role in keeping the public aware of what happens around them, especially in areas where the audience lacks sufficient knowledge (Happer & Philo, 2013). It is especially in such circumstances that media frames play an enhanced role in determining how people interpret or think about issues (Brewer, 2002). It is not surprising that a high number of studies have examined the prevalence or dominance of frames (Guo, 2009; Ireri, 2013; Luther & Zhou, 2005; Semetko, de Vreese, Peter, 2000). Regarding the portrayal of frames in the media studies have investigated the attribution of responsibility frames in media coverage (An & Gower, 2009; Iyengar, 1996; Schultz, Oegema and Van Atteveldt, 2012), valence framing (De Vreese & Boomgaarden, 2003; Entman 1991), patriarchal coverage (Murtiningsih & Advenita, 2017; Sarwono, 2012) and gendered frames (Khan, 1996; Thuo, 2012).

Semetko and Valkenburg (2000) used content analysis to analyse 2,600 newspaper stories and 1,522 television news stories during the 1997 Amsterdam meeting of the European Heads of State. The study aimed to identify the most dominant frame during that coverage period. This research identified the attribution of responsibility as the most dominant frame. Conflict, economic consequences, human interest, and morality frames followed this frame. When conducting their study on how media houses cover crisis events, An and Gower (2009) posited similar results, with attribution of responsibility as the most prevalent frame when they analysed 247 news stories. The importance of studying media frames does not focus merely on identifying what frames feature during certain times or moments. Rather, they focus on the fact that even though the information disseminated by the media most times is factual, the interpretation of it relies heavily on how the information is reported, and as such, may most certainly have a greater impact on how the audience interpret it (O'Donnell, 2013). This, therefore, paves the way for this study's first research question:

RQ1a): What was the most prevalent media frame in newspaper coverage of Kenyan women politicians?

It is not just enough to identify what frames feature during coverage but also the tone in which the messages are deciphered. In their study that investigated how key delegates in the European Union Summit were covered, de Vreese and Boomgaarden (2003) established a great impact of news items on the audience. The individuals who were exposed to negatively framed news items held less support on the European Union. Another study was done in 2006 by de Vreese, Banducci, Semetko, and Boomgaarden (2006) that aimed to know the impact of the 2004 European elections in a 25-member state based on a content analysis of three national newspapers and two television newscasts. The findings of their study showed that news in the old EU-15 was negative towards the EU, whereas in the new countries a mixed pattern was established.

Ruigrok and van Atteveldt's (2007) study that investigated whether there was associated framing during the 9/11 global event and obtained that the coverage had an impact on how the public viewed Muslims. A majority of the public viewed Muslims as terrorists. This explains the impact that media frames have on audiences' thinking. These frames too have an impact on how an audience interprets female politicians. Khan (1994) established in a study aimed at investigating press coverage of women candidates that, women vying for both gubernatorial and senatorial seats received much more negative coverage which very much contributes to their minimal chances of victory, unlike their male counterparts who received responsive messages. Valence framing, as shown, plays a vital role in how audiences interpret information and the impact it has on them. This leads to the current study's second research question:

RQ1b): From a valence framing perspective, was the coverage of Kenyan women politicians negative or positive?

Garcia-Blanco and Wahl-Jorgensen (2014) conducted a study on the discursive construction of women politicians in the European press based on the premise that female politicians are better placed to discuss issues surrounding gender, power, and politics. Findings showed that while some audiences celebrate the views of women leaders, others judge them based on their physical appearances or because of their role as wives, their ability to be future mothers or because they are already mothers. Easteal, Holland and Judd (2015) established, in their study that investigated the power of the media in reinforcing public opinion, that the media frames female issues such as family violence, sexual assault and sexual harassment based on mutuality of responsibility for the violence. This most certainly contradicts the feminist approach. Bearing these arguments in mind, the third research question investigates the patriarchal frames that featured in media coverage of women politicians:

RQ2.: In relation to women, what was the most dominant patriarchal frame from the media coverage of women politicians in the 2017 general election?

Happer and Philo (2013) while examining the role of media in the construction of public belief and social change established that the media shape public debate in terms of setting agendas and focusing on public interest on particular subjects. These findings are further complemented by a study done in the US that covered Sarah Palin, a Republican candidate for Vice President of the United States in the 2008 election, by Wasburn and Wasburn (2011). This study revealed a varying consequence of gendered reporting. The study showed the impact of gender reporting while emphasising that they differ depending on context and the intention of reporting.

Gender biases, according to Heldman and Olson (2000), influence electoral result as such should be treated with the importance that they hold. These gender differences or biases more so, have a significant negative impact on women, which include; dropping off the election or even losing the election entirely (Khan, 1994a; Khan, 1992; Khan, 1996). Even though Norris (1997) found no gendered frames in a study focused on the description of female traits and/or appearances, Khan's study in the 1980s established that the press was more concerned about female traits of gubernatorial and senatorial candidates in the US elections than their campaign issues (Khan, 1994b; Khan, 1996). To add on to these critical findings, an experimental study was done by Terkildsen and Schnell (1994) on how the media covered the women's movement, feminism, and women's issues on three major issues (*Times, News Week, U.S. News* and *World Report*) in a period ranging between 1950 and 1979 based on sex roles, feminism, political rights, economic rights, and anti-feminism frames. Findings showed that these frames had a negative impact on the audience's beliefs on gender equality and women's rights. Due to this, it is clear that feminism frames have a further negative impact on female political candidates. With such underlying importance on gender frames and the role that they play on women politicians and society, it is surprising that fewer studies, especially in Kenya, have been done in this area. Therefore, this study will look to address this gap by answering the following (third) research question:

RQ3.: What was the most dominant gender frame in the newsprint media coverage of Kenyan women politicians in the 2017 general elections?

Methods

Quantitative content analysis was used to determine the most prevalent media, patriarchy, and gender frames in the media coverage of Kenyan women politicians in pre and post-Kenyan general elections in 2017. The same method was used to determine whether the coverage was done in a negative, positive, or neutral tone. Content analysis

can be defined as the objective, systematic, and quantitative description of how the content of communication manifests (Berelson, 1952). Other scholars have previously adopted this method (An & Gower, 2009; De Vreese, Peter & Semetko, 2001; Semetko & Valkenburg, 2000) in framing studies to investigate frame prevalence and valence in media coverage of issues.

The unit of analysis that was used to identify the most prevalent media, patriarchy, and gender frames, as well as establish the tone of coverage, was a paragraph. A-frame was identified once in a paragraph. In a scenario that a paragraph had different frames, each was coded as different. For instance, if 'marital status', 'physical appearance', and 'place of marriage' frames were identified in the same paragraph, they were coded distinctly. This same approach applied in the negative, positive, and neutral mentions in the article. For example, in a scenario that a paragraph had two or three positive mentions, they were identified as a single positive mention.

The two newspapers that were used for content analysis are *The Daily Nation* and *The Standard*. The two daily newspapers were selected because, *The Daily Nation* is the largest newspaper by readership in Kenya, followed closely by *The Standard* (Nyabuga & Booker, 2013). The two, according to the Media Policy Research Center (2015), are the leading English dailies in Kenya. *The Daily Nation,* for instance, has been described by Onyebadi (2008) as "arguably The *New York Times* of Kenya's newspaper industry" (p.20) commanding at least 55% of the newspaper circulation in Kenya (p.20). Nyabuga and Booker (2013) further emphasise that Kenya's readership yielded nine million for both weekend and daily readership. Of the nine million readers, *The Daily Nation* attracted 5.5 million readers, followed by *The Standard* at 3.2 million readers. This explains why these newspapers were sufficient for this study.

The sampling period was defined as June 1st, 2017 to September 30th, 2017. This study period yielded 184 articles (79 for *The Standard* and 105 for *The Daily Nation*). The study period meant that the researcher could include all listed items. A census sampling design was used and included in the study because "it can be presumed that in such an inquiry when all items are covered, no element of chance is left and highest accuracy is obtained" (Kothari, 2004, p.14). This study period was selected because according to the Election Act No. 24 of the Constitution of Kenya 2010, the election period is stipulated as three months before the election. The extra month featured was selected because the researcher was interested in the comments of women politicians in the historic second round of Kenyan presidential elections.

> **The attribution of responsibility frame features or denotes blame on women politicians for participating in or starting certain political conversations; an example is Ann Mumbi calling her constituents to vote for Uhuru Kenyatta in the 2017 general elections.**

The researcher got access to all newspaper articles (including commentaries and letters to the editor) that mentioned women politicians from the United States International University – Africa library. The articles were then listed according to the date of publication, the title of the article, the page number in which it featured, and the name of the writer. The articles were then manually analysed (according to frequency) to determine the most prevalent media, patriarchy, and gender frames and the tone of coverage in the media for Kenyan women politicians in the pre and post-Kenyan general election in 2017.

The four media frames whose prevalence were sought included, attribution of responsibility, conflict, human interest, and morality frames. These frames were adopted from the standout study by Semetko and Valkenburg (2000). The study is a standout because it has been adopted by previous studies to investigate frame prevalence (An & Gower, 2009; Ireri, 2013; Schultz et al., 2012). The patriarchy frames were adopted from Kanter's (1977) book titled *'Men and Women of the Corporation'* that acknowledged four public stereotypes of skilled or professional women: seductress or sex objects, mother, cheerleader or pet/child, and iron maiden. The gender frames were adopted from a study by Thuo (2012) that investigated how the media framed 22 women parliamentarians in the 10th parliament.

The attribution of responsibility frame features or denotes blame on women politicians for participating in or starting certain political conversations; an example is Ann Mumbi calling her constituents to vote for Uhuru Kenyatta in the 2017 general elections. It also sought to address questions such as: Is the woman politician responsible for the issue? Does the story portray the woman politician as a solution to the current issue? The conflict frame looked to address questions like: Is there disagreement between women politicians and others of fellow thoughts or party? Do women politicians reproach their peers? Do the stories featuring women politicians portray winners and losers of arguments? Do the stories emphasise individual actions? About the human-interest frames, the following questions surfaced: do the articles insinuate emotional or human face presentation of items or issues? While the morality frame contextualised issues with societal and social morals, as well as religious ones. The seductress frame looked at women as sexual objects, while the mother frames looked at women leaders as those who uphold a caring and considerate approach. The cheerleader frame portrays one as an escort with no valuable meaning and one that cannot win an election on their own. Iron maiden frames position women leaders as bold and politically mature to win elections, without the help of their male counterparts.

Marital status frame implied that women leaders were framed as dependent on the place of birth as a success factor towards victory. Physical appearance on the other side, denotes the physical body description, for example, *'minji minji'* was used to describe Hon. Ann Mumbi as young and beautiful in the Kirinyaga gubernatorial race against her female competitor Hon. Martha Karua. Place of Marriage frame denoted the support that women get because of their inclination to their husband's name or their community of birth. Age as a frame meant recognition of how long a leader has been in leadership and how this can determine her loss or win. Finally, no gender frame implied that there was no use of it at all during the coverage of the 2017 general election.

As with valence tones, positive tones meant the women leaders were covered in good light, for instance, supporting good initiatives and successful pre-existing policies. On the other hand, negative tones meant they were covered in a negative light, for example, disagreement with fellow leaders or existing policies. The neutral frames, on the other hand, implied that the women politicians did not want to be part of disapproval with peers and existing policies.

In terms of the inter-coder reliability exercise, two coders were trained on coding procedures and the meaning of frames and their tones. The coders undertook an inter-rater exercise where 20% of the 184 articles were coded, that is, 37 articles. Wimmer and Dominick (2006) recommend 10-20% as sufficient for this exercise. This exercise was done to detect any problems with the instrument and allow it to be rectified. As such, the codebook can be used to produce similar results for future studies of this nature.

The inter-coder reliability exercise generated a mean Scott's *pi* reliability coefficient of .91 for the 13 frames. Each frames reliability coefficient was: attribution of responsibility = .83; human-interest = .92; conflict = .76; morality = .82; iron maiden = .90; cheerleader = .92; mother = .93; seductress = .92; no use of frames = 1.0; physical appearance = .96; place of marriage = .97; age = .93; and marital status= .94. the coefficients meant for valence included; positive mention = 1.0; negative mentions = .92; and neutral mentions = .92. Wimmer and Domick (2006) provide .75 minimum reliability coefficient as sufficient for Scott's *pi*.

Findings

Research question 1(a) asked for the most prevalent media frame in the newspapers' coverage of Kenyan women politicians in the pre-and post-2017 general election. Table 4.1 shows attribution of responsibility as the most dominant frame (44.7%) that featured pre and post the 2017 general election, while morality frames (6.9%) featured least. This shows that women leaders look to attribute information during campaign periods.

Table 4.1: *Media Frames*

Frame	Frequency	Percentage
Attribution of Responsibility	200	44.7
Human Interest	150	22.8
Conflict	132	22.7
Morality	40	6.9
Total	**1,587**	**100**

Research question 1(b) found out the tone of coverage of Kenyan women politicians

in the pre and post the 2017 general elections. Table 4.2 shows that the coverage was done neutrally (47.4%), and 39% were covered negatively. However, 13.65% of women were at least covered positively by the media.

Table 4.4: *Valence Framing*

Frame	Frequency	Percentage
Neutral Frames	295	47.4
Negative Frames	243	39.0
Positive Frames	85	13.6
Total	**1,587**	**100**

Research question 2 investigated the most dominant patriarchal frame from the media coverage of women politicians in the 2017 general election. As Table 4.3 shows, iron maiden frame formed half of the frames (50.0%) as the most dominant in the coverage of women politicians during this election period. 9.8% were viewed as seductress or sex objects as the frame featured least during this general election period.

Table 4.3: *Patriarchy Frames*

Frame	Frequency	Percentage
Iron Maiden	280	50.0
Cheerleader, Pet or Child	125	22.3
Mother	100	17.9
Seductress or sex object	55	9.8
Total	**560**	**100**

Research question 3 aimed to find out the most dominant gender frame in newsprint media coverage of Kenyan women politicians in the 2017 general elections. There was no use of gender frames (36.0%) in the media coverage of women politicians during the 2017 general elections, as shown in Table 4.4. The mention of physical appearance (19.8%) and place of marriage (12.0%) featured closely. This shows that gender frames still play a role in how women politicians are covered during elections.

Table 4.4: *Gender Frames*

Frame	Frequency	Percentage
No use of Gender Frames	255	36.0
Physical appearance	140	19.8
Place of Marriage	85	12.0
Age	45	6.4
Marital Status	18	2.5
Total	1,587	100

Discussion

That attribution of responsibility as the most dominant frame is encouraging as it shows that women politicians in Kenya are participating in major political conversations that would not only determine the results of their political careers but also impact on election results such as presidential elections. This frame also positions women as individuals ready to take responsibility and provide solutions to matters of public interest. The fact that the media attribute responsibility to them echoes the spirit of the new Constitution of Kenya 2010 that aims to empower women.

While the coverage of women leaders, in valence terms, was neutral, it sends a red flag, as it means they do not publicly take part in high-level discussions that involve leaders at a higher level than them. For example, this involves taking tough stands against their party leaders because this risk could be suicidal to their political careers. Women leaders choose to support their male seniors and those with massive political backing to win votes and do not fully trust in their campaign manifestos to do so. Negative tones though, featured a bit close to neutral ones, and it shows a growth in the political sector in Kenya as women leaders are ready to stand firm in disagreeing with their fellow leaders. Some of them also publicly support good initiatives and existent successful policies as part of their leadership.

The most dominant patriarchal frame during this election period was the iron maiden frame. This frame is described as a leader who is ready to stand on her and own and confront fellow competitors, whether male or female. It explains the emergence of Kenyan female leaders who had to fight not only their male counterparts but also the male culture that is still dominant in Kenya. The late Dr Joyce Laboso, governor of Bomet County, fought a fierce battle and still won. She won in a dominant male area and far away from where she was married. This strengthens the spirit of the Constitution of Kenya 2010 that seeks to empower women and place them at the centre of public conversations. The Constitution has given women the room to share their ideas and

participate in political discussions without being victimised. Hon. Martha Karua, for instance, has been known for her unaverred arguments and has been described as the 'Iron Lady' of Kenyan politics. Kanter (1977) however, warns that this frame can be associated with masculine traits that lead to a loss of trust, stereotypes and voter rejection.

> **While the coverage of women leaders, in valence terms, was neutral, it sends a red flag, as it means they do not publicly take part in high-level discussions that involve leaders at a higher level than them. For example, this involves taking tough stands against their party leaders because this risk could be suicidal to their political careers. Women leaders choose to support their male seniors and those with massive political backing to win votes and do not fully trust in their campaign manifestos to do so.**

This study found that the Kenyan media rarely uses gender frames when describing women. Similar results were also reported by Thuo (2012) in a study that investigated how the media framed 22 women parliamentarians in the 10th parliament. She found, in her analysis, that there was no use of gender frames. While the 'no use of gender frames, featured more (36.0%), the use of physical appearance (19.8%), place of marriage (12.0%) age (6.4%) and marital status (2.5%) still appear in the coverage of women politicians, for example, Hon. Anne Mumbi was described with the use of the word *'minji minji'* a Kikuyu word which means peas but is used to describe her beauty and good looks. While the words have been caved and even accepted by women politicians publicly, they are still gender-oriented and place women in a disadvantaged position. The Kenyan media still links women politicians to their husbands, age, and place of birth instead of their campaign issues or public discussions. For instance, Agnes Kavindu Muthama was associated with her husband, the previous Machakos Senator Johnstone Muthama, during her campaign and so was the widow to the late Hon. Orwa Ojode, former Ndhiwa Member of Parliament, Mrs Mary Ojode.

Conclusion

This study found out the most prevalent media frame in the coverage of Kenyan women politicians, pre-and-post Kenyan 2017 general elections, in *The Daily Nation* and *The Standard* newspapers. It also investigated the tone of print media coverage of Kenyan women politicians. The study more so investigated the most dominant patriarchal and gender frames featured in the newsprint media coverage of Kenyan women politicians in the pre-and post-2017 general elections.

The findings indicate that attribution of responsibility as the most dominant media frame in the coverage of Kenyan women politicians in the pre-and post-2017 general elections. The coverage was neutral towards the female leaders. While the most dominant patriarchal frame that featured was iron maiden, it is important to note that there was less use of gender frames.

In as much as the findings of this study will contribute to the general knowledge of media framing and the framing theory as a whole, for instance, by comparing the results in Kenya with other countries, the study only focused on two newspapers (*The Standard* and *The Daily Nation*) and left out the others. This means that the findings of the study should be interpreted with thoughtfulness.

While this study only delved into media frames, future studies need to delve into the role that these media frames have on the public perception of women politicians. To even take this a level further, experimental studies would be highly effective and produce better results.

REFERENCES

An, S., & Gower, K. K. (2009). How do the news media frame crises? A content analysis of crisis news coverage. *Public Relations Review*, 35(2009) 107-112.

Berelson, B. (1952). *Content analysis in communication research*. New York: The Free Press.

Bouka, Y., Berry, M. E., & Kamuru, M. M. (2019). Women's political inclusion in Kenya's devolved political system. *Journal of Eastern African Studies*, 13(2), 313-333.

Brewer, P. (2002). Framing, value words and citizens' explanations of their issue opinions. *Political Communication*, 19(3): 303–316.

de Vreese, C., & Boomgaarden, H. (2003). Valenced news frames and public support for the EU. *Communications*, 28(4), 361-381.

de Vreese, C. H., Banducci, S. A., Semetko, H. A., & Boomgaarden, H. G. (2006). The News Coverage of the 2004 European Parliamentary Election Campaign in 25 Countries. *EuropeanUnion Politics*, 7(4), 477-504.

de Vreese, C., Peter, J., & Semetko, H. (2001). Framing politics at the launch of the Euro: A crossnational comparative study of frames in the news. *Political Communication*, 18(2): 107–122.

Druckman, J. N. (2004). Political preference formation: Competition, deliberation, and the (ir)relevance of framing effects. *American Political Science Review*, 98(4), 671-686.

Easteal, P., Holland, K., & Judd, K. (2015, January). Enduring themes and silences in media portrayals of violence against women. In *Women's Studies International Forum* (Vol. 48, pp. 103-113). Pergamon.

Entman, R. (1993). Framing: Towards clarification of a fractured paradigm. *Journal of Communication*, 43(4): 51–58.

Entman, R. M. (1991). Framing U.S. coverage of international news: Constrasts in narratives of the KAL and Iran Air incidents. *Journal of Communication*, 41, 6-25.

Gadzekpo, A. (2011). Battling old ghosts in gender and African media research. *African Communication Research*, 4(3), 389-485.

Gamson, W., & Modigliani, A. (1987). The changing culture of affirmative action. In *Research in political sociology*, ed. R. Braungart and M. Braungart, 137–177. Greenwich, CT: JAI Press.

Garcia-Blanco, I., & Wahl-Jorgensen, K. (2012). The discursive construction of women politicians in the European press. *Feminist Media Studies*, 12(3), 422-441.

Grbeša, M. (2013). Framing of the President: Newspaper Coverage of Milan Bandić and Ivo Josipović in the Presidential Elections in Croatia in 2010. *Politička misao: časopis za politologiju*, 49(5), 89-113.

Guo, J. (2009). 2008 *Tibet Riots Through a Western Lens: A Frame Analysis of News Coverage of 2008 Tibet Riots on BBC and CNN networks* (Doctoral dissertation, Miami University).

Happer, C., & Philo, G. (2013). The role of the media in the construction of public belief and social change. *Journal of social and political psychology*, 1(1), 321-336.

Heldman, C., Carroll, S. J., & Olson, S. (2000, August). Gender differences in print media coverage of presidential candidates: Elizabeth Dole's bid for the Republican nomination. In *Paper delivered at the Annual Meeting of the American Political Science Association, Washington D.C. August.*

Ireri, K. (2013). A study of newspaper columnists' framing of Kenyan politics in post-2007 election violence. *Ecquid Novi: African Journalism Studies*, 34(2), 109-127.

Iyengar, S. (1996). Framing responsibility for political issues. *The Annals of the American Academy of Political and Social Science*, 546(1), 59-70.

Kahn, K. F. (1994). The distorted mirror: Press coverage of women candidates for statewide office. *The Journal of Politics*, 56(1), 154-173.

Kanter, R. M. (1977). *Men and women of the corporation*. New York: Basic Books.

Khan, K. (1992). Does being male help? An investigation of the effects of candidate gender and campaign coverage on evaluation of U.S. Senate candidate. *Journal of Politics*, 52(2), 497-517.

Khan, K. (1994a). Does gender make a difference? An experimental examination of sex stereotype and press patterns in statewide campaigns. *American Journals of Political Science*, 38(1), 162-195.

Khan, K. (1994b). The distorted mirror: Press coverage of women candidates for statewide offices. *Journal of Politics*, 56(1), 154-173.

Khan, K. (1996). *The political consequences of being a woman*. New York: Columbia Press.

Kothari, C. R. (2004). *Research methodology: Methods and techniques*. New Age International.

Luther, C. A., & Zhou, X. (2005). Within the boundaries of politics: News framing of SARS in China and the United States. *Journalism & Mass Communication Quarterly*, 82(4), 857-872.

Media Policy Research Center (2015). *State of the Media in Kenya 2014: Uncertainty, Resistance and Change.* Nairobi: Media Policy Research Center.

Murtiningsih, B. S. E., Advenita, M., & Ikom, S. (2017). Representation of Patriarchal Culture in New Media: A case study of News and Advertisement on Tribunnews. com. *Mediterranean Journal of Social Sciences*, 8(3), 143-154.

Nelson, T. E., Oxley, Z. M., & Clawson, R. A. (1997). Toward a psychology of framing effects. *Political behavior*, 19(3), 221-246.

Norris, P. (1997). *Women, Media, Politics*. New York: Oxford University.

Nyabuga, G., & Booker, N. (2013). *Mapping digital media: Kenya*. A Report by the Open Society Foundations. Retrieved on September 10, 2019 from https://osf.to/2KNi7or.

O'Donnell, C. (2013). Visual Persuasion: The Media's Use of Images in Framing People Groups. *Elon Journal of Undergraduate Research in Communications*, 4(1) 2-5.

Reese, S. D. (2007). The framing project: A bridging model for media research revisited. *Journal of communication*, 57(1), 148-154.

Ruigrok, N., & van Atteveldt, W. (2007). Global angling with a local angle: How U.S., British, and Dutch newspapers frame global and local terrorist attacks. *Harvard International Journal of Press/Politics*, 12, 68-90.

Sarwono, B. K. (2012). Gender bias in a patriarchal society A media analysis on virginity and reproductive health. *Wacana*, 14(1), 37-60.

Scheufele, B. (2004). Framing-effects approach: A theoretical and methodological critique. *Communications*, 29(4), 401-428.

Scheufele, B. (2004). Framing-effects approach: A theoretical and methodological critique. *Communication*s, 29(4), 401-428.

Schuck, A., & de Vreese, C. (2006). Between risk and opportunity: News framing and its effects on public support for EU enlargement. *European Journal of Communication*, 21(1): 532.

Schuck, A. R., & De Vreese, C. H. (2006). Between risk and opportunity: News framing and its effects on public support for EU enlargement. *European Journal of Communication*, 21(1), 5-32.

Schultz, F., Kleinnijenhuis, J., Oegema, D., Utz, S., & Van Atteveldt, W. (2012). Strategic framing in the BP crisis: A semantic network analysis of associative frames. *Public Relations Review*, 38(1), 97-107.

Semetko, H., & P. Valkenburg, P. (2000). Framing European politics: A content analysis of press and television news. *Journal of Communication*, 50(2): 93–109.

Semetko, H. A., de Vreese, C. H., & Peter, J. (2000). Europeanised politics–Europeanised media? European integration and political communication. *West European Politics*, 23(4), 121-141.

Terkildsen, N., & Schnell, F. (1997). How media frames move public opinion: An analysis of the women's movement. *Political research quarterly*, 50(4), 879-900.

Tewksbury, D. & Scheufele, D. (2009). News framing theory and research. In *Media effects: Advances in theory and research*, ed. J. Bryant and M. Oliver, 17–33. New York: Routledge.

Thuo, J. W. (2012). Media Framing of Women in Politics: An Analysis of Print Media Coverage of Women Members of Parliament in Kenya. *Unpublished Ph. D. thesis: University of Nairobi.*

Wasburn, P. C., & Wasburn, M. H. (2011). Media coverage of women in politics: The curious case of Sarah Palin. *Media, Culture & Society*, 33(7), 1027-1041.

Weaver, D. (2007). Thoughts on agenda-setting, framing and priming. *Journal of Communication,* 57(1): 142–147.

Wimmer, R., & Dominick, J. (2006). *Mass media research: An introduction*. Boston: Wadsworth Cengage Learning.

REPRODUCTIVE JUSTICE AS HUMAN RIGHTS IN THE EAST AND HORN OF AFRICA

NOTHANDO MAPHALALA

> *I ask no favour for my sex, all I ask of our brethren is that they take their feet off our uteruses.*
>
> **Seen on a placard at Women's March 2017**

ABSTRACT

It was 2019, and Caroline Mwatha was relatively free. She could vote, and she did, she could have a family (was married with two children), and could have a job (was part of a community-based organisation, the Dandora Community Justice Centre, to document extrajudicial murders by security officers). A week after she was reported missing on February 6 2019, her body was found in a Nairobi city morgue. Many Kenyans were sceptical when the police announced that her cause of death resulted from a botched abortion (Gathara, 2019). An independent autopsy confirmed that she had died because of excessive bleeding from a ruptured uterus. Kenyan police were swift to flaunt her cause of death as an exoneration, but the Kenyan State is still culpable in her death. About 2600 women and girls die every year from unsafe abortions, which they are compelled to seek outside of the Kenyan public health system since abortion in Kenya is restricted (Guttmachar Institute, 2012). It is not an exaggeration when the poet Muriel Rukeyser, writes, 'What would happen if one woman told the truth about her life?" (Rukeyser, 1968) What happened to Caroline was another tragic glimpse into the underground life that women and girls must simultaneously traverse-within and outside the law to survive.

Keywords:

Rights, Abortion, Democracy, Citizenship, Woman, Freedoms, Authority, Patriarchy, Inequality
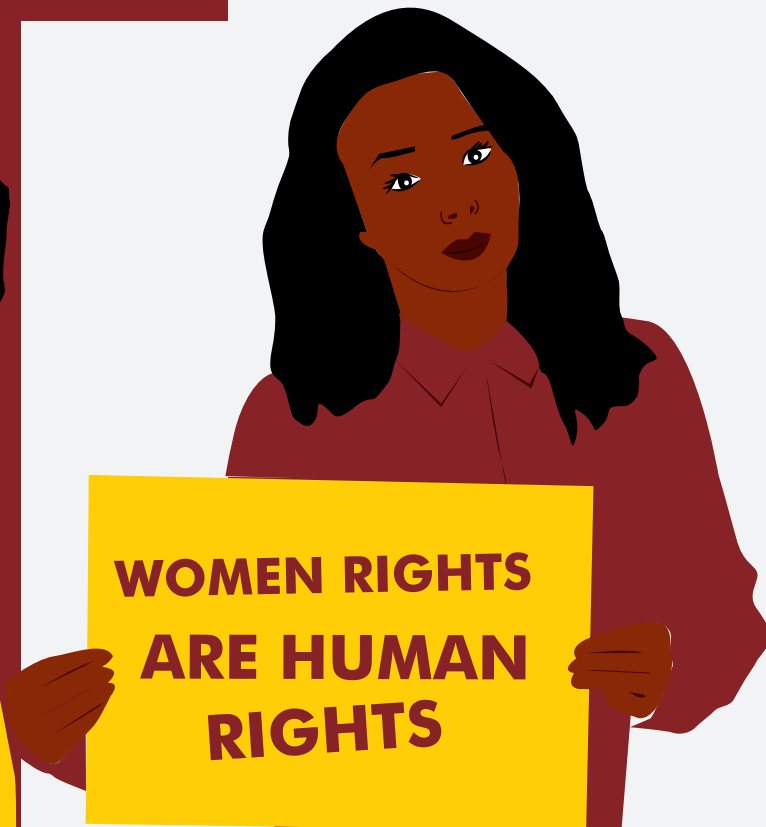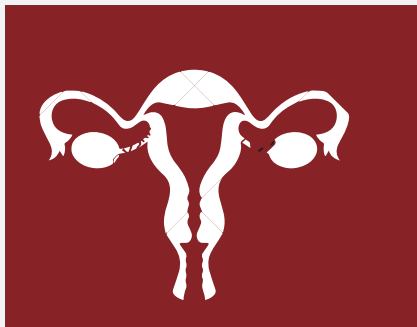
WOMEN RIGHTS
ARE HUMAN
RIGHTS

INTRODUCTION

In many ways, there has never been a better time in history to be a woman. Gender equality is part of the mainstream lexicon in nearly all industries, sectors and popular culture. Nevertheless, in every country across the globe, women are waging a battle to establish or preserve their place as equal citizens. From women in Sweden, like the heavily pregnant non-white Swede woman who was violently manhandled at a Stockholm train station for allegedly not holding a ticket (BBC, 1 February 2019), to women in Swaziland still unable to open a bank account without the permission of the male authority. So if there is still so much to accomplish, why focus on reproductive rights? Reproductive rights are consequential because they are at the intersection of all the forces shaping women's lives- religious authority, environmentalism, patriarchy, globalisation, international law and democracy (Goldberg, M. 2009). A woman's right to control her own body is closely bound up with other rights and her attainment of freedoms.

Competitive elections and the separation of powers are some of the features of democracy. Respect for human rights is also key to democracy and, in order for women to exercise their full citizenship, they must be able to exercise their reproductive rights freely. Abortion stigma persists in Africa and restrictive abortion laws illustrate a trend towards restricting women's rights in the public sphere. To access reproductive health services is to entangle with patriarchal structures of inequality and respectability politics within which women's reproductive health is experienced. The undermining of women's reproductive freedom is in direct service of the state and patriarchal power. This paper falls within the long feminist tradition of utilising the concept of body politics, which means taking the body as an entry point for political engagement. This study focuses on three countries in the Horn of Africa (Ethiopia, Kenya and Uganda) and focuses on how abortion access can restrict women's citizenship.

Purpose of this paper

In Africa, the shape of the abortion debate illustrates how the dominant view of African women's bodies focuses on disempowerment: on violence and violation and the need to protect African women (Cornwall, A: 2013). Reproductive rights activism has focused on sexual violence and sexuality education that is focused on preventing teenage pregnancies and HIV/AIDS (Ibid). Significant strides have been made in the last 25 years in bringing sexual violence to the fore, both from intimate settings and contexts of conflict and into the public domain, thus making sexual violence a matter of public policy. However, there is still an absence of women's bodily autonomy, beyond these instrumentalist agendas in such public discussions. Except for South Africa, rarely is abortion discussed in the context of rights in Africa.

Research limitations

This study is limited in scope (examining only three countries in the Horn of Africa) and in methodology, which comprised secondary desk research.

A note on language

In the West, and particularly in the United States, the language used in discussions on abortion falls within the messy binaries that are an integral part of American politics: these are pro-life or pro-choice, consequently, pro-life *versus* pro-choice. Both terms are inherently problematic because pro-life insinuates that the growth of cells in the uterus is a life in the same sense that a woman is, or that abortion is a threat to life. Those who advance the pro-life agenda tend not to be pro-universal healthcare, pro-poor women having access to decent education, or pro-dignified living wages. The pro-choice term suggests that those who support abortion are pro-death (Pollitt, K: 2014). Fortunately, the pro-choice and pro-life framing has not (yet) found resonance in Africa; perhaps this is the case because abortion is still not a mainstream talking point nor a political rallying point. This paper will propose that reproductive justice needs to be in the language that we use when we talk about abortion because this is an issue that needs to be a part of the human rights language existing around democracy. The proportion of unsafe abortions that lead to death is estimated to be as high as 30% in Africa, making unsafe abortion a public health concern (Singh, S & Maddow-Zimet, I: 2016).

Black feminists working within and outside the pro-choice movement in the United States coined the term "reproductive justice" in 1994. Grounded in intersectional feminism, reproductive justice has evolved into a platform for articulating the full spectrum of reproductive and sexual human rights (Ross, L 2017). The Women of African Descent for Reproductive Justice defined reproductive justice as:

> A movement-building and organising framework that identifies how reproductive oppression is the result of the intersection of multiple oppressions and is inherently connected to the struggle for social justice and human rights. Reproductive justice argues that social institutions, the environment, economics and culture affect each woman's reproductive life. Reproductive justice activists invoke the global human rights system as the relevant legal framework using treaties [and] standards, [while] moving beyond the U.S Constitution. (Ross, L & Solinger, R. 2017: p.68-69)

At its core, reproductive justice presents an obvious yet ground-breaking proposition: all those who reproduce and can become parents require a safe and dignified context

to do so. Achieving this goal depends on access to specific, state-based resources including healthcare, housing, education, a livable wage and a healthy environment (Ross, L & Solinger, R. 2017: p.75).

Context

The ironically titled "Human Life Protection Bill" became signed into law by Alabama's legislature in May 2019 and became ground-breaking international news. A month before, on 23 April, the UN Security Council passed its most recent resolution (UNSCR 2467) related to women, peace and security. The resolution focused on victim-centred approaches to combatting sexual and gender-based violence. It mentioned boys and men as victims of sexual violence in conflict and highlighted the valuable role of UN fact-finding missions. However, there was a glaring omission in the resolution, which was the exclusion of language on sexual and reproductive rights, a move championed by the United States. The erosion of women's rights is global. The US Agency for International Development (USAID) is the world's largest global health donor with a domestic anti-abortion stance extending to its foreign assistance through the global gag rule. The precursor to the global gag rule was the Helm's Amendment, passed in 1973, which states that no US aid may fund abortion as "a method of family planning" or to "motivate or coerce any person to practice abortions" (Barot, S, 2013). While the Helm's Amendment limited US foreign aid directly, the gag rule went as far as disqualifying foreign NGOs from eligibility for US family planning aid entirely because of their support for abortion-related activities subsidised by non-US funds (Ibid). This policy is politically expedient, and since 1984, it has been implemented by every Republican president and revoked by every Democratic president.

At the 1994 UN International Conference on Population and Development (ICPD) in Cairo, 179 governments acknowledged the link between reproductive health and reproductive rights. As stated in the Programme of Actions, reproductive rights:
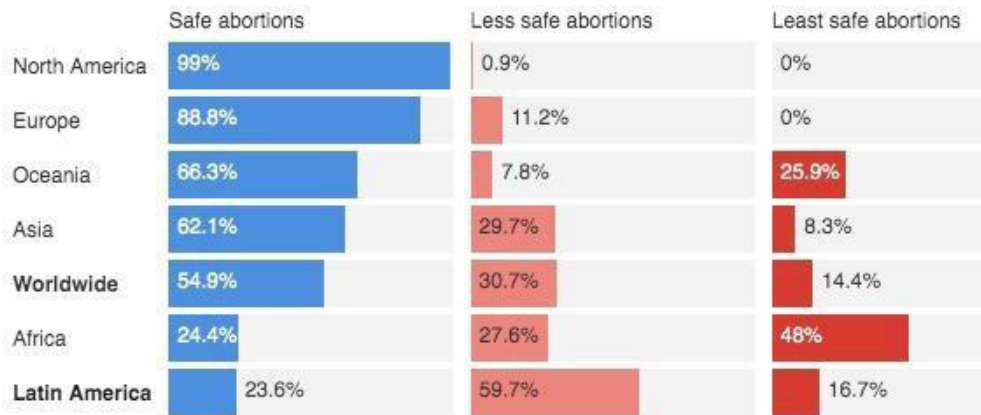
> […] rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes the right of all to make decisions concerning reproduction free of discrimination, coercion and violence as expressed in human rights documents. (UNFPA, 1994)

At the conference, unsafe abortion was recognised as a public health concern; however, the ICPD could not agree that safe and legal abortion was a fundamental right.

Through colonialism and white supremacy, African women's bodies have been subject to moralism and shame by colonial administrators, African patriarchs and religion.

> Colonialists worked hand-in-hand with local leaders to develop inflexible customary laws that evolved into new structures and forms of domination and deployed various legal and policy strategies and discourses in the areas of medical health and hygiene. Traditional customs were reconfigured to introduce new mores, taboos and stigmas. Women's sexuality was medicalised and reduced to reproduction. Through adopting Christianity, Africans were encouraged to reject their previous beliefs and values and to adopt the "civilised ways" of the whites. A new script, steeped in the Victorian moralistic, anti-sexual and body shame edict, was inscribed on the bodies of African women and with it an elaborate system of control (Tamale, S: 2013).

White supremacy does not need white bodies to carry out its agenda; instead, colonial frameworks, conservative Christian NGOs, and African governments still restrict abortion access decades into independence. According to the World Health Organization, of the 42 million abortions performed in the world each year, 20 million are unsafe. Also, nowhere in the world are abortions more dangerous than in Africa (Ganatra, B *et al.* 2017). Botched abortions kill 36,000 African women each year, representing more than half of the global total of between 65 000 and 70 000 annual deaths. [Ibid]

	Safe abortions	Less safe abortions	Least safe abortions
North America	99%	0.9%	0%
Europe	88.8%	11.2%	0%
Oceania	66.3%	7.8%	25.9%
Asia	62.1%	29.7%	8.3%
Worldwide	54.9%	30.7%	14.4%
Africa	24.4%	27.6%	48%
Latin America	23.6%	59.7%	16.7%

Source: Ganatra, B *et al.* **2017,** *Global, regional and subregional classification of abortions by safety, 2010—2014: Estimates from a Bayesian hierarchical model*.

> **According to the World Health Organization, of the 42 million abortions performed in the world each year, 20 million are unsafe. Also, nowhere in the world are abortions more dangerous than in Africa**

The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (also known as the Maputo Protocol) is today the main legal instrument for protecting women's rights in Africa. Article 14, which is on Health and Reproductive Rights, presents the meaning of sexual and reproductive rights and the concrete actions that State Parties must undertake to respect these rights (Maputo Protocol 2003).

> States Parties shall take all appropriate measures to provide adequate, affordable and accessible health services, including information, education and communication programmes to women, especially those in rural areas (Ibid, p. 15).

This broad phrasing would provide enough room for interpretation to secure abortion access in all situations; however, paragraph C invalidates that.

> States Parties shall take all appropriate measures to protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus (Ibid, p.16).

The Protocol fails to take into account that socioeconomic reasons limiting childbearing are some of the primary motives for seeking abortions. Furthermore, the Maputo Protocol falls into problematic troupes about African women in endorsing the notion that abortion access is permissible on the grounds of harm reduction. The much-lauded instrument fails to position abortion as a matter of choice and also fails to acknowledge women's autonomy over their bodies. Abortion is still not recognised as a standard health service and, ironically, the Maputo Protocol is praised for being a liberal, norm-setting convention, but yet excludes women and girls who do not fit neatly in the victim role.

Whether abortion laws are liberal or restrictive, abortion is always stigmatised and censured by political and religious figures in Africa. Ethiopia, Kenya and Uganda share dominant anti-abortion discourses embedded in cultural and religious anti-abortion sentiments that are exacerbated by right-wing anti-SRHR agendas (most pronounced in Kenya and Uganda).

Country	Ethiopia	Kenya	Uganda
The restrictiveness of the abortion law	Abortion allowed to secure maternal health and on grounds related to age and capacity to take care of a child	Abortion is permitted only to save the life of the woman	Abortion is permitted to save the life of the woman and to preserve her physical and mental health
Maternal mortality ratio (per 100 000 live births)	353	510	343
Contraceptive prevalence girls 15-19 (%)	8.9	22.5	13.9
Contraceptive prevalence of 15-49 years (%)	28.3	45.5	30
Unmet need for family planning (%)	26.3	25.6	34.3

Theoretical foundations

Citizenship is not a gender-neutral concept and feminists have historically been at odds with the universal notion of citizenship, which they argue is built on a view of an abstract, disembodied individual. Women experience citizenship differently because women are more often than not seen as bodies rather than as individuals.

> The body is an important resource around which women strategise their life course. The first challenge is to stay healthy and alive and to do so; they have to navigate their sexuality, fertility and family relationships. With the common view of a decent woman as submissive to her husband, a woman has to negotiate space for agency. She works for an income and for the community. Her citizenship emerges as firmly grounded in these bodily negotiations and in everyday life experience. (Schlyter, A, 2009).

Maurice Merleau-Ponty emphasised the body as the primary site of knowing the world. Essentially, the body is the site of communication between the subject and the world, such that the embodied subject (us) is both the recipient of social and cultural signals and is also the active means of response to those messages (Merleau-Ponty, M. 1962). From this theoretical perspective, the personal is political. Writing with the posture of a white, cis-gendered man, his concept of the embodied subject, while useful, is limiting to the intersectional feminist.

Simone de Beauvoir offers an important gendered caveat. In *The Second Sex*, she describes men as understanding their relationship to society as one of transcendence- men are conditioned to act upon the world, to shape and create the world around them. In contrast, women come to understand the world in its immanence, they see the world as it already exists and they see themselves as one of the things existing in it, with no power to control it (McConnell, A, 2012). The body is not a vehicle upon which a woman exerts herself to the world; rather the world is exerted on her. As power has historically been male-conceptualised, held by males and used to advance the interests of males- then the female body is a site for male intent.

One can conclude that abortion restriction is about obedience and about entrenching existing ideas of female docility which is a micro-level form of totalitarianism.

Findings

The legality of abortion across Africa

Reason	Countries
Prohibited without exception	Angola, Congo-Brazzaville, DRC, Egypt, Gabon, Guinea-Bissau, Madagascar, Sao Tome and Principe, Senegal
To save the life of a woman	Cote d'Ivoire, Libya, Malawi, Mali, Nigeria, Somalia, South Sudan, Sudan, Tanzania, **Uganda**
To save the life of a woman/ preserve physical health	Benin, Burkina Faso, Burundi, Cameroon, CAR, Chad, Comoros, Djibouti, Equatorial Guinea, **Ethiopia**, Guinea, **Kenya**, Lesotho, Morocco, Niger, Rwanda, Togo, Zimbabwe
To save the life of a woman/ preserve physical or mental health	Algeria, Botswana, Eritrea, Gambia, Ghana, Liberia, Mauritius, Mozambique, Namibia, Seychelles, Sierra Leone, Swaziland
To save the life of a woman/ preserve physical or mental health/socio-economic factors	Zambia
Without restriction as to the reason	Cape Verde, South Africa, Tunisia

Source: Singh, S *et al.*, **2017,** *Abortion Worldwide: Uneven Progress and Unequal Access*

Ethiopia

In the 1980s, the leading cause of maternal mortality in Ethiopia was abortion complications (Kwaste B et al. 1986). To meet the UN's Millennium Development Goals, the Ethiopian government remodelled its public health system to reduce the 1990 maternal mortality figures by 75% by 2015. In 2004, the seven draft sections of the Proclamation 414 of Ethiopia Criminal Code dealing with abortion were restrictive- only pregnancies caused by rape or incest, pregnancies of minors or severely handicapped individuals, pregnancies endangering the life of the mother and pregnancies featuring "incurable and serious" foetal problems or other "grave and imminent danger" would be exempt. However, the text had an important stipulation: "The mere statement by the woman is adequate to prove that her pregnancy is the result of rape or incest." In 2005, the final document began with an introduction that references gender equality

as enshrined in the Ethiopian constitution as well as "woman-centred abortion care," which is the language adopted from the ICPD Programme of Action. Key to woman-centred abortion, the 2005 amendment on the Proclamation 414 of Ethiopia Criminal Code reiterates in its language that "choice [is]…the right to determine if and when to become pregnant, or to continue or terminate a pregnancy." The 2005 amendment expanded on Proclamation 414's use of a woman's word as sufficient evidence of rape or incest.

Furthermore, "the stated age on the medical record" is all that is needed to authorise an age-based abortion. Many health care providers and NGOs in Ethiopia who saw the implications of this important loophole view this as the Ethiopian government authorising abortion, but found it politically expedient to say that abortion was legalised (The New Humanitarian 2014). Today, abortion complications account for 7% of total maternal mortality deaths.

Kenya

Until the 2010 Constitution came into effect, Kenya permitted abortion only to save the life of the woman. The 2010 constitution stated that "abortion is not permitted unless, in the opinion of a trained professional, there is a need for emergency treatment, or the life or health is in danger, or if permitted by any other written law (Article 26(4) of the Constitution of Kenya, 2010)." Post-2010, Kenya, like Ethiopia, permitted abortion when a woman's health or life is in danger; " If in the opinion of a trained health professional, there is need for emergency treatment or the life or health of the mother is in danger, or if permitted by any other written law" (Guttmachar Institute, 2012). In June 2019, the Kenyan Supreme Court ruled that a pregnancy resulting from rape can be terminated (Capital News 2019).

The significant impact of criminalising abortion has been to force women to undergo unsafe procedures. Also, the enduring opposition toward abortion and the stigma that exists in Kenyan society has made healthcare providers hesitant to publicise abortion services.

Uganda

In Uganda, abortion is permitted to save a woman's life and to preserve her physical or mental health. The abortion must be performed by a licensed and registered physician with the consent of two physicians prior to the procedure (Guttmacher Institute, 2017). Of the three examined countries, Uganda has the most restrictive and punitive abortion laws and seeks to punish those who seek abortion and those who meet that need "any woman who, being with child, with intent to procure her miscarriage, unlawfully administers to herself any poison or other noxious thing, or uses any force of any

kind, or uses any means, or permits any such things or means to be administered to or used on her, commits a felony and is liable to imprisonment for seven years," (The Penal Code Act of Uganda, section 142). Section 143 continues:

> Any person who unlawfully supplies to or procures for any person anything, knowing that it is intended to be unlawfully used to procure the miscarriage of a woman, whether she is or is not with child, commits a felony and is liable to imprisonment for three years (The Penal Code Act of Uganda).

The preceding provision, Article 142, lays out a 7-year punishment for the woman attempting to procure an abortion.

In 2012, the National Policy Guidelines and Service Standards for Sexual and Reproductive Health Rights went further, permitting abortion under additional circumstances, and by including cases of fetal anomaly, rape, incest and if the woman is HIV positive (Guttamacher Institute 2017). However, the sections of the penal code have not been revised to reflect the language of the 2012 policy guidelines. As a result, the law is interpreted and applied inconsistently by law enforcement, along with medical practitioners, often not understanding when abortion is permitted and, therefore, is reluctant to perform abortions for fear of retribution (Nakabugo, Z 2018). It is not surprising then that unsafe abortions account for over 10% of all maternal deaths and the complication rate for terminated pregnancies is high among rural women; it is between 68-75% (Guttamacher Institute 2017).

Analysis

In 2004, Ugandan gender activists lobbied to pass a bill that would, among other things, ban spousal rape, to which men reacted with outrage. A member of the Ugandan parliament's legal affairs committee said that the bill should instead address women's denial of sex, arguing, "Refusing to have sex is the most violent thing a spouse can do." Can democracy exist in places that only recognise women as objects for male desire?

Ethiopia, Kenya and Uganda are all self-described democracies. The Federal Democratic Republic of Ethiopia is an ethnic-federal state whose parties and regional states are anchored in some form of identity politics. Polarisation and opposition repression are the norm in Uganda, where President Museveni is on his fifth term after 33 years in power. Kenya is a multi-party democracy that holds regular elections (even though irregularities have marred these), but also equal rights and participation are undermined by pervasive corruption and police brutality. All three countries are involved- politically and militarily and are in varying degrees affected by the regional conflicts in Somalia and South Sudan.

All three countries are also donor-dependent to some extent, and one cannot ignore the impact that donor support has on reproductive choice. There is a direct correlation between donor support for family planning and the incidence of unwanted pregnancy. Spurred on by the HIV/AIDS crisis between 1995 and 2003, donor support for family planning in Africa decreased from $560 million to $460 million. Within the same period, the World Health Organization reported that in Kenya, the number of births that women claimed were unwanted nearly doubled, from 11% to 21% (Guttmacher Institute 2012). External influence can also have a positive impact, for instance, the global commitment to reduce maternal mortality (as part of the UN's Millennium Development Goals) led Ethiopia to its current, fairly liberal abortion law.

In the examined countries, freedom of choice, as a civil right, is conceptually and politically less developed than the public health ideas of bodily autonomy. Those who argue *for* abortion rarely locate reproductive choice within a substantive understanding of equality. The public health notions position women as weak or damaged subjects and give legitimacy to discourses of control and protection motivated by patriarchy. When we recognise that those most likely to succumb to procuring unsafe abortions are poor and rural women, then we must see how starkly discriminatory and unjust these policies are.

In all three countries, the laws are ambiguous, which has shaped access and the quality of services provided. In Ethiopia, the ambiguity has created an opportunity for access to safe abortions, while in Kenya and Uganda, ambiguity has contributed to stigma and has undermined implementation.

> **Autonomy over one's body is not just a cornerstone of reproductive rights; it is crucial to the realisation of other rights and liberties- from wellbeing, education, status and participation in society. Women and girls often lack the power to be in control of their own lives, which makes it harder for women to realise their rights relative to men.**

Democracies are judged by the extent to which ordinary citizens can actively and meaningfully participate in public affairs. However, this participation is contingent on one's ability to exercise self-autonomy, which is linked to body politics and reproductive justice. Autonomy over one's body is not just a cornerstone of reproductive rights; it is crucial to the realisation of other rights and liberties- from wellbeing, education, status and participation in society. Women and girls often lack the power to be in control of their own lives, which makes it harder for women to realise their rights relative to men.

REFERENCES

BBC. 1 February (2019). Swedish outcry as pregnant woman dragged off train. https://www.bbc.com/news/world-europe-47087874

BBC. 12 February (2019). Missing Kenyan activist Caroline Mwatha found dead. https://www.bbc.com/news/world-africa-47211510

Constitution of Kenya. (2010)

Ganatra, B, Gerdts, C, Rossier, C, Johnson, B, Tuncalp, O & Assifi, A. (2017). *Global, regional and subregional classification of abortions by safety, 2010—2014: Estimates from a Bayesian hierarchical model.* The Lancet. Volume390, Issue 10110. Retrieved at: https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(17)31794-4/fulltext

Gathara, P. 13 February (2019). *What the unspeakable tragedy of Caroline Mwatha reveals about Kenya.* Washington Post: https://www.washingtonpost.com/opinions/2019/02/14/what-unspeakable-tragedy-caroline-mwatha-reveals-about-kenya/?noredirect=on&utm_term=.cb92c922f831

Goldberg, M. (2009). *The Means of Production: Sex, Power and the Future of the World.* Penguin Press, New York

Guttmacher Institute. (2012). *Abortion and Unintended Pregnancy in Kenya.* Retrieved at: https://www.guttmacher.org/sites/default/files/report_pdf/ib_unsafeabortionkenya.pdf

Guttmacher Institute. (2017). *Abortion and Post-abortion Care in Uganda.* Retrieved at: https://www.guttmacher.org/sites/default/files/factsheet/abortion-and-postabortion-care-uganda.pdf

Jolly, S, Cornwall, A & Hawkins, K. (2013). *Women, Sexuality and the Political Power of Pleasure.* Zed Books, London & New York

Kwast, B, Rochat, R & Kidane-Mariam, W. (1986). *Maternal mortality in Addis Ababa, Ethiopia.* Nov-Dec; 17 (6)

Mburu, R. 3 June 2019. High Court rules abortion remains illegal in Kenya. Capital News. Retrieved at: https://www.capitalfm.co.ke/news/2019/06/high-court-rules-abortion-remains-illegal-in-kenya/

McConnell, A. (2012). *Stuffing myself with immanence: The lengths we go to to avoid being free.* Retrieved at: https://www.rookiemag.com/2012/09/stuffing-myself-with-immanence/3/

Merleau-Ponty, M. (1962). *Phenomenology of Perception.* Routledge: London and New York

Nakabugo, Z. (2018). *Uganda's untold abortion story.* The Observer. Retrieved at: https://observer.ug/news/headlines/59000-uganda-s-untold-abortion-story

The New Humanitarian. (2014). Ethiopia's game-changing abortion law. Retrieved at: https://reliefweb.int/report/ethiopia/ethiopias-game-changing-abortion-law

Nijsten, M. (1990). *Abortion and Constitutional Law: A Comparative European-American Study.* European University Institute, Florence.

Pollitt, K. (2014). *Pro: Reclaiming Abortion Rights.* Picador, New York

Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa. (2003). Retrieved at: https://www.un.org/en/africa/osaa/pdf/au/protocol_rights_women_africa_2003.pdf

Ross, L. (2017). *Reproductive Justice as Intersectional Feminist Activism.* In Souls. Vol. 19: No. 3, pp. 286-314

Ross, L, & Solinger, R. 2017. *Reproductive Justice: An Introduction.* University of California Press

Schlyter, A. 2009. *Body Politics and the Crafting of Citizenship in Peri-Urban Lusaka.* Feminist Africa. Issue 13

Singh, S & Maddow-Zimet I. 2016. Facility-based treatment for medical complications resulting from unsafe pregnancy termination in the developing world, 2012: A review of evidence from 26 countries. BJOG. 2016; 123(9): 1489-98

Singh, S et al., 2018. *Abortion Worldwide: Uneven Progress and Unequal Access.* Guttmacher Institute, New York

United Nations Population Fund. 1994. Program of Action: Adopted at the International Conference on Population and Development. Cairo. Retrieved at: https://www.unfpa.org/sites/default/files/event-pdf/PoA_en.pdf

THE TWO-THIRDS GENDER RULE AND THE QUESTION OF WOMEN EMPOWERMENT IN KENYA

PROTUS AKWABI MURUNGA

"The higher one goes in either party or the state hierarchy, the fewer women there are, and when women are found in policy-making and administrative positions, they typically hold 'soft' positions" (Charton, 1984).

ABSTRACT

The quest for political representation and the leadership of women in politics is always born out of the need to improve society and the aspiration for greater gender equality. The origin of these improvements is rooted in equal representation of both men and women, as well as other marginalised groups. The inclusion of women in politics and governance is a cardinal ingredient for discovering the human potential that different societies strive towards in the cultivation of sustainable development, human rights, peace and security (Mitulla, 2003). This study seeks to contextualise the two-thirds gender rule and the impediments that have prevented it from becoming law. The study uses the muted group theory to explain how women's voices are muted to the advantage of men in society. A qualitative approach was used to gather data; in-depth interviews was the method used to discern the emerging themes. The themes identified are objectification, domesticity, male dominance, and gendered journalism.

Keywords:

> Politics, Representation, Gender, Society, Patriarchy, Inequality, Domination, Rules, Male

INTRODUCTION

The new Constitution of Kenya was promulgated in 2010 amidst pomp and colour. One of the revolutionary aspects of the Constitution is the two-thirds gender bill that aspires to achieve the equality of the sexes in all spheres. The central pillar upon which the 2010 Constitution was anchored on was the concept of inclusivity, which is the belief that Kenya can only progress if everybody is included in the country's governance. This inclusion encompasses women, men and persons with disabilities. Article 81 (b) states that "the electoral system shall comply with the principle that not more than two-thirds of the members of elective public bodies shall be of the same gender".

The 2010 Constitution of Kenya was seen as the panacea to gender balance. However, nine years later, the provisions are yet to be implemented. The proposed implementation mechanism, the two-thirds gender bill, has failed to become law because parliament has lacked a quorum to pass it on three occasions when the bill has been up for debate.

The Constitutional provisions, specifically Article 27(6 & 8), 81(b) and 100, were intended to distribute political power. The deliberate refusal by the legislators to pass the bill and turn in into law is perceived as a way to maintain the status quo (Nzomo, 2012).

Historical roots of women's subordination

Patriarchy, as Bhasin (2006) noted, is the rule of the father or the patriarch, which was used to describe male-led families. In the current context, the definition of patriarchy is expansive to include male domination as a form of structural inequality. The patriarchal system enforces power dynamics between men and women, where men dominate at the expense of the subordination of women and also defines social behaviours based on gender roles.

The concept of gender is socially constructed and has defined the disparities between men and women. Gender roles are embedded in culture and tradition through socialisation. The socialisation of girls and boys creates stereotypical expectations, where girls are limited to domesticity, which is supposed to prepare them to fulfill both motherly and wifely roles. Boys venture outside the domestic realm and participate actively in the public realm. This has been recognized as one of the most significant contributors to gender inequality (Hunt, 1990; Hansen, 1992).

According to Nzomo (1998), the exclusion of women from institutional power mirrors the gendered nature of the colonial machinery, which uses biological orientation to appropriate roles in society. Institutional power in Africa is by nature male-centric, which has, in effect, institutionalised patriarchy (Kameri-Mbote & Kiai, 1999). Male domination has been the primary tool used to stifle women's rise to high-level positions

in society and to participate in the public realm. However, within patriarchal societies, women only stand a chance to gain institutional power if they align themselves with men in power, a concept Mama (1997) called "femocracy".

Statement of the problem

The exclusion of women from politics and power in Kenya, and to a large extent in Africa, has its roots in the gendered colonial state (Nzomo, 1998). The Marxist school of thought defines the state as a system controlled by the dominant class in society (Marx & Engel, 1992). Danzinger (2005) averred that the state is a well-crafted organisation tasked with the onus of fashioning and implementing political decisions and actualising government rules.

The conceptualisation of state and state power in Africa, as everywhere else, is a male constructed one, with a male lens to perceiving the world. This male lens actualises, institutionalises and legalises patriarchy, which is a system of male dominance that is widespread in the political, social and economic facets of life (Kameri-Mbote & Kiai, 1999).

That women have been excluded in the political space is no secret. The place and space of women in Kenya, just like any other African country, has been muzzled to the core ,since circa 1963. The promulgation of the 2010 constitution ushered in some optimism, where women were assured of their place by law. However, nine years later, domination and subordination are still relevant to women in the political space.
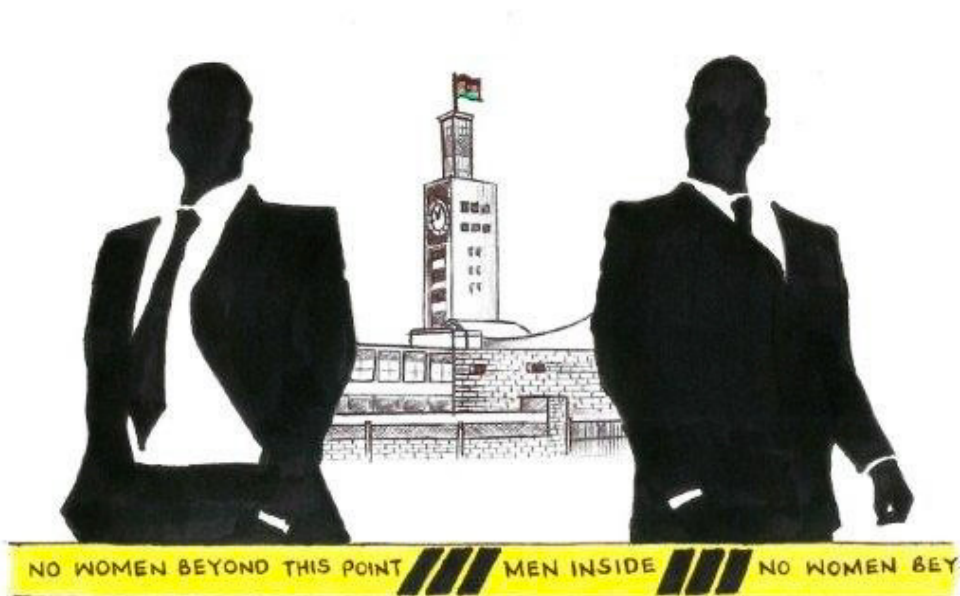
Theoretical framework

Muted Group Theory

Muted group theory is a critical theory concerning certain groups of people who remain powerless amid others. The theory examines how dominant groups in society become superior and fashion communication systems that they deem appropriate (Burnett et al., 2009). The theory was proposed by Edwin Ardener (1975) in his study "Belief and the Problem of a Woman" that demonstrated how women were being undermined in society because men controlled the dominant language. In order for women to rise, they would have to translate the language and come up with terms of their own to shift power (Ardener, 1975).

Litosseliti and Sunderland (2002) argued that this theory is an offshoot from the discipline of social anthropology, which feminist communication researchers adopted to centre male superiority and dominance in linguistics. The theory assumes that in societies where the dominant category of people are men; the language used is encoded by men for their use. Thus, the voices of women are not recognised which forces them to operate within the language encoded and established by men (Kramarae, 1981). The main aim of the muted group theory is to fashion an understanding that all humanity is equal; thus there should be equality in terms of accessing knowledge discourse (Spender, 1980).

The muted group theory is anchored on three assumptions which include; 1) Men and women perceive the world differently because they have different experiences that shape their perceptions. Those different experiences result from men and women performing different tasks in society. 2) Men enact their power politically, perpetuating their power and suppressing women's ideas and meanings from gaining public acceptance. 3) Women must convert their unique ideas, experiences, and meanings into a male language to be heard (Kramarae (1981).

> **The promulgation of the 2010 constitution ushered in some optimism, where women were assured of their place by law. However, nine years later, domination and subordination are still relevant**

This theory relates to this study, as it explains why men thrive more in many social spaces compared to women. The theory explains why women and men form two distinct circles of experience and interpretation, with one overlapping the other. The masculine circle converges with the norms in society, which provides a gendered

stature overriding the feminine circle. Thus, the feminine circle is neither visible nor acknowledged; eventually, only a small part of it is exposed (Sorensen &Krolokke, 2005). As Kramarae (1981) noted, male-dominated language positions other categories of people as non-aligned and not in harmony with the male groups' orientation.

Literature review

According to Davis and Robinson (1991), views towards gender inequality in a society signal a growing gender consciousness and alertness.There are some instances where the intentional domination of women is still rife. In as much as the inequalities that have incarcerated women globally are being reduced. Men and women are socialised in line with their biological make-up, gender roles and behaviours ascribed by society, and this reduces the eventual conceptualisation of the role of gender in society. Further, Sapiro and Conover (2001) argue that most women who have increased knowledge of the existence of gender inequalities will subsequently have different political attitudes from men and women who are unaware (Davis & Robinson, 1991).

In an analysis of the 2013 general elections, FIDA Kenya (2013) noted that days before the general elections, there was an increased push and pull from different interest groups. Some attempted to start fashioning mechanisms of implementing the two-thirds gender rule to become law. On the other hand, there were also those representing voices to sustain the status quo and explicitly demonstrated unmatched belligerence towards defending patriarchy.

In Rwanda, women parliamentarians in a bid to increase their visibility have fashioned groups and subgroups to increase awareness around the importance of engaging women in politics and governance issues. Consequently, their growing presence has increased attention to bills and policies related to women's well-being in society. Htun, O'Brien and Weldon (2014) further argued that due to the involvement of women in civil society and parliament, many countries have adopted and domesticated laws that curtail violence on women.

The statement that African countries have tried to promote gender equality has never been in question. Various regional and international instruments that have been endorsed by most African states have aided the movement. These include the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), also called the women's international bill of rights, the International Covenant on Political and Civil Rights (ICCPR), the Protocol to the African Charter on Human and People's Rights (ACHPR) on the Rights of Women in Africa, the Program of Action of the International Conference on Population and Development (ICPD), the Beijing Platform for Action (BPFA) and the Millennium Development Goals (MDGs) (Abdennebi-Abderrahim (2010).

Additionally, Abdennebi-Abderrahim (2010) noted that some have reconciled their constitutions with the provisions of CEDAW and have equally built institutional and legal measures for dealing with gender equality and empowerment. Further, some governments have domesticated aspects of gender equality into their national budgets which have normalised transparency and gender accountability in public institutional expenditure. However, laws alone cannot guarantee equal representation, but laws coupled with political goodwill will ensure women's empowerment.

> **In Rwanda, women parliamentarians in a bid to increase their visibility have fashioned groups and subgroups to increase awareness around the importance of engaging women in politics and governance issues. Consequently, their growing presence has increased attention to bills and policies related to women's well-being in society.**

Several factors are responsible for integrating women within the party framework, which include (i) Women Activists, (ii) Electoral System, (iii) Diffusion and Competition, and (iv) Party Characteristics. In terms of the electoral system used, quotas are appropriately enacted when the competition is located in a closed-list proportional representation electoral system with equal representation of the candidates in terms of gender. In this context, political parties provide the names of the candidates ranked in an order that cannot be re-ordered by the voters, which connotes the term closed list (Jones, 1996).

The effects of women activists within the party is also brought out both at the national and local levels. At the national level, a critical mass is essential, when a significant number of activists from a minority group enter an area that is traditionally occupied by the majority, the minority group then may gain the momentum to organise itself legitimately. The more the number of women representatives, the better it is to apply pressure to change the political culture in favour of women's well-being (Dahlerup 1988). However, this assertion has also been found to not hold since introducing more women representatives has not led to an improved overall life for all women. (Studlar& McAllister, 1999)

Gender quotas for parliamentary candidates have been the single most explicit mechanism that political parties have employed to increase the number of women in parliament and within political circles. The concept of gender quotas in parliamentary systems was initiated in the mid-1970s in Norway, which succeeded in having the highest representation of women in parliament globally (IPU, 1997).

Another form of quotas is the voluntary quota system, which is designed by political parties. Political parties, in this case, reserve a particular percentage of nominated members to be women. Strategically, this kind of quota promotes the chances of women being elected into parliament or other government bodies. If political parties fail to design a strategic approach to quotas, women may fail to be in the political party list, which places them in a precarious position. The third quota is the legally prescribed one, a results-oriented framework for getting credible women representatives in government. There are two types of legally prescribed quotas; legislative quotas and reserved seats. Legislative quotas obligate political parties to nominate a certain minimum of the female candidates. Reserved seat quotas put in place a fixed number of seats in the legislature for women. Rwanda is renowned for a reserved seat quota system. (Oxfam, 2013).

In Britain, the causes of women's under-representation in politics have been well documented. Research has shown that factors that impede women's participation in politics include the supply factor, which is the decision of who should run for office and whom the party demands should do it. Both factors describe whether political parties discriminate against particular groups in the nomination processes (Lovenduski, 2005). The supply factor highlights that social discrimination is evident in the supply or presence of aspirants for a particular political position, where women are less likely to be selected. Political parties always use these cases to claim that few women present themselves for political positions.

Bano (2009) examined the parliamentary structure of Pakistan and the processes of decision-making, focusing specifically on the role of women within Pakistan's political sphere. Women in Pakistan have always been recognized as essential to development, thus the study aimed at finding out whether the increased presence of women in parliament and other public decision-making organs has led to increased women empowerment programmes. It was found that there has been an increase in the number of women within the public decision-making processes, but the impact of this presence, especially on women's empowerment, is still meager. These findings are also shared by Shami (2009) who pointed out that during the periods of Bhutto, the number of women in politics had increased so much, but the effects were minimal.

In Ukraine, although the government has made significant steps in ensuring gender parity, the number of women involving themselves in politics is at an all-time low. The reasons for this include cultural and institutional barriers which work together to deny women leadership positions (Kiev, 2011). In another study on the place of women in the Moroccan society, Tahri (2003) argues that there have been transformative attempts to open up space for women to voice their concerns since they constitute half of the population. Within the Rwandan context, as McCrummen (2008) outlines, Rwandan

women outnumber men in the government, but they are in positions of power but with no actual power. This is because of the power distribution in Rwanda, which concentrates most of the power around the presidency. In this vein, the expediency of the president to increase the number of women results from the regime's promises under the guise of Equality and Reconciliation. Besides, the women in the ruling party that take up close to 70% of the seats are likely to act based on loyalty to the party than in favour of women's interests and gender equality.

Research questions

RQ1. What factors impede the failure to pass the two-thirds gender bill into law?

RQ2. Do women in leadership positions utilise power differently from men? And in what ways?

RQ3. What is the relationship between the substantive representation of women that includes: the representation of women's interests and, the numerical representation of women in positions of power?

Methodology

This study combines both desk research and in-depth interviews in arriving at the findings. Eight people were interviewed, three men and five women in different disciplines, including academia, security, and the media. The results established were analysed in a way that common themes were identified. This was followed by an overview of the research done on the subject of women and political marginalisation. The problematisation of the concept of women's empowerment shows that the concept is rhetoric that does not realise its goals or affect women's lives in implementation. Through secondary research, the themes that were identified were triangulated and produced findings similar to those in the interviews.

1. The first research question sought to establish the factors that impede the failure to pass the two-thirds gender bill into law.

The factors are divided into two main categories encompassing: the traditional/cultural and the socio-economic hindrances and the political hurdles. Under the traditional/cultural and the socio-economic hindrances category, the sub-categories include public opinion or the citizen perception of the strong man and the weak woman, the colonial/missionary ideology of the private woman which is also prevalent in public opinion and the citizen's perception of the sexual division of labour, and the lack of financial resources needed to support the political journey. Under the political barriers category, the sub-categories include the political system and the electoral bodies charged with ensuring free and fair elections.

Traditional/cultural and the socio-economic

Androcentric ideologies introduced by the missionaries and the colonialists have played a cardinal role in entrenching Eurocentrism into the African context and have, thus, wholly erased African cultural orientations. The practices of both the missionaries and the colonialists rely on a western lens that overlooks Africa's way of life and considers it obsolete. Through the blinkers of Western cultural orientations, the space and place of women was non-existence, and they were regarded as private property (Whiting, 1977).

Amadiume (1987) calls for a re-evaluation of matriarchy as a crucial African pre-disposition in which the salience of women was established through aspects like the woman-to-woman marriages and women holding powerful leadership positions. The woman-to-woman marriages were essentially composed of females, who had wives that bore children on their behalf. Powerful women could lead as queens mainly because of the conception of gender as distinct from biology.

As Nasong'o and Ayot (2007) argued, through the introduction of the cash economy, employment in industries and subsequent taxation, the concept of male breadwinner was conceived since employment was based on education which mostly favoured men and also because of norms linked to biological make up. Biological make up here was used to define men as muscular; thus, they could effectively work in the industries.

Political barriers

Some of the factors contributing to political barriers include election-based gender violence within political parties and outside of them, the differential media coverage of women candidates and a gendered conceptualisation of effective leadership that is beyond the tribe (Kinko, 2018).

In the same vein, research by African Women and Child Feature Service (2009), held that women have an added disadvantage slithering through the political processes because of media coverage of political issues. Nyokabi (2010) argued that when the media covers women's issues, they cover the minute aspects like disagreements and fights over leadership.

2. **The second research question sought to find out how women in leadership positions utilise power differently from men.**

Throughout the world, there exists a significant gap in the conception of political engagements between men and women. Further, the involvement of women in political affairs does not match the involvement of men. For men, the involvement mostly takes the form of leadership positions, particularly within the precincts of politics while the inclusion of women in political and governance affairs motivates women to participate in public discourse. (Bauer & Tremblay, 2011; Inglehart & Norris, 2003)

Further, the socially prescribed roles of women in patriarchal societies which include domestic chores like subsistence food producers, caregivers, homemakers and child-bearers have created contention on what participating in public life outside of those socially prescribed roles would look like. (True, Niner, Parashar, & George, 2012; Nasong'o & Ayot), Wen, Xiaoming, and George (2013) argued that under the circumstances, the possibility of women possessing the same leadership skills as men are thin to the core.

3. **The third research question asked about the relationship between the substantive representation of women (representation of women's interests) and the numerical representation of women (number of women in positions of power).**

According to Htun and Piscopo (2014), even though more and more women are being co-opted into politics and other public offices, this does not automatically imply a transformative change to the lives of all women. A huddle that women have to jump is the question of having enough influence and power for policy change. Male politicians may support women's empowerment attempts by designing and introducing legislation beneficial to women, but women themselves may find it hard to get budgets and even to get executive decisions approved to implement the legislation.

In the analysis of the Argentine Congress, Franceschet and Piscopo (2008) found that women will act on legislation touching on women, but will encounter obstacles that will hinder the full realisation or enactment of the legislation. The increased presence of women in parliament has, however, led to increased advocacy on policies touching on violence against women, reproductive health, sexual discrimination and other related aspects.

Equally, Htun, Lacalle, and Micozzi (2013) studied the Argentine Congress and established that the increased number of women was due to the introduction of more bills speaking for the rights of women. In as much as bills advocating women's rights by female legislators are more unlikely to pass and become law, these female legislators did not despair. This fact was strengthened by Schwindt-Bayer (2010) who established that in Argentina, Colombia, and Costa Rica, female deputies were more likely to voice female concerns than male deputies. Similar findings were recorded in Brazil (Miguel, 2012).

The assertion that an increase in the number of women in politics is positively correlated with an increase in the number of women in leadership roles and then eventually to centering women's interests has triggered both hot and cold responses from different scholars.

Conclusion

That there is a paucity of female leaders within the Kenyan political spectrum is not in doubt. The main assumption behind this state of affairs is that most women have accepted their subordinated position, thus seeking political leadership is akin to going contrary to societal expectations of the private woman and the public man. However, this argument may not hold as research has shown that deliberate measures have been erected to retain women in their subordinate status.

In most African societies, due in part to the Eurocentric perspective of women, women have been stereotyped to the core in a bid to position them as not being capable of leadership. These stereotypes are pregnant with derogatory remarks, that just like any other human being, affect women (Mugo, 1975).

Scholars have established that the pillars of democracy give credence to the public's right to take part in elections and other political party processes (Conway, 2011; Norris &Inglehart, 2011). In as much as there has been an increase in measures to increase women's political participation in Kenya, impediments exist that place them at a disadvantage (Foulds, 2014; Omwami, 2015). The 2010 Constitution of Kenya was perceived as a significant milestone in creating a level playing field for both men and women in terms of decision making, access to resources, and fair nominations. However, this optimism was only short-lived as nine years later, the state of women in political representation is still wanting, majorly due to deliberate schemes that deny women an equal chance in political participation.

> **That there is a paucity of female leaders within the Kenyan political spectrum is not in doubt. The main assumption behind this state of affairs is that most women have accepted their subordinated position, thus seeking political leadership is akin to going contrary to societal expectations of the private woman and the public man.**

The primacy of gender equality and women's involvement in political affairs and governance agenda has been established and affirmed by numerous global conventions, including the Universal Declaration of Human Rights (1948, the Political Rights of Women (1952), Economic, Social and Cultural Rights (1966), Civic and Political Rights (1966), CEDAW (1976), Beijing Platform of Action(1995), Security Council Resolution 1325 (2000) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2005) (Nzomo, 2015).

There is no denying that the failure by governance machinery to implement gender mainstreaming practices explicitly demonstrates that barriers to women empowerment are still prevalent. A paucity of women in decision-making in both public and private spheres is an abuse of the globally recognised aspects of equality, equity, and justice and leads to serious questions on governance and democracy (Nerd (2011).

The two-thirds gender rule in Kenya is arguably the best panacea for achieving the balance between men and women in all spheres, especially in public decision-making structures affecting society. Unless the society is emancipated from the shackles of patriarchy, freedom for women will still be a far cry.

This study sought to examine the stature of the two-thirds gender rule as a weapon against gender discrimination and the reasons behind its failure to become law. The findings indicate that both structural and ideological barriers still exist and are preventing women from attaining empowerment. It has also become apparent that more and more women are being co-opted into political leadership. However, their presence has a minimal effect on the overall life of women.

REFERENCES

Amadiume, I. (1987). African matriarchal foundations: The Igbo case.

Ardener, S. (1975). *Perceiving women*. Philpapers.

BanoS.Women in Parliament in Pakistan: Problems and Potential Solutions, *Women's Studies Journal,* Volume 23 Number 1, September 2009: 19-35. ISSN 1173-6615

Bauer, G., & Tremblay, M. (Eds.). (2011). *Women in executive power: A global overview* (Vol. 38). Taylor & Francis.

Bhasin, K. 2006. What Is Patriarchy. Women Unlimited.*New Delhi*

Conway, M. M. (2011). Women and political participation. Political science & politics, 34(02), 231-233.

Dahlerup, D. (1988). From a small to a large minority: women in Scandinavian politics. *Scandinavian Political Studies*, *11*(4), 275-298.

Davis, N. J., & Robinson, R. V. (1991). Men's and women's consciousness of gender inequality: Austria, West Germany, Great Britain, and the United States. *American Sociological Review*, 72-84.

Ergas, C., & York, R. (2012). Women's status and carbon dioxide emissions: A quantitative cross-national analysis. *Social Science Research*, 41(4), 965-976. doi:10.1016/ j.ssresearch.2012.03.008

Foulds, K. (2014). Buzzwords at play: gender, education, and political participation in Kenya. Gender and Education, 26(6), 653-671.

Franceschet, S., &Piscopo, J. M. (2008). Gender quotas and women's substantive representation: Lessons from Argentina. *Politics & Gender*, *4*(3), 393-425.

Freidenvall, L. (2015). Women's Descriptive and Substantive Representation in Nordic Politics. *Women, Policy and Political Leadership*, 95.

Hansen, C. 1992. *A Daoist theory of Chinese thought*, New York: Oxford University Press.

Hinojosa, M., & Woodall, G. (2011). The Rhetoric of Representation: Costa Rican Female Legislators and Representation in Parliamentary Debates. In *APSA 2011 Annual Meeting Paper*.

Htun, M. N., & Jones, M. P. (2002). Engendering the right to participate in decision-making: electoral quotas and women's leadership in Latin America. In *Gender and the politics of rights and democracy in Latin America* (pp. 32-56). Palgrave Macmillan, London.

Htun, M., &Piscopo, J. (2014). Women in politics and policy in Latin America and the Caribbean. In *Conflict Prevention and Peace Forum CPPF Working Papers on Women in Politics*(Vol. 2).

Htun, M., Lacalle, M., &Micozzi, J. P. (2013). Does women's presence change legislative behavior? Evidence from Argentina, 1983–2007. *Journal of Politics in Latin America*, *5*(1), 95-125.

Htun, M., O'Brien, C., & Weldon, S. L. (2014). Movilizaciónfeminista y políticassobreviolenciacontra las mujeres. *Foreign affairs: Latinoamérica*, *14*(1), 2-13.

Hunt, N. R. (1990). Domesticity and Colonialism in Belgian Africa: Usumbura's Foyer Social, 1946-1960. *Signs: Journal of Women in Culture and Society*, *15*(3), 447-474.

Inglehart, R., Norris, P., & Ronald, I. (2003). *Rising tide: Gender equality and cultural change around the world*. Cambridge University Press.

Inglehart, R., Norris, P., & Ronald, I. (2003). *Rising tide: Gender equality and cultural change around the world*. Cambridge University Press.

Jones, Mark P. 1996. "Increasing Women's Representation via Gender Quotas: the Argentine Ley de Cupos." *Women and Politics* 16 (4): 75–98.

Kameri-Mbote and W, Kiai (1999). The Women's movement in Kenya. An overview, in S.A. Khasiani and E.i.Njiro (eds), *The women's movement in Kenya.* Nairobi; Association for African women for research and development

Kiev, T. Fund, U. W. S. (2011). Women's participation in politics and decision-making in Ukraine: Strategy paper. *Internet: www. osce. org/odihr/85974 (15. 03.2015).*

Kramarae, C. (1981). Women and men speaking: *Frameworks for analysis.*

Litosselit, Lia and Jane Sunderland, eds. (2002). Gender Identity and Discourse Analysis. Philadelphia, Pa: John Benjamin's Publishing Company.

Lorber, Judith. 1994. "'Night to His Day': The Social Construction of Gender." Pp. 54-65 in *Race, Class and Gender in the United States: An Integrated Study*, edited by Paula S. Rothenberg. New York: Worth Publishers.

Lovenduski, J. (1992). Gender and politics. *Encyclopedia of government and politics*, *1*, 603-615.

Matland, Richard E. 2002. "Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems." *In Women in Parliament*: Beyond the Numbers. Stockholm: International IDEA

McCrummen, S. (2008). Women Run the Show in a recovering Rwanda. *Washington Post*, *1.*

Mitullah, W. (2003). Gender Inclusion in Transition Politics: A Review and Critique of Women's Engagement'. *WO Oyugi, P. Wanyande and CO Mbai, The Politics of Transition in Kenya: From KANU to NARC,* Nairobi: Heinrich Böll Foundation.

Nasong'o, S. W., &Ayot, T. O. (2007). Women in Kenya's politics of transition and democratisation. *Kenya: The struggle for democracy*, 164-196.

Nnaemeka, O. (Ed.). (1998). *Sisterhood, feminisms, and power: From Africa to the Diaspora* (p. 1). Trenton, NJ: Africa World Press.

Norris, P., &Inglehart, R. (2001). Cultural obstacles to equal representation. Journal of democracy, *12*(3), 126-140.

Nyokabi, K. (2010). Women and Political Leadership in Kenya: Ten Case Studies.

Nzomo, M. (1998). Kenyan women in politics and public decision making. *African feminism: The politics of survival in sub-Saharan Africa*, 232-256.

Nzomo, M. (2012). Representational Politics in Kenya: The Gender Quota and Beyond'. In *African Research & Resource Forum*.

Omwami, E. M. (2015). Intergenerational comparison of education attainment and implications for empowerment of women in rural Kenya. Gender, Place & Culture, 22(8), 1106-1123.

Sapiro, V., & Conover, P. J. (2001). Gender equality in the public mind. *Women & Politics*, *22*(1), 1-36.

Schlesinger Jr, A. M. (2017). *The Vital Center: Politics of Freedom*. Routledge.

Schwindt-Bayer, L. A. (2010). *Political power and women's representation in Latin America*. Oxford University Press.

Shami A. A. Political Empowerment of Women in Pakistan, *Pakistan Vision* Vol. 10 No 1,2009.

Studlar, Donley T., and Ian McAllister (1999). "Does A Critical Mass Exist? A Comparative Analy- sis of Women's Legislative Representation, 1949-1997." *Presented at the annual meeting of the American Political Science Association, Atlanta.*

True, J., Niner, S., Parashar, S., & George, N. (2012, October). Women's political participation in Asia and the Pacific. *SSRC Conflict Prevention and Peace Forum.* Retrieved September 9, 2016, from http://artsonline.monash.edu.au/thebordercrossingobservatory/files/2013/02/UNDPA-Women%E2%80%99s-Political-Participati on-in-Asia-and-the-Pacific.pdf

Wen, N., Xiaoming, H. A. O., & George, C. (2013). Gender and political participation: News consumption, political efficacy and interpersonal communication. *Asian Journal of Women's Studies*, *19*(4), 124-149.

WINNING THROUGH (DIS)ALIGNMENT: THE LANGUAGE OF THE KENYAN FEMALE POLITICIANS

SIMON WANJALA NGANGA

ABSTRACT

This paper applies the theoretical notion termed 'acts of positioning' to the analysis of six speeches of two Kenyan female politicians collected between 2017 and 2019. The aim is to analyse how, when faced with recent reversals in the struggle against gender inequality, individual women use language innovatively by drawing on aspects of male discourses to penetrate the patriarchal structures and procedures of the politics in Kenya. The result of this analysis shows that with the use of code-switching and reported speech, female politicians incorporate the patriarchal framings in their speeches to align or to distance themselves from their male counterparts. The paper contributes to existing research on individual women's resistance to gender inequalities and further demonstrates how this is manifested in the language they use.

Keywords:

Identity, (dis)alignment, Language, Contestants; Women Politicians, Patriarchal Framing

INTRODUCTION

For long, the fate of the participation of women in politics in Kenya has been decided based on 'patriarchal decision-making structures and processes of the state and party' (Nzomo, 1997:232). One sign that all is not well has been the undue concentration of economic power within patriarchal hierarchies of power which allocate resources towards men, with the concomitant lack of 'resources and opportunities' on the part of women in order to improve their status [… and to have the] capability to compete on an equal basis with men' (Nzomo, 1997:232-233). Significant gains in the struggle for gender equality came in 1992, with the introduction of multi-party politics, and then in 2010, with the promulgation of the Constitution of Kenya. The Constitution of 2010, with a spate of legislation, positioned Kenya amongst the many countries rooting for the increased participation of women in politics. The recent failure by the parliamentarians to pass the gender bill, however, suggests a reversal in the efforts to get more women in politics.

The recent setback is just one of the many reversals that have encumbered the struggle for gender equality. For a complete history of women and politics in Kenya see (Nzomo,1997; Kamau, 2010). It happens against the wave on the international scene that points towards the return to authoritarian rule. Over the years, through interest groups and a combination of innovative ways, women have resisted attempts by male counterparts to push them out of politics and leadership. While research on women and politics, especially in Kenya, has mainly focused on the role of formal channels, such as the interest groups in supporting female contestants, research on how individual women penetrate the patriarchal system is yet to be done. This paper argues that through behaving 'like men', and understanding leadership under a patriarchal framing individual, women carve space for themselves in politics and that this is especially evident in their use of language in politics.

> **This paper argues that through behaving 'like men', and understanding leadership under a patriarchal framing individual, women carve space for themselves in politics and that this is especially evident in their use of language in politics.**

The paper begins with a brief review of the literature on feminist studies and politics (Section 1.1) followed by an explanation of the relationship between identities and positioning (section 2.0). A brief methodological discussion regarding the identification of the female contestants and how data has been analysed (section 3.0) is followed by analysis and conclusion in section 4.0 and 5.0.respectively.

Feminist Analyses and Women in Politics in Kenya

Against the backdrop of (increasing) gender inequality, recent research within gender and politics has not only churned out exciting findings about the activities of non-governmental organisation and their role in getting more women elected and nominated, but this research has also renewed interest in the individual woman's agency against a male-dominated society (Kamau, 2010). The shift in focus is understandable following the change from studies that emphasised the homogeneity of women to those that showed 'greater recognition of diversity and difference between women' (Waylen, 1996:10). It was not until the 1980s that even the notion and understanding of 'woman' changed. Rather than defining a woman as 'a unitary and a historical category', scholars embraced an understanding of 'woman' as the 'plurality of identities in a single subject' (Waylen, 1996:10). At the centre of these developments in feminist analyses was the attempt by the Black feminists to challenge the erasure of experiences of black women on international platforms, such as the 1985 UN conference in Nairobi. This activism led to a shift from an emphasis on structures towards a focus on the meanings embedded in 'words' and individual women's experience.

However, even with the shift in focus, at the initial stages, feminist analyses especially within western feminism, emphasised the unity of women as an oppressed group and pitted this unity against the different patriarchies that are constructed in different cultures. Within this understanding, women in the third world were framed and turned into non-Western 'other' (Waylen, 1996:10). Thus, women in third world contexts were framed as 'passive victims of barbaric and primitive practices' (Waylen, 1996:10). Much recently, especially in Kenya, research has focused on efforts by the non-governmental organisations to increase the number of elected and nominated women legislators and to investigate the match between the goals and aspirations of women candidates and that of the electorate (Lawless and Fox, 1999). To date, focus on the perspectives and experiences of individual women legislators is lacking.

The current study acknowledges the small number of female parliamentarians in Kenya as a hindrance to the investigations on individual women's political agendas and experiences. However, it argues that data from the few women legislators can form an understanding of 'women's way of leading politically' (Kamau 2010) possible. This is important since, as has been reflected in international agreements and conventions, 'without the perspectives of [individual] women at all levels of decision making, the goals of equality, development and peace cannot be achieved' (Kamau, 2010: 2). It is hoped that the perspective that women bring into leadership, gleaned from their political speeches, can 'be used to advocate for election and nomination of more women' (Kamau, 2010:3). Further, focus on innovative strategies by individual women can help correct the impression that women contestants are lazy and unable to succeed independently (Waylen, 1996).

The focus on efforts by an individual woman - at least from a linguistic perspective - situates this paper within the postmodernist tradition where context becomes critical. In this, there is, in the words of Waylen, (1996:10), 'the fracturing of the 'cartesian' unitary human subject and the self' and this will be replaced by notions of difference, plurality and multiplicity'. Thus, the identity of a woman has to be seen, not as a unitary category, but as a 'complex and a combination of different elements such as class, race, gender and sexuality' raising a possibility of the existence of several identities in a 'single subject' (Waylen, 1996:10). This view is related to the notion of intersectionality and its role in explaining the complexities in social interactions in society (Shields, 2008). This study will look at the multiple and overlapping identities in the sense of Davies and Harré (1990) as 'acts of positioning'.

Positioning and Identity

Literature within linguistics reveals a shift in focus from the approach to identity as 'a… broad social categories' to an investigation of identity as something that "language users often orient to" (Bucholtz and Hall, 2005:591). Thus, instead of taking a macro-level analysis that takes the analyst's sociological categories as quantifiable aspects, the new approach investigates details of identity at a discourse level and as something that emerges in interaction (Bucholtz and Hall, 2005). This view underscores context and how it interacts with roles and orientations of the participants (Bucholtz and Hall, 2005).

A dynamic perspective situates this paper within the post-structuralist approaches. Within this perspective, Davies and Harré (1990:46) arguing from a socio-psychological perspective, underline the intersubjective process in identity construction. Though the data in political speeches are not conversational, we argue together with Mforteh, (2011:144) that individual female politician dialogues with herself, producing a talk that is 'dialogic and interactional as if they (female politicians) were responding to some visible' male competitors. This point suggests that female agency in Kenya is in part shaped by the patriarchal discourses.

A study on how female politicians position themselves in a male-dominated political scene underlines the role of 'discourse rather than language' in 'structuring […] experience' (Coates, 1997:291). While language can be seen 'as a heterogeneous collection of discourses' (Coates, 1997:291), discourse can be defined as a 'system of statements which cohere around common meanings and values' (Hollway, 1983:131). For Coates (1997:291), every individual has access to a range of discourses […] which give us access to, or enable us to perform different "selves". For instance, the discourses on the Kenyan political scene can be labelled patriarchal since they emphasise meanings and values which assume the superiority of males' (Coates, 1997:292).

In this paper, we argue that female contestants draw on male discourse critically and that in so doing, they construct different roles. Goffman(1974:128-129) defines identity in terms of capacities or roles that make an individual 'a concrete organism' and that gives him/her a 'niche in life'. Viewed this way, identity has relations to membership categories such as race, gender and class and the attendant roles that define members of the category in question (Antaki and Widdicombe 1998). Much recently, Pavlenko and Blackledge (2004:19) expanded Goffman's (1974) characterisation to include the ability of individuals to (dis)align themselves to dominant discourses. Thus, we argue that in the context of the rollback in democracy on the global scene and in Kenya, as evidenced by the failure of the members of parliament to pass the gender bill, women contestants 'appeal' to the patriarchal discursive options to resist patriarchal political structures and procedures.

Data and Methods

The current study reports on an analysis of the linguistic techniques with which two female contestants draw on aspects of male identities within patriarchal framings to enter the male-dominated political structures and processes in Kenya. As most female contestants use formal strategies, such as seeking support from non-governmental organisations, and as most of these do not make it to political office, we purposively selected the two successful women contestants whose speeches are analysed in this

study. Charity Ngilu, the leader of the National Rainbow Coalition (NARC) party, has been in politics since the 1990s and she has been instrumental in the formation of coalitions; the famous one being the NARC that won elections in 2002. Another woman who has contested in Kenyan politics is Aisha Jumwa, whose political career started much more recently. Though not a party leader, she has been angling towards the Jubilee party following the recent wrangles with the leadership of her party, Orange Democratic Movement (ODM). Focus on party politics is crucial, especially for this study, since in Kenya, most parties lack structures to accommodate female members, and new parties and alliances specifically emerge shortly after every election. Thus, securing the nomination, voicing their concerns and becoming leaders of male-dominated parties that have a nationwide representation are some of the challenges that face female contestants. Similarly, women who are party leaders face an additional challenge when looking for parties with similar ideas to form coalitions.

There is no definite campaign period in Kenya; soon after elections politicians informally launch campaigns for the next poll. Thus, our selection of female politicians was not limited to the polls. Winning an election in Kenya, especially for female contestants begins with the penetration into party structures and rules; thus, we selected speeches by two women contestants on the verge of being edged out of their parties (and political office), who, therefore, needed to assert themselves. Such speeches capture naturalistic expression and can create ideal opportunities for female participants to invoke aspects of patriarchal discourses to align to or to refute them. We recorded the primary data using a small recorder, turning it on at the start of the speeches and off at the end.

Each of the six speeches lasted between 10 and 20 minutes (approximately 1 1/2 hours in total). Given the noisy and violent nature of Kenyan politics, the behaviour of the male-dominated audience might have impacted their speeches. For instance, they may have avoided specific topics that are part of the patriarchal discourses. However, for the two female contestants, the effects of any such awareness seemed to have been minimal since their speeches innovatively incorporated topics mainly drawn from religion and sex, among others, which are domains that are explored by male politicians.

The speeches were analysed at the level of content and prosodic structure and discursive structures that contained aspects of male discourses, which were listed and then transcribed. The transcripts were analysed in detail, focusing on how language indexed patriarchal discourses and how this positioned female contestants within the male-dominated political scene.

Winning through (Dis)alignments

In this section, we discuss some examples from the recorded data that reveal how women contestants use language to position themselves within and across parties/coalitions.

Alignment before Refutation

Many examples from the data show that before female contestants refute aspects of patriarchal discourses, they first align with them. In example 1, the female contestant aligns herself to the campaign organised by male counterparts.

Example 1

01 *Kwanza niseme siku ya leo ni siku ile tunaanza our march to the new*
First, I would like to say on this day what we have started

02 *Government serikali umpya in the next 50 days itakuwa ya jubilee*
The new government will be of jubilee

03 *Serikali umpya itakuwa serikali ile itaanza kazi mara moja, on the first*
The new Government will be one that will start work immediately

04 *Hundred days the president of Kenya ambaye atakuwa uhuru Kenyatta amesema*
who will be uhuru Kenyatta has said

05 *Ya kwamba kazi yake ni kuona vile ata address ile shida*
that his work is to see how he will address that problem

06 *Inawakumba wananchi wa Kenya sana sana vijana kuwapatia vijana kazi*
that afflicts citizens of Kenya, especially the youth to give the youth jobs

The contestant uses reported speech introduced by the quotative index *niseme* 'I say' (line 1). The subjunctive in the quote is used to frame the entire excerpt as a scenario or a hypothetical situation. The quote (the contestant quotes herself) is infused with code-switching and the use of pronouns. With code-switching to English, as evidenced by the expression, *our grand march to the new government*, *in the next fifty days*, *in the first hundred day*s, the contestant's affiliation with the new government is contextualised. Thus, code-switching exemplifies an instance where she buys into patriarchal discourses. With the pronoun *tu-* 'we', in words *(tu-)naanza* 'we start' and *our,* the speaker aligns herself to the incumbent president's party and campaign team.

The second quote is integrated into the scenario and it begins with *ambaye atakuwa president wa Kenya amesema* 'who will be the president of Kenya has said'.With the third person pronoun 'he' contextualised by *a-* of the word *a-takuwa* 'he will be', she

distances herself from the candidate and his promises to address issues that afflict Kenyans shown by *kuona vile ata address mambo yale yanawakumba wakenya* and more especially the youth shown by *sana sana vijana* 'especially the youth'.

Example 2 is part of the female politician's speech at the first rally since her party NARC (National Rainbow Coalition) joined the NASA coalition.

Example 2

01 *Kwanza ningependa kusema niko na furaha sana sana sana*
First I would like to say I am very very very happy

02 *Kwa vile nimerudi nyumbani*
because I have come back home

03 *Niseme kwa hawa wa NASA kazi ile wamefanya sasa*
 I say to these people of NASA, the work which they have done now

04 *kuleta Kenya Pamoja kwa sababu Kenya haiwezi ikawa*
 to bring Kenya together since Kenya cannot be

05 *inaongozwa na watu wawili na si kuongoza wasaidie*
 ruled by two people, and it is not leadership to help

06 *wananchi ni kuongoza wakiangalia tumbo zao kwanza*
 citizens; it is leadership that focuses on their stomachs first

07 *Wananchi nyuma.*
And citizens second

The contestant uses reported speech, and she quotes herself beginning with the quotative index *ningependa kusema* 'I would like to say', in the quote the expressions *niko na furaha* 'I am happy' and *nyumbani* 'home' construct a metaphorical understanding of happiness in terms of possession and an analogical understanding of a political party in terms of a home. Thus, joining and supporting a party is metaphorically understood in terms of a journey home. Within this understanding, a coalition is viewed analogically in terms of a home. Thus, a home as a coalition, on the one hand, is placed side by side with parties as coalitions that bring together political cultures of member parties. The implication of this is that since in homes, members do not have equal powers, in coalitions, there are more powerful and less influential members. Further, a coalition can be 'home' more than a party because of the unity that forms it. Thus, in drawing on the analogy of 'home' and the journey metaphor about the return to the joining of the NASA coalition from patriarchal discourses, the contestant contextualises her support for a male-dominated coalition.

The contestant further criticises the incumbent Jubilee coalition for exclusive leadership. The criticism is evidenced by her use of the words *Kenya haiwezi kuwa inaongozwa na watu wawili* 'Kenya cannot be led by two people'; the two people refer to the president and his deputy who represent two ethnic groups–the Kikuyu and Kalenjin communities–from where presidents have been drawn since independence. She further criticises the government for being corrupt in *na si kuongoza wasaidie wananchi ni kuongoza wakiangalia tumbo zao kwanza wananchi nyuma* 'and it is not to lead to help the people; it is to lead as they focus on their 'stomachs' first and the people second'. Once again in her criticism, she draws on an aspect of the patriarchal discourse, i.e. *tumbo* 'stomach' as an analogy for greedy.

In example 3, the female contestant begins by showing her support for the NASA coalition before she refutes the Jubilee government, of which she was a part of and also one that she defected.

Example 3

> 01 *Maombi yangu niseme asante sana kwa kunisaidia sana*
> **My prayers I should say thank you for helping me a lot.**
>
> 02 Ile *Njia nilitembea sikuelewa sana na ni kazi gani nilikuwa nipewe*
> **That road that I walked; I didn't understand very much the kind of work I was to be given**
>
> 03 *Mtu akitembea aone ardhi ya wenyewe anataka kuiweka kwa title*
> **When a person sees another person's land they want to put it in his title**
>
> 04 *Deed yake na mnamjua sasa hata nataka kuuliza hata land ya*
> **Deed and you know- Now I even asked a person wants to**
>
> 05 *watoto wadogo wa shule mtu anataka kunyakuwa.*
> **To grab even land belonging to little children of a school**

With the use of *asante sana kwa kunisaidia sana* 'thank you very much for helping me a lot', the female contestant declares her support for the NASA coalition. This is embedded in a speech report that begins with the quoted index *maombi yangu niseme* 'my prayer I would like to say'. With the word *kunisaidia* 'to help me', the contestant metaphorically shows political leadership or winning a court case as something that can only be achieved through 'help' and with it, she buys into patriarchal discourses in which female contestants are considered weak and unable to win independently.

Having thanked the NASA coalition for helping her, she now turns to disapprove the Jubilee Party and its leadership for promoting land grabbing. The word *njia* 'road', used within the Kenyan political circles analogically contextualises the political party

in terms of a road; hence the search for leadership is referred to as a journey. With an indirect rhetorical question embedded in the quote of a speech report that begins with *sasa nataka kuuliza* 'now I want to ask', she refutes the insensitivity of unnamed leaders in the Jubilee government as revealed by *hata land ya watoto wadogo wa shule mtu anataka kunyakuwa* 'a person wants to grab even land meant for little school children? Thus, with the use of metaphor and code-switching to English (i.e. the use of the word *land*) the female contestant draws on patriarchal discourses and by bringing up children, she presents male-dominated politics as insensitive.

As examples 1 to 3 shows (and indeed many examples from elsewhere in the data), female contestants use reported speech infused with metaphor and analogy not just to position themselves as members of the party or coalition, but they also use their new position to criticise the male-dominated political leadership. We now turn to the analysis of examples that show how female contestants first refute aspects of the male-dominated political structures before aligning to them.

Refutation before Alignment

To illustrate my point in this section, we discuss three examples. We begin with an example from the first speech that the contestant holds after joining the NASA coalition.

In example 4 below, the female contestant is angling towards the deputy president's party

Example 4

> 01 *Nataka niwambie safari yake hapigi siasa, hana maneno*
> **I want to tell you on his journey he is not politicking, he has no issues**
>
> 02 *Yeye amekuja kufanya miradi itakayomsaidia mpwani*
> **He has come to initiate projects that will help a coastal person**
>
> 03 *ambaye hata hakuusika kuichagua serikali ya jubilee.*
> **Who was not involved in electing the Jubilee government.**
>
> 04 *Sasa sisi mahali tulipofikia hivi sasa lazima*
> **Now where we have reached now, it is obligatory**
>
> 05 *tutenganishe magugu na ngano*
> **for us to separate wheat from the weeds**

The female contestant quotes herself and begins with the quote index *nataka niwambie* 'I want to tell you.' Within the quote expressions *hapigi siasa* 'he is not politicking,' and *hana maneno* 'has no issues' are echoes from the deputy president's speeches; thus, by incorporating aspects of the deputy president's speeches, she refutes her party terming

it as one that is involved in politicking and has issues. With the statement *amekuja kufanya miradi itakayomsaidia mpwani ambaye hata hakuusika kuichagua jubilee* 'to help a citizen from the coast that even did not bother to elect the jubilee government,' she casts her party, ODM (Orange Democratic Movement) as one that sidelines a section of the electorate (certain ethnic groups). The contestant also cites the Bible when she uses *magugu na ngano* 'weeds and wheat,' which are analogies of bad and good respectively. Her criticism of ODM is aimed at positioning her as one of the key supporters of the Jubilee party that she is warming up to.

The aim for the female contestant in example 5 is to position herself as a key supporter of the Jubilee party.

Example 5

> 01 *Safari za kuja pigiwa mdomo majukwaani sisi*
> **These journeys meant to address as on political diases as**

> 02 *kupiga makofi na kukatika viuona*
> **we clap and dance with our waists**

> 03 *Viuno vina kazi yake hivi*
> **These waists have their work**

With *pigiwa mdomo* 'talk' *kupiga makofi* 'to clap' and *kukatika viuno* 'to dance', she contextualises a metonymic understanding of a political rally in terms of empty talk, clap and dance. Using *kukatika viuno* in reference to dance, metonymically constructs women in terms of a waist and the dance is described as shaking waists. Thus, with *sisi kupiga makofi* 'we clap' and *kukatika viuno* 'to shake waists' she criticises the electorate for clapping and dancing for politicians who talk and do nothing to change their lives.

Her last comment *viuno hivi vina kazi yake* 'these waists have their work' further reveals her disapproval for the ODM party and the electorate for appreciating the ODM politicians, but it also shows on the one hand sex as part of the political culture, and on the other hand this expression also reveals the infidelity of male politicians.

As a continuation of what the would-be government is to achieve, she speaks about the position of women in example 6.

Example 6

> 01 … *na ajue sisi kina mama wa Kenya hatutaki kuitwa*
> **And he should know, mothers of Kenya do not want to be called**

02 *mama   mboga   tena   tunataka kuitwa   mama contractors*
mother vegetables again. We want to be called mother contractors

03 *tufanye   biashara kubwa kubwa.*
We want to do big businesses

With the pronoun 'he' contextualised by *a-* of *(a-)jue* 'he should know', the contestant singles out, and distances herself from the party leader, before voicing her discontent. This is followed by negation *ha-* of *ha- tutaki* through which she introduces a hypothetical speech report *kuitwa mama mboga* 'to be called '*mama mboga*'. The notion *Mama mboga* analogically stands for poverty; thus, it summarises the perception of the society of women as poverty-stricken and only capable of doing small businesses linked to agriculture. The term *contractor* analogically stands for riches and higher economic status, and this is why she says: *tunataka kuitwa mama contractor tufanye biashara kubwa kubwa* 'we want to be called mama contractor; we want to do big businesses.' By refuting an attempt to view women as people of lower economic status, the female contestant raises an essential question of discrimination of women on economic grounds and the need for gender equality in terms of economic participation, growth and empowerment. With the first person plural pronoun 'we' as evidenced by *tu-* in *(tu)fanye* 'we do' she also advocates for inclusivity

Conclusion

This article has examined the ways that female participants use language to align themselves to or to disaffiliate themselves from political leadership, and this is contingent upon positioning. Data analysis has shown that female contestants can use positioning to penetrate and control the male-dominated political structures and rules. In the data I examined, female participants were seen to employ a variety of linguistic techniques, including code-switching and reported speech (enriched with metaphors, metonymies, analogies and rhetorical questions), for alignment and disaffiliation to political parties and their leadership.

It is possible to link the female contestant's use of language and their (dis)alignment to political parties and structures to the general view of the smothering effect of patriarchal political processes and structures in Kenya. As Nzomo (1997:233) has argued, despite the overpowering 'man-made barriers to [Kenyan] women's political participation', women have made great strides as groups and as individuals. While research on how groups of women have contested against gender inequality has been done, there is a need to investigate how the language used by individual women in the struggle against gender inequality compares with other groups. Individual women's alignment to key political players, as this study has shown, is not just motivated by the

search for wealth (Mama, 1997), but it has also been motivated by resistance to gender inequality. Thus, in aligning to the male-dominated political structures women do not passively share - as Nasong'o and Ayot, (2007:171) have argued - the male vision of the world and the patterns and processes of their own subordination'; they refute it and therefore alter their position in society. In this, therefore, language becomes a means through which women can emancipate themselves from the oppressive patriarchal structures.

REFERENCES

Antaki C., & Widdicombe, S. (eds) (1998) Identities in Talk. London: Sage Bolander B, and Locher, M., (2015) "Peter is a Dumb Nut": Status Updates and Reactions to them as 'Acts of Positioning' in FaceBook. Pragmatics, 25:1, 99-122

Bucholtz, H., & Hall K. (2005) Identity and Interaction: A Sociocultural Linguistic Approach. Discourse Studies Vol 7 (4–5), 585–614

Coates, J. (1997) Competing Discourses of Femininity. In H. Kotthoff, and R. Wodak (eds) Communicating Gender in Context, p. 285-314. Amsterdam: John Benjamins

Davies, B., & Harré, R. (1990) Positioning: The social construction of self. Journal for the Theory of Social Behavior. 20.1: 43–63

Goffman, E. (1974) Frame Analysis: An Essay in the Organization of Experience. Boston: Northeastern University Press

Gumperz, J. (2003) Interactional Sociolinguistics: A Personal Perspective. In D. Schiffrin (ed) A Handbook of Discourse Analysis p, 215-228. Malden: Blackwell Publishing

Holloway, W. (1983) Heterosexual sex: power and desire for the other, in Cartledge, S., & Ryan, J. (Eds.). (1983). Sex & love: new thoughts on old contradictions. Women's Press (UK).

Kamau, N. (2010) Women and Political Leadership in Kenya. Berlin: Heinrich Böll Stiftung

Mama, A. (1997) Feminism or Femocracy: State Feminism and Democratisation, in J. Ibrahim (ed.), Expanding Democratic Space in Nigeria, Dakar: CODESRIA

Mforteh, S. (2011) Roles and Identities in Postcolonial Political Discourse in Cameroon. In E., Anchimbe and S. Mforteh (eds) Postcolonial Linguistic Voices: Identity Choices and Representations p, 143-166. Berlin Mouton De Gruyter

Nasong'o, S., & Ayot, T. (2007) Women in Kenya's Politics of Transition and Democratisation. In Murunga, G. R., & Nasong'o, S. W. (Eds.). (2007). Kenya: The struggle for democracy. Zed Books.

Nzomo M. (1997). Kenyan Women in Politics and Public Decision Making. Mikell, G. (Ed.). (1997). African feminism: The politics of survival in sub-Saharan Africa. University of Pennsylvania Press.

Pavlenko, A., & Blackledge, A. (eds) (2004) Negotiation of Identities in Multilingual Contexts. Clevedon: Multilingual Matters

Ribeiro, B. (2006). Footing Positioning and Voice: Are we talking about the same thing?   In Bamberg, M., De Fina, A., & Schiffrin, D. (2011). Discourse and identity construction. In Handbook of identity theory and research (pp. 177-199). Springer, New York, NY.

Waylen, G. (1996) Analysing Women in the Politics of the Third World. in H. Afshar (ed)   Women and Politics in the Third World p. 8-25 London: Routledge

The papers in this collection capture some ways in which the rollback of democracy has manifested in the East and Horn of Africa region. The articles not only highlight regression in the various thematic spaces; reproductive health, religion, media, social and political movements as well as the state of constitutionalism, but also recommend interventions and concepts that can gear states towards an inclusive democracy.

The role of patriarchy and other interlocking oppressions remains a deep concern that requires a multi-faceted response depending on the different contexts within which power is exercised. While the push for inclusive leadership in the East and Horn of Africa has yielded visible gains with more women elected over time, power has not shifted to reflect the increment in those numbers. Eliminating gendered inequalities remains a legitimate struggle in the wake of the commercialised and violent politics that limit the participation of women and citizens in general, particularly those of lower social-economic status. The few women operating within the patriarchal state structure survive by adapting to it with little collective women agency to show.

State structures have mutated to look more accommodating of women, all the while maintaining gendered notions and norms instrumental in determining who accesses and retains power. Political repression, the resurgence of the autocratic rule as well as the rise of the capitalist ruling elites all pose a great danger to inclusive leadership in the region.

CHALLENGING PATRIARCHY

The Role of Patriarchy in the Roll-back of Democracy

HEINRICH BÖLL STIFTUNG
NAIROBI
Kenya | Uganda | Tanzania |
Somalia/Somaliland

AFRICAN FEMINISM