

**CMD-KENYA, INTERNATIONAL IDEA AND NIMD**

**POLITICAL PARTIES' STRATEGY ON GENDER EQUALITY  
IN CANDIDATES' NOMINATION IN KENYA**

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*DR. RICHARD MOEGI BOSIRE - CONSULTANT*

*E-mail: bosirerm@gmail.com; r.bosire@uonbi.ac.ke*

*Telephone: 0715829335*

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## 1.0 Executive Summary

The International IDEA in partnership with CMD-Kenya commissioned this work as a step toward improving women's representation in decision-making institutions, particularly in political parties and legislative bodies, to meet the minimum constitutional one-third gender principle. Political parties have been identified as critical institutions, whose structures, processes and practices have a great impact on gender equality. Although women comprise over 50% of Kenya's population, and that the Constitution provides for gender equality and women's rights, they are underrepresented in the leadership of political parties, legislative bodies, public service decision-making positions, as well as in outcomes of political processes. The process of candidates recruitment and nomination is probably the most important for political parties to address for women's participation and representation in politics and leadership, because political parties are the main gatekeepers that determine who should enter the ballot or party lists, and thus the proportion of women elected to political office. The candidates identification, nomination and selection is therefore crucial because it fundamentally influences the electoral fortunes of the party as well as the quality of legislatures and governments (Morris 2008: 416). Thus, it is imperative to interrogate party structures, values, policies and practices and their impact on candidate selection and nomination, and their overall impact on gender equity and women representation at all levels of leadership in the country. Coupled with the intraparty environment is the legal/institutional, cultural, socioeconomic and political milieu that influence women's participation and representation and party politics in the country.

The overall objective of this work was to develop a political parties' strategy as a tool that provides practical guidance on measures and actions for political parties on ensuring that the Constitutional principle on gender representation in politics and position of power and decision-making at all levels are realized, especially the two-thirds gender equity principle enshrined in article 27 (8), which states: "... the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender."

Specific objectives are:

1. Analyze trends on the existing political parties measures/benchmarks ( Are measures and benchmarks one and the same thing here?) on increasing women's political participation and representation in leadership and elective decision-making positions.
2. Define the approaches to be implemented by political parties' internal structures and decision-making for the identification, nomination and selection of candidates for leadership and elective decision making positions

The production of this strategy document involved desk review of relevant data from publications, relevant legal documents including the Kenya Constitution 2010, research reports on women's representation, electoral systems and party politics. Information was also obtained from the Political Parties Dialogue that took place in Naivasha on October 18 - 19, 2016, where leaders of various political parties and relevant national statutory institutions discussed the subject matter of this study and provided relevant data. At the political parties dialogue the representatives of the political parties identified the key elements to be developed into the Political Parties' Strategy for Gender Equality on Candidates' Nomination in Kenya.

Key among the findings of this work is that Kenyan political parties have not done well on the inclusion of women in elective positions of power and decision making. Far too few women vied for office in 2013 and too few were successful. No woman was elected as governor or senator; only 6% of those vying for Member of County Assembly (MCA) position were women. An increase in the number of nominees will increase chances for their success and ensure compliance with the two-thirds gender rule. The key elements and recommendations are presented below:

### ***1.1 Recommendations on Intraparty Party Structural Weaknesses***

1. Gender equality (two-thirds gender principle) be integrated into political party constitutions and party electoral rules as well as practices. This would transform political parties' political culture to fully embracing the gender equality perspective in leadership and decision-making at all levels.
2. Parties should strengthen women leagues as *incubators* of leadership for recruitment into political and decision-making positions at county and national levels. The leagues should

be funded by mother parties and their activities popularized by the party leadership.

Recruitment drives should be supported to create a strong women movement in the party and country as a whole

3. Political parties should identify, mentor, support and recruit women into higher positions of leadership within parties, at the county and national levels.
4. Parties should come up with voluntary measures for gender equality within political parties and have the political will for their implementation.
5. Party manifestos and constitutions should have provisions regarding what parties will incorporate into their internal structures, such as binding quotas for women through internal party rules and systems. Party culture, including adoption of binding quotas, play an important role in influencing attitudes towards increasing the number of representatives of women in parliament, among other legislative bodies. They ensure a percentage of female representatives from respective parties.
6. Female perspectives are required in top party leadership positions. Male dominance at the top must be changed if parties' effectiveness as crusaders of gender equality is to be achieved. Party leadership is dominated by male leaders who often do not adhere to gender principles and principles of democracy and good governance. This irony can be detected when certain party executives say: "let them vote until their stomachs ache, but do not let them decide anything" (Christensen & Kirkpatrick, 1950). This, means that parties' internal processes may be highly controlled by the party elite. Because over 83% of top party leaders in Kenya are male, their decisions often work against women.
7. Political parties should incorporate these strategies and have them implemented during Kenya's 2017 general elections. Political parties leadership, the Registrar of Political Parties and the electoral body (IEBC) should support the process and ensure compliance, to increase women's representation in the legislative bodies.

## ***1.2 Recommendations for Candidates' Identification, Selection and Nomination***

1. Party lists should have 50% women and 50% men, adopting the *zebra model*, alternating the genders on party lists.
2. Parties should incorporate the two-thirds gender principle into their nomination rules and procedures and ensure compliance.
3. Parties to nominate more than 30% women candidates for all positions, especially in their strongholds, where they have higher chances of winning the seats.
4. Another strategy to achieve gender parity is through capacity building of voters and women on gender equality in representation.
5. Gender sensitivity of males in the party can contribute positively to the operational effectiveness of political parties through the identification of specific tasks that place specific requirements to involve women in party activities.
6. Both men and women should break the barrier of ethnicized politics and patriarchy by mobilizing and jointly bargaining for greater women representation and participation in legislative assemblies.
7. Parties should reduce or waive nomination fees for women and provide financial support to counteract their disadvantaged socioeconomic conditions, as part of the affirmative action, to encourage women to stand for elective seats. The government should also provide financial and other supports to push forward women's inclusivity in elective and non-elective leadership positions.
8. Parties to have zero tolerance for electoral violence and violence against women during elections by having anti-violence codes of conduct, and implementing stiff penalties for *violators*. Political Violence Against Women in Elections (PVAWE) is perhaps one of the greatest hindrances to the participation of women in politics at all levels of political competition.
9. Political parties should set quotas for nomination of women onto the ballot in party strongholds. Single-member districts, where certain *political parties* dominate, selection will influence the electoral outcomes - where selection is tantamount to election. This is the situation in party strongholds such as for ODM in parts of Nyanza or TNA in Central

Kenya. In such circumstances, the selection of women to stand for election on the dominant parties' ticket guarantees their election.

### ***1.3 Political Parties' Commitment during the Dialogue on Gender Equality held in Naivasha, Kenya in October 18 to 19, 2016***

Political parties agreed and committed to undertake the following measures towards the achievement of gender parity in the next (2017) and future elections:

1. Political Parties commit to eliminate violence in party elections and party processes by strictly enforcing party rules.
2. Increase women's participation at all levels of the party structures from NEC to grassroots levels;
3. Work towards increasing women's numbers in elected seats in 2017 elections;
4. Ensure party constitutions and rules are in tandem with the constitution and the law;
5. Mandate CMD-Kenya to monitor each party on the fulfillment of these aspirations; strive to adhere, at the very minimum, to the two-thirds gender principle in the nomination of candidates for contest in the 2017 general election at all levels through specific actions in support of women candidates through capacity building, resource mobilization, creating an enabling environment and any other measures as the party may deem appropriate (including rotational gender designated constituencies).



## **2.0 Party Politics and Women's Representation in Kenya:1963 to 2013**

Kenya's first parliament (1963 to 1969) had no woman elected or nominated, yet women participated in the liberation struggle alongside men. As combatants during the bloody struggle for Kenya's independence, there were expectations that the post-independence regime would recognize such contribution and share political positions among both genders. The second elections were held in 1969 and only one woman was elected and one nominated. The first woman to be elected to parliament is Grace Anyango. She represented Kisumu town constituency (FIDA-Kenya 2013). It could be argued that no much change was seen until the 9<sup>th</sup> Parliament (2002) when ten women were elected and eight nominated, representing 8.1% and the 10<sup>th</sup> Parliament, which witnessed a slight growth, pushing women representation to about 9.5%. The 2007 elections saw a total of 15 women MPs elected out of a total 210, representing 7.1% and 6 women nominated out of a total of 12, which is 50% of the total number of nominated MPs (Mitullah 2010: 565). Although the 2009 Kenya population and housing census indicates that women comprise over 50% of the population, their participation and representation in County and National electoral politics is insignificant.

It is equally important to note that since Kenya's independence, there was no female appointee into the Cabinet until 1974 when Julia Ojiambo was appointed an Assistant Minister for Housing and Social Services. In 1995 Nyiva Mwendwa was appointed to the Cabinet as a minister, and served until 1998, when a new cabinet was constituted after the 1997 elections. In 2002 the NARC government appointed seven women to Cabinet positions (three Cabinet Ministers and four Assistant Ministers). In 2013, with the promulgation of the Constitution and its two-thirds gender equity principle, Uhuru Kenyatta nominated six women to Cabinet seats (FIDA-Kenya 2013). These were approved by Parliament and became the largest number of female cabinet secretaries appointed since independence. With the reconstitution of the Cabinet in 2015, one female Cabinet Secretary was purged and in her place the President appointed a male as a replacement. The poor performance of women during this period can be attributed to multiple

factors, including a biased nomination process; lack of political will among top party and national leaders to support and promote gender equality. Other considerations such as political patronage and appeasement of certain individuals and groups in society took precedence. Thus, political leaders lack genuine commitment to ensuring gender equality during party nominations and appointments into leadership positions such as Cabinet. Thus, marginalization of women continued in electoral politics as the data in table 1 below attest.

**Table1: Women's Electoral Performance in 2013 Elections**

Women's Electoral Performance in 2013 Elections								
	Governor		Senator		Member of Parliament		MCA	
	Vying	Elected	Vying	Elected	Vying	Elected	Vying	Elected
Men	231	47	227	47	1969	274	9287	1359
Women	6	0	17	0	129	16	623	91
Total	237	47	244	47	2097	290	9910	1450
% Men	97%	100%	93%	100%	94%	94%	94%	94%
% Women	3%	0%	7%	0%	6%	6%	6%	6%

Data obtained from FIDA (2013: 50)

The data in the table above indicates that a negligible number of women were nominated to vie for two major positions; for governor and senator. Six were cleared to run for governor and seventeen for senator, and none was elected. Likewise, only 6% were nominated to run for both MP and MCA position and only 6% of them were elected. What could be observed from these data is that more women nominees would lead to a higher number in the legislative and executive positions. Political parties, therefore, should nominate more women to run for the positions. However, the Constitution set aside 16 special seats for nomination of women into the Senate, which are shared proportionately among political parties. The distribution is presented in table 2 below.

**Table 2: Women Senators by Party as per the 16 seats set aside by the Constitution for Women**

Party	Women Cleared	Elected	Nominated
TNA	3	0	4
WDM	2	0	1
URP	0	0	3
NARC-K	3	0	0
ODM	2	0	4
KANU	0	0	1
UDF	0	0	1
NARC	1	0	0
KADU ASILI	1	0	0
APK	0	0	1
FORD-K	0	0	1
Independent Candidate	1	0	0
<b>Total</b>	<b>14</b>	<b>0</b>	<b>16</b>

Data obtained from CMD-Kenya Gender Ranking Baseline 2014: 53

## 2.1 Women in Political Party Leadership in Kenya

Political parties are the training ground for its members. This is the point at which leaders are identified and nurtured at all levels of party leadership. Equality and equity principles are supposed to be embraced at this level and nurtured throughout the polity. It is important to note that Kenya's political parties have not fared well on the principle of gender equality on this scale. Out of the thirty parties surveyed (CMD-Kenya, 2014), only 17% of the parties had women as party leader, while at least 33% of the parties had women as deputy party leader, another 33% had women as treasurer and national women leader. Although this reflects some progress since independence, this does not translate into influencing decisions about getting many women being cleared, nominated or elected through individual political parties. This is due to the challenges discussed above, including inadequate women empowerment, support and nurture, negative cultural attitudes, and the nature of Kenya's electoral system. Party structures and party leaders' attitudes that support patriarchy also account for this state of affairs. Thus, only 19.4% of those elected to Parliament were women while none was elected as Senator and Governor, which is below the constitutional two-thirds gender principle. See the table below.

**Table 3: Women in Political Party Leadership**

Women in Political Party Leadership				
Party	Total NEC Members	Men	Women	% Women
TNA	12	8	4	33%
WDM-K	20	13	7	35%
URP	28	18	10	36%
NARC-K	22	14	8	36%
ODM	16	11	5	33%
UDF	14	8	6	43%
MDP	32	17	15	47%
MP	14	10	4	36%
NARC-K	16	12	4	25%
GNU	12	7	5	42%
APK	27	18	9	33%
NFK	40	24	16	40%
NVP	14	8	6	43%
FPK	27	15	12	44%
SAFINA	18	9	9	50%
AP	20	10	10	50%
FORD-K	75	45	30	40%
CCU	17	12	5	29%
TIP	16	7	9	56%
FORD-P	24	15	9	38%
KADU-ASILI	11	7	4	36%
PDP	15	10	5	33%
DP	27	18	9	33%
PICK	21	10	11	52%
FORD-ASILI	20	10	10	50%
KENDA	50	40	10	20%
Farmers Party	26	18	8	31%
Shrikisho Party	14	8	6	43%
Federal Party of Kenya	27	15	12	44%
Labour Party of Kenya	34	18	16	47%

Data obtained from CMD-Kenya Gender Ranking Baseline 2014: 53

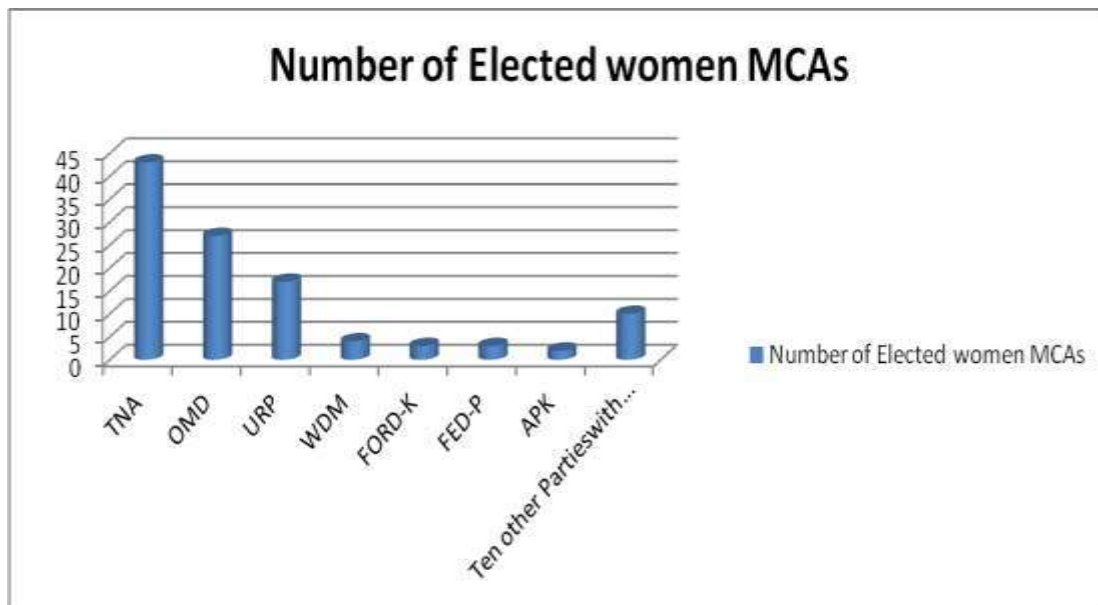
**Table 4: Party Ranking on Elected Women MCAs**

Political Party	Number of Elected women MCAs	Percentage
TNA	43	39.30%
OMD	27	24.30%
URP	17	15.90%
WDM	4	3.70%
FORD-K	3	2.80%
FED-P	3	2.80%
APK	2	1.90%
Ten other Parties with one elected Woman MCA	10	9.30%

Data obtained from CMD-Kenya Gender Ranking Baseline 2014, p. 57

All parties performed poorly on the number of women nominated and those elected as MCAs. Out of 1450 elected MCAs, only 109 were female. The most popular parties would have performed much better if they nominated women to run in their strongholds. Table 4 above and figure 1 below show the distribution.

**Figure 1: Party Ranking on Elected Women MCAs**



### **3.0 Electoral Systems and Legal Frameworks and Gender Equity**

There are various factors that influence gender equity in Kenya and the world, generally.

Tremblay (2008: 14) identifies cultural, political, and socioeconomic variables as constituting the context of women representation, while electoral systems, political parties and quotas directly influence gender equity in elections. The cultural variables include female literacy rate; gender role values; and religion. Socioeconomic factors include human development index (HDI); gender empowerment index; gross domestic product per capita; the level of poverty; female economic activity rate; male to female income ratio; control over resources; and expenditure on education and health (Tremblay 2008: 15). In the Kenyan context, these factors are key in affecting women's capacity to participate in politics, especially when these factors are juxtaposed to the patriarchal nature of the society, where economic and other resources are predominantly controlled by men. Political factors include the structure of the state; the structure of the national legislature; the party system; conditions of candidacy (monetary deposit, campaign costs, et cetera); and voter turnout.

It is important to note that although the electoral system has a tremendous influence on women's inclusion in representative bodies (in Kenya's case national and county assemblies), its role is connected to the wider societal context in which it is anchored. So the electoral system and societal context jointly influence the number of women parliamentarians; political parties and sex quotas (Tremblay 2008: 15). "Thus, the proportion of women in parliaments ought to be seen as an interactive function of electoral systems, political parties and sex quotas as well as a host of cultural, socioeconomic and political factors" (Tremblay 2008: 15). These factors affect women representation across the globe.

#### ***3.1 Electoral systems***

Electoral systems in themselves constitute a complex universe; their impact on the election of women depends on their specifics such as the level of proportionality, the number of electoral districts, whether the party list is closed or open, the electoral threshold, the electoral formula, among others. Generally, there are three electoral systems: plurality or majority systems (such as first-past-the-post), proportional representation system (such as closed list PR, preferential/open list PR) and mixed member system (MMS). As Tremblay (2008: 2) argues, "voting systems do

not automatically determine the proportion of women in parliaments, but they do contribute to determining it, albeit in combination with other factors, notably political parties demand for candidates and sex quotas."

It is important to note that political parties have capacity to improve women representation as they are the most important players in the electoral process. They could implement sex quotas within political party structures and in the nomination and selection of those to contest in elections and those to be on party lists. It is evident (such in South Africa) that when "properly designed and implemented, sex quotas (legal or party quotas) may play a key role in the feminization of parliamentary arenas" (Tremblay 2008: 2). Kenyan parties, however, that have declared, in their manifestos and constitutions, to adhere to principles of gender equity, in reality fail to implement them. There is need for party leaders to ensure implementation of the minimum 30% gender quota.

The main concern is how the electoral system impacts on both descriptive and formal representation. The former refers to when the legislative assembly's makeup constitutes a miniaturized model or a microcosm of society. Because women are equal citizens, they should share equally public decision-making positions with men; otherwise there would be a representation deficit. On the other hand, formal representation refers to the institutional rules and procedures through which representatives are chosen. The voting system being the primary mechanism for this choice, converts the will of the people into seats in parliament or county assemblies (Gallagher and Michell 2005: 3). Thus, Kenya's gender equity deficit could be addressed through changes in the electoral system.

### **3.1.1 Majoritarian Systems**

Majoritarian systems are less likely to deliver a gender balanced representative assembly. It is based on the 'principal-agent' conception of representation (Tremblay 2008: 3). It bestows victory on the majority while ignoring minorities and further gives power to the victorious party by accentuating its representation in parliament and county assemblies to the detriment of other groups. This is also known as the plurality single-seat constituency system (also called first-past-the-post system): one individual is elected per constituency and this is the person who receives the greatest number of valid votes cast in her or his favor. To make it more sensitive to

marginalized groups, representation is supported by a system of reserved seats, as it is the case in Kenya. It is important to note that the choice of the voting system is not value-neutral. It corresponds to the conception of political representation and it determines how people's will is represented in the legislative assembly. Most political parties in Kenya have embraced this system in the nomination process, which disadvantages minorities and women.

### **3.1.2 Proportional Representation Systems**

Proportional representation systems attempt to match the proportion of seats assigned to a political party in the legislative assembly to the proportion of the valid votes cast for that party. The most commonly used PR system is the list system. The list may be open (vote for a candidate) or closed (vote for a party), so that voter may or may not have the option of changing the order of names determined by the party. In Kenya, political parties submit closed lists before the elections and seats are distributed based in proportion to elective seats won. Thus, party lists should be drawn in such a way that they provide equal opportunity for representation for both men and women.

### **3.1.3 The Mixed system**

This is a hybrid formula that pursues two ideals: stable effective government and socio-demographic representation in legislative assemblies. In this system, one portion of the seats in the legislative assembly is allotted by a plurality/majority representation (via FPTP) and the other portion by proportional representation (usually list PR in multi-member districts). "The compensatory method favors the proportional principle, while the parallel method favors the majoritarian principle" (Tremblay 2008: 7). Under this system, a party must win a minimum proportion of valid votes cast (or seats) to participate in the distribution of the seats under the PR tier. This principle has been embraced by the Kenyan electoral system.

According to Tremblay (2008: 7), a survey carried out in eighty eight free or democratic countries in the year 2005 indicated that women representation in the legislative assembly was 10.8% in majoritarian systems, 17.7% in mixed systems and 21.1% in PR systems, while contextual socioeconomic, cultural, political, and other factors are held constant. This implies that legislative assemblies that are elected through a PR system include proportionally twice as many women as parliaments elected through a plurality/majority systems. In this process, the



political party selects aspiring candidates who they perceive to fall within an informal model of 'winning candidate', guiding the selectorates. This informal model, which Norris and Lovenduski (1989) call "homo politicus" disadvantages women. In the Kenyan case, some parties argue that women are left out in nominations because they are perceived to be weaker hence leading to a loss of the seat to other parties, whose candidates are male. The mixed system is expected to address the deficits that might result from the majoritarian one.

According to Bauer (2008), electoral systems are important to women's representation in legislatures primarily because the type of electoral system determines the type of affirmative action, if any, that can be utilized within the system. She adds that the electoral system is the gateway to women's presence in legislatures. The system affects the ability of political parties to maximize or minimize manipulation of the slate of candidates and representatives.

However, critics argue that reserved seats run the risk of creating a two-tiered system of legislators, one that relegates representatives in "women seats" to an inferior status and diminishes their legislative accomplishments. Reserved seats act as the ceiling rather than the floor. Parties would not nominate women candidates for constituency seats when there are plenty of district seats available, in the case of Uganda (Bauer 2008: 35). Goertz (2003: 118) argues that rather than "giving women advantages of political contests with men", thereby allowing them compete on an equal footing with men, district-based reserved seats for women only, (one Women Representative for each County in Kenya's Senate) have negative implications for the perceived legitimacy, and ultimately the political effectiveness of women politicians. In spite of this claim, political parties should engage in capacity building programmes to improve women's legislative skills and competencies. Their independence would mean serving the electorate rather than their parties.

Gender quotas are becoming popular to enhance gender inclusivity (Schwindt-Bayer 2010: 10). In the 1970s, European socialist parties began voluntary party quotas to increase women representation in their parliaments. This spread to Latin America in the 1990s, where gender quotas were adopted by governments, either as constitutional amendments or legislative changes to electoral or party codes to ensure a certain percentage of candidates are women (Schwindt-Bayer 2010: 10). Argentina implemented quotas in 1991, Costa Rica and Paraguay in 1996 and

1997 respectively, and in 2000, Honduras and Mexico, et cetera. Gender quotas are a 'fast-track' mechanism for gender equity in politics aimed at increasing women's representation by providing incentives for parties to put women on the ballot and are supposed to translate into more women winning elective seats (Schwindt-Bayer 2010: 12). Kenya adopted the 30% quota in 2010 and it is for political parties to fully embrace and implement it in the selection and nomination of candidates.

### **3.1.4 Other factors**

Other variables that influence women's representation would be specific and contextual. For example, in Uganda, Bauer (2008) outlines post-conflict situations; use of electoral gender quotas; mobilized national women movements; receptive, often left-leaning political parties, and influence of international women's movement, foreign donors (donations for women's capacity-building), and regional organizations and networks, as having influenced the current status of women representation. The Kenyan situation is not significantly different from that of Uganda. What is lacking is a mobilized and vibrant women movement with a clear focus on ensuring the two-third gender principle is implemented. The loyalty of Kenya's Maendeleo ya Wanawake organization, the umbrella body of the women movement in Kenya, is split between supporting the government of the day and partisan politics and championing women representation and gender equality.

A case study of British elections by Childs, Campbell and Lovenduski (2008: 52) indicates that women have fewer resources than men, whether it is the free time to engage in politics, money to fund selection or election campaign, and/or lower levels of political ambition or confidence. They also point out women's gendered socialization, sexual division of labor, the women's employment patterns are all likely to cause women to have, on average, fewer resources than men. They recommend *equality guarantees* as the measure to address gender discrimination in majoritarian systems, to deliver a higher level of women representation (Childs, Campbell and Lovenduski 2008: 53). Political parties' selection of candidates is in turn influenced by the parties' internal organization, the nature of their selection processes, and their wider beliefs about the role of women and men in political life. With political will, parties can introduce equality guarantees which would significantly contribute to gender parity (Childs, Campbell and

Lovenduski 2008: 53). Kenyan parties have little or lack commitment to establishing equality guarantees (two-thirds gender principle) for women representation in leadership and decision-making, at party, county and national leadership levels.

### ***3.2 Toward Gender Equality Through Political Parties Initiatives: South African Experiences***

South Africa is one example of a democracy that emerged from a fragmented and polarized society after the collapse of apartheid. Discrimination on the basis of race, gender and color was a common feature. Britton (2008) argues that participation in politics took place outside formal political institutions, mainly within civil society organizations. For instance, women participated through women organizations such as the Federation of South African Women; ANC's Women League; the United Women's Organization in Western Cape; and Women trade unions. In the 1990s the National Coalition was formed by women returning from exile, Women power brokers within political parties, civil society organizations concerned with the status of women and feminist academics. Women organization in Kenya should lobby and agitate for improvement in their representation.

During South Africa's constitutional negotiations, Britton (2008: 116) argues, women worked to secure a multi-member district electoral system with closed party-list PR - a voting system used by several countries with high proportions of women in legislatures. But more importantly, women within their political parties worked to foster the advancement of women into party lists through *quotas, selective recruitment and membership*. In this case political parties deliberately increased the number of women on party lists.

Another lesson to be learnt is that though many parties have women on their party lists, they are not always being elected into office. This is because many parties often place women in lower positions on the party list. Political parties claim to have a representative list of candidates yet they often place men at the top of the list. Also some parties that took a low number of seats filled them with male candidates. This is the case in Kenyan political parties. Party leaders and functionaries often manipulate party lists through replacement of women on the list by men or/and ensuring that men are at the top of the lists. This means that those nominated to occupy

party slots in the legislature are predominantly male. This contributes to skewed representation in favor of men. They should instead have women at a vintage point for selection. In the contrary, parties such as the ANC and the Minority Front, often place women in the winning positions on their party lists. In the case of ANC, this has a great impact on the overall composition of parliament because of their overwhelming electoral success. ANC adopted a *voluntary party quota* for women in 1994. Thus, ANC policies and not the measures taken by other parties or the electoral system, have created a great impact on women representation. Election results show that the success of women in office is due primarily to the policies of the ANC, specifically its 30% quota (Britton 2008: 118).

Adopting affirmative action measures to promote women within their party ranks and ultimately onto their election lists is critical. The example of ANC's 30% seats on its pre-election party list is a case in point. In the 1999 elections, the ANC moved to a policy of having every third seat on its party list filled by a woman candidate, thus ensuring that women candidates are not clumped in unelected seats (Britton 2008: 120).

The "contagion effect" (Britton 2008: 120) has worked in South Africa. Since the ANC adopted a quota, other parties have been influenced to increase the number of women on their party lists. A vast majority of parties since 1994 elections have utilized other forms of affirmative action to advance women candidates, such as *targeted recruitment, mentorship, and rapid promotion* through lower levels of government (Britton 2005). Additionally, by the 2004 elections, many women had served in local and provincial governments and were experienced public servants. Thus, there was a new pipeline of women eligible for advancement. As Britton (2008) argues, women's progress can and often outpace socioeconomic development. Thus, Kenyan political parties could promote the recruitment of women into positions of decision-making within parties and government bureaucracies as a way of preparing them to take up elective legislative roles.

### ***3.3 Kenya's Electoral Legal Framework***

The electoral laws of a country determine the nature of the electoral system, the role and behavior of political actors such as political parties, the electoral body, registrar of political

parties, among others. The legal framework also determines the electoral process, especially how candidates are selected and nominated to contest or occupy political or administrative offices. There are three key legal documents that define and influence electoral politics in Kenya. These are the Constitution of Kenya (2010), the Political Parties Act 2011 and the Elections Act 2011.

### **3.3.1 The constitution**

The Constitution 2010 provides for equality in electoral and appointive positions between men and women through the two-thirds gender rule. Article 27 (3) declares that "Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. Article 27 (6) states "To give full effect to the realization of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination."

Article 90 read with article 97 (1) (b) and 98 (1) (b) (c) provides for allocation of party list with special seats reserved for women, youth and persons with disabilities for both parliament and county assembly with gender equality as a key governance principle.

Article 91 (1) (e) requires political parties to "respect the right of all persons to participate in the political process, including minorities and marginalised groups;" and (f) to "respect and promote human rights and fundamental freedoms, and gender equality and equity" in all their operations and activities. Section 1(d) demands internal democracy and good governance from all political parties.

Article 177 makes provision for increasing women and other historically marginalized groups of County decision – making structures, including County Assemblies executive committees and public service boards. It also declares that wards are single-member constituencies. Article 177 (1) (b) states that a County Assembly consists of "the number of special seat members necessary to ensure that no more than two-thirds of the membership of the assembly are of the same gender." Article 177 (3) provides that "the filling of special seats under clause (1) (b) shall be determined after declaration of elected members from each ward." Political parties should adhere

to these provisions to deliver equality or representation of both genders. In the aftermath of 2013 elections, County Assemblies complied with the two-thirds gender principle in County Assembly representation.

### **3.3.2 The political parties Act 2011**

Political parties hold the key to women's entry into politics and participation in leadership of the country. Women and men should participate equitably in decision making processes in their parties, through election and appointments to senior political party positions. Political parties should, therefore, uphold the spirit of the Constitution and take measures to ensure equality of representation at all levels of government.

According to article 4 (2) of the Act, a political party can only be registered if it meets key requirements such as respect for human rights and fundamental freedoms, gender equality and equity and respect for the rights of all persons to participate in political processes. This ensures that women and all other marginalized groups are able to participate in politics both as voters and as candidates as set out in article 91 of the Constitution.

Article 7 (2) states that a provisionally registered party shall be qualified to be fully registered if:

- (b) members represent gender balance and representation of minorities and marginalized groups;
- (c) composition of its governing body reflects gender balance and representation of minorities and marginalized groups;
- (d) not more than two thirds of the members of its governing body are of the same gender.

According to Article 25 (2) (b), a political party shall not be entitled to receive funding from the political party fund if "... more than two thirds of its registered office bearers are of the same gender...." Parties are also obligated to set aside 30% of the political party funds to promote representation of women, persons living with disability, youth, ethnic and other minority and marginalized groups. Most political parties have not met these obligations. There is insufficient supply of political will from party leadership and weak enforcement mechanisms, especially the Office of the Registrar of Political Parties, to ensure successful implementation of these provisions.

Article 26 (1) states that finances allocated to a political party from the fund shall be used for purposes compatible with democracy including (a) promoting the representation in parliament and county assemblies of women, persons with disability, youth, ethnic and other minority and marginalized communities.

### **3.3.3 Elections of Act 2011**

Articles 34, 35, and 36 of the Act provide for *nomination of party list members* as provided for in the Constitution. It makes provision for proportional representation through the use of mixed member party lists. Article 63 (1) outlaws use of force or violence during electioneering period. The elections code of conduct in the second schedule affirms that the object of the code is to promote an environment that is conducive to the conduct of free and fair elections.

If fully complied with, this legal framework could help political parties deliver a fair and inclusive representation, that would promote greater gender equity and equality. However, increasing women representation requires more than policy frameworks and legal provisions. It requires dealing with cultural, sociological and economic issues that contribute to the reluctance to include women in decision-making and power structures at all levels of governance (Mitullah 2010: 566). Political parties play a key role in the implementation of these principles.

## **4.0 Political Parties and Candidates' Selection and Nomination and Challenges**

The main role of political parties is the recruitment of individuals who should participate in the political process. According to Czudnowski (1975: 155), political recruitment is "the process through which individuals or groups of individuals are inducted into active political roles." From identification of its leaders, who in turn, become regional or national leaders, parties are the *gatekeepers* in politics and no significant political reforms can be achieved without reforming political parties. The entire electoral management system depends on effective implementation of party processes, especially selection and nomination of candidates. They are, at least, to follow the constitution and legal frameworks that regulate their functions, as pillars of democracy. Thus, "candidate nomination is at the core of any democratic order as the selection of electoral

candidates is a fundamental activity in the political process" (Pérez-Moneo 2014: 1). Through the nomination process, political parties act as *a filter* for future members of Parliament and County Assemblies. According to Gallagher (1988), the composition of the legislative body is determined by the political parties in two ways: on the one hand, they determine the profile and personal characteristics of the members of a legislative body when defining who can enter the electoral competition; on the other, those who select the candidates have a deeper impact than voters in the composition of the legislature, even deeper when the electoral system does not allow the voters to express their preferences over the electoral ticket (Ranney, 1965). That happens when the vote is expressed through closed electoral lists, where the one that determines the composition and the order of the lists is the one that indeed chooses the members of the legislative assemblies. This is often the case with political parties in Kenya where party lists, which have inherently tilted gender representation in favor of the male gender, result in inequitable representation of women in legislative assemblies. Likewise, the nomination lists produced through party primaries fundamentally influence who gets elected, particularly in strongholds of the major political parties such as Orange Democratic Movement (ODM), The National Alliance (TNA), Wiper Democratic Movement, United Republican Party (URP) and Ford-Kenya.

Thus, for one to understand the role of political parties in the selection and nomination process, it is important to interrogate party internal structures, rules and values, and processes and practices. Every party has its internal environment, which is heavily influenced by the constitutional and legal framework of the political system within which it operates. These establish the expectations and demands of the political system on political parties. For instance, the Constitution of Kenya 2010 defines the nature to the electoral system, which legislative body's members would be recruited/elected through proportional representation and which ones through single-member constituencies first-past-the- post (FPTP) system. However, political parties often fail to adhere to rules, often due to weak enforcement mechanisms or lack of political will to ensure compliance.

The big question is do parties let the will of the people prevail? Although the nomination process can be seen as an internal matter of a party, it falls within the process of political representation, taking into account the demographic characteristics of the body politique and is directly linked to



the political participation of the citizenry (Katz, 2001). Equally important is the way in which political parties select their candidates, which is a test of how democratically parties conduct their internal affairs (Gallagher, 1988b). It has often been said that he who controls the nomination process, is the owner of the party (Schattschneider, 2004). Party elite attitude toward popular participation in nominations and other party activities could be captured in the quote: : “let them vote until their stomachs ache, but do not let them decide anything” (Christensen & Kirkpatrick, 1950). This, means that parties' internal processes may be highly controlled by the party elite. In the context of gender equality, these elites are predominantly male, and therefore make decisions that often work against women. This is the case with Kenyan political parties during the nomination process, where party elites often give direct nominations, not on the basis of the popularity of candidates during party nominations, but due to other considerations, hence subverting democratic ideals and constitutional principles such as the two-thirds gender rule.

There are three moments in accessing electoral competition: first, the individual decision to run in an election; second, the decision of the party to present this person as a candidate in its ticket; and third the inclusion on the electoral ticket, once all the legal requirements have been taken into account. That means that the right to stand as a candidate is exercised through a political party. So a “due process” to become a candidate is needed in order to guarantee this right to all, both male and female.

Political parties require an efficient nomination and selection process that should achieve three major outcomes (Ceaser, 2004). First, determine a clear winner, which means that the winner should be uncontested and capable to embody the party message and identity; second, promote an able politician, with electoral appeal and abilities to perform in the public office; and thirdly, prevent the negative effects of internal competition, as the allocation of scarce resources within the party will often be a point of conflict (Katz, 2001). It is a great challenge to political parties in Kenya to have transparent, free and fair nomination process, due to various factors including a deficit in democratic values, patriarchy, violence, bribery, nepotism, and negative attitudes toward female aspirants.

It is important to point out that parties are competitive organizations and their survival depends on achieving electoral success, winning most seats in legislative institutions, both at the county and national assemblies. They are often concerned with strengthening internal party discipline

close to elections at the expense of democratic practices. So, they most often act in order to maximize the votes they receive or can receive during an election. However, they must act in accordance with the Constitution and electoral legal regime, including compliance with the two-thirds gender principle. They must strive to create a critical mass of both men and women to meet the demand side of democratic representation. Identification of leaders, nurturing them and nominating them to competitive positions of decision-making and leadership, even within party ranks, is critical.

According to Epstein (1967: 201) "the selection of party candidates is basically a private affair, even if there are legal regulations." Ranney (1981: 75) extends the argument that it is "the predominantly extra-legal process by which a political party decides which of the persons legally eligible to hold an elective public office will be designated on the ballot and in election communications as its recommended and supported candidate or list of candidates." Duverger (1954: 354) describes candidate selection as a private act which takes place within the party. Often it is even secret, as parties do not like the *odours* of the electoral kitchen to spread to the outside world." Reuven and Rahat (2010: 2) also argue that candidate selection is an intraparty issue, which takes place almost entirely inside a particular party arena and is largely unregulated. For these reasons, candidate selection methods are non-standardized and predominantly unregimented particular party mechanisms by which political parties choose their candidates for general elections. This means that political parties should be the focus of electoral reforms in Kenya because they fundamentally influence who is elected. To improve women representation in leadership and decision-making Kenya's political parties must embrace the Constitutional two-thirds gender principle. So far, non-compliance by parties continue to produce skewed gender representation in favor of the male gender.

Likewise, political parties in Kenya are not strongly founded on the basis of ideologies or philosophy but revolve around interests of personalities, ending up serving the party leader's ambition to win elections and capture state power. They do not even adhere to their "structural formulation and operational procedures" (Wanyama 2010: 74). This leaves the party with a weak democratic and governance culture, which often works against gender inclusivity.

Rush (1969: 4) argues that in single-member districts, where certain political parties dominate, selection will influence the electoral outcomes - where selection is tantamount to election. This is the situation in party strongholds such as for ODM in parts of Nyanza or Jubilee Party in Central Kenya. In such circumstances, the selection of women to vie on the dominant parties' ticket guarantees their election. Parties could increase the number of elected women in that way without recourse to a law supporting the implementation of the two-thirds gender principle.

Candidate selection process has often had eligibility criteria. Such criteria may be developed as an attempt by the party to control the supply side of potential candidates so that those who fulfill the eligibility requirements, and are subsequently both selected and elected, will behave according to party dictates (Reuven and Rahat 2010: 20). The party can use this to reward loyalists and longtime activists. This requires "candidate socialization into the party culture" (Reuven and Rahat 2010: 21). Some of the conditions include party membership requirements (often being a member for a number of years); monetary deposit or nomination fees, written recommendation by existing party members, etc, in order to democratize candidacy requirement parties have to reduce restrictions on eligibility, thereby creating a much larger pool of potential candidates, but in order to democratize candidate selection the selectorate must also be more inclusive, especially in terms of gender.

Incumbency is another important aspect in candidate selection. Why would a party offer incumbents automatic candidacy for an upcoming election, or at least ease their requirements? The simple answer is that parties want to win elections, and incumbents have already proven themselves in this regard. Because there is neither a woman senator nor a woman governor in Kenya, selecting incumbents will promote status quo, which would lock out women from those positions. Providing equal opportunity to all aspirants is the better option for democracy. However, most political parties in Kenya do to embrace this ideal during nominations, hence disadvantaging women. Although re-election of incumbents has faced a great challenge in recent elections in Kenya, parties have often nominated male to replace male hence promoting gender inequality. Only in a few isolated cases that women have been nominated and eventually replaced men as representatives in the legislative assemblies.

There are various methods of candidate selection used by political parties across the globe. The most inclusive is by voters, the entire electorate that has the right to vote in general elections. Some parties select candidates by using *registered party members*; while others use party *delegates*, who are selected by members. In some political parties, the *party elite* could select candidates. In practice, it is often a combination of a number of these methods, depending on the party's nomination rules. There is open or blanket primaries where the selectors do not have to declare their party affiliation in order to take part in candidate selection, which has been used in Kenya overtime. There are also party or closed primaries whereby only registered party members participate in the selection process. "The 'purest' type of party primary is where the party members' votes alone decide the composition and rank of the candidates" (Reuven and Rahat 2010: 41). Kenyan political parties are gearing toward such primaries, especially Jubilee Party, which is in the process of issuing digitized identification documents to its members. What implications do the various selection methods have on gender equity in representation? Open primaries often look like mini general elections because the entire electorate participates in the selection. It could be prone to abuse by members of competing parties, who would deliberately and strategically select a weaker, easier to beat candidate, for their party to win in a single-member constituency. For instance, in the 2007 elections, the nomination process in most political parties turned out to be a circus. ODM decided to have party primaries, hoping to have only party members voting. However, the event turned out to be a public function rather than a political party affair, which made it possible for every person with an identity card, even those belonging to other parties, voting in the ODM primaries (Wanyama 2010: 78). Such chaotic situations were also witnessed in 2013 and likely to recur in a number of political parties in 2017 party primaries. Such situations do not favor women aspirants as the parties often lose control of the process.

Political violence against women during elections is one of the greatest impediments to women participation and representation in leadership and decision-making in Kenya. It affects women's participation as voters, candidates, political party leaders, and undermines free, fair and inclusive democratic process. It takes place in their homes, political arenas and public spaces. The International Foundation for Electoral Systems (2016: 5) defines violence against women as: "Any harm or threat of harm committed against women with the intent and/or impact of

interfering with their free and equal participation in the electoral process during the electoral period. It includes harassment, intimidation, physical harm or coercion, threats, and financial pressures, and it may be committed in the home, or other private spaces, or public spaces. These threats may be directed at women in any of their roles as electoral stakeholders." Violence is perpetrated during party primaries, both during campaigns and voting, which often spills over into the general elections. Thus, the threat of violence, as well as lack of safety in reporting, discourages and prevents many women from participating in the electoral process during party primaries and general elections. This should be the focus of electoral reforms, both within political parties and the entire political system, to promote gender equity in representation in Kenya. The question 'how?' is discussed in the strategy section of this paper.

Another challenge to the nomination process is the difference between what is provided in political party instruments and the actual behavior. Party leaders often 'preach water and drink wine'. What influences nominations most is not the rule book but the informal/unwritten rules. The greatest contributors to the party often receive direct nomination; those close to the party leader are usually rewarded with nomination slots. The supposedly free and fair party primaries, with gender equality clauses in party constitutions, often end up sidelining women, going for party loyalists, friends and financiers.

To conclude, it is important to reiterate that political parties use diverse methods in candidate selection and nomination, which often favor the party elite, who are mostly male. As these activities are conducted in the 'secret garden', they are prone to abuse and hence the outright gender imbalances. Structurally, political parties in Kenya are weak and are controlled by their leaders who have personalized them and overly control their operations. The political parties leadership have the duty to ensure that parties comply with constitutional provisions on gender equity. On the other hand, parties could voluntarily decide on quotas to increase women representation in internal structures and in the larger body politique.

There are challenges to gender equality in candidate nomination and selection identified by Kenya's political parties during the Naivasha dialogue in October 2016. First, although gender equality and women's political empowerment provisions are listed in political party constitutions, manifestos and election regulations and procedures, they remain merely as

requirements and hardly adhered to by political parties, thus, parties lack the commitment to implement such provisions which are core to gender parity. Secondly, intraparty candidate identification, selection and nomination rules are not adhered to by parties, particularly those relating to gender equity. Thirdly, women leagues are weak, with poor outcomes in terms of recruitment of women into county and national leadership. Fourth, interaction between gender equality and other political imperatives (elections financing, interparty competition, etc) impede gender equity in representation in Kenya. Fifth, poor intraparty and political system level accountability/monitoring mechanisms on gender equity, especially the Office of the Registrar of Political Parties. Sixth, party lists are often manipulated by the party elite to disenfranchise women and override gender equity principles. Seventh, the electoral system (FPTP) and selection/nomination process to run for office is not conducive to the implementation of gender equity requirements. Eighth, entrenchment of personality politics adversely affect women nomination and support by political parties. Finally, incumbents are often favored (direct nomination, relaxed requirements, etc) by their parties, thus maintaining status quo that promotes gender inequality.

## **5.0 Political Parties Strategy on Gender Equality in Candidates' Selection and Nomination**

Out of the above discussion and the contributions by party leaders during the Naivasha Dialogue, it is evident that there are challenges and opportunities for political parties to positively impact gender equality in Kenya. The legal framework addresses both internal party structures and their behavior and their operational environment. The main focus here is about what can be done to increase women representation and ensure gender parity. The party leaders represented in the Naivasha Dialogue committed themselves to some activities, which, if implemented will promote gender parity and level the political playing field for all contestants. Fairness in candidate selection and nomination would be achieved. First strategic issue is on how party structures could be reformed to deliver gender parity. The second is about strategies for candidate selection and nomination.

## ***5.1 Strategies to address Intraparty Structural Weaknesses***

### **Short-Term Strategies**

1. Gender equality (two-thirds gender principle) be integrated into political party constitutions and party electoral rules. Monitoring and accountability mechanisms be created to ensure compliance and delivery of positive results, that is, the realization of gender parity in legislative bodies, political party, and other leadership positions.
2. Parties should come up with voluntary measures (such as quotas) for gender equality within political parties and supply political good will for their implementation. These measures should be geared toward increasing the number of women nominated on party ticket during general elections and also party lists proportional representation and special interests.
3. **Medium-Term Strategies** Party manifestos and constitutions should include provisions regarding what parties will incorporate into their internal structures, such as binding quotas for women through internal party rules and systems. Party culture, including binding quotas, has been noted to play an important role in influencing attitudes towards increasing the number of representatives of women in parliament. They ensure a percentage of female representatives from respective parties are in parliament (Mitullah 2010: 587/588).
4. Female perspectives are required in top party leadership positions. Male dominance at the top must be changed if parties' effectiveness as crusaders of gender equality is to be achieved. Party leadership is dominated by male leaders who often do not adhere to gender principles and principles of democracy and good governance. This, means that parties' internal processes may be highly controlled by the party elite. Because over 83% of top party leaders in Kenya are male, their decisions often work against women. Top party leadership should adhere to the two-thirds gender principle, and have women fairly represented even through affirmative action.

### **Long-Term strategies**

5. Parties should strengthen women leagues as *incubators* of leadership for recruitment into political and decision-making positions at county and national levels. Women should be identified, mentored, supported and recruited into higher positions of leadership. The leagues should be funded by mother parties and their activities popularized by the party leadership. Recruitment drives should be supported by political parties to create a strong women movement in the party and country as a whole.
6. Political parties leadership, the Registrar of Political Parties and the electoral body (IEBC) should support the process and ensure compliance, to increase women representation in the legislative bodies. As parties commit to implement these strategies, these institutions should provide the necessary oversight, by ensuring that parties comply with the Kenya Constitution, electoral laws and their own constitutions and rules.

## ***5.2 Strategies for candidates' selection and nomination***

### Short-Term Strategies

1. Party lists should have 50% women and 50% men, adopting the *zebra model*, alternating the genders on party lists. It is important to note that Kenya's electoral system is a combination of the plurality system (FPTP) and proportional representation (PR) . The FPTP system is generally deemed unfavorable for increasing women's participation in elective leadership. The proportional representation (PR) system delivers better results for gender equality. Kenya uses a closed list, whereby seats are awarded to candidates on the party list in the order they appear on the submitted lists. It is the party leadership that puts together the party list. Thus, individuals receiving a winnable place on the party list are usually those with better relationships with party leaders, likely to be party loyalist and/or longtime activists, rather than representatives of special interest groups they are meant to serve. This is an entry point for parties to nominate women and have them top the list. A 'zebra' model which alternates male and female on the list could be used, whereby if the first on the list is a woman then the second should be a man, and so on. This means that if the party wins four seats in proportion to its overall electoral outcome, then two will be for women and two for men, which is perfect gender equality.



2. Parties should incorporate the two-thirds gender principle into their nomination rules and procedures and ensure compliance. As one of the most influential institutions in electoral politics, such affirmative action by parties would produce better results for gender equity. They should identify the selectorate that would deliver on the promise, whether party primaries, delegates, et cetera.
3. Parties to nominate at least 30% women candidates for all positions, especially in their strongholds, where they have higher chances of winning the seats. This is possible in areas where the strongest political parties such as TNA, ODM, WDM, URP and FORD-K have the greatest support.
4. Parties should reduce or waive nomination fees for women and provide financial support to counteract their disadvantaged socioeconomic conditions, as part of the affirmative action, to encourage women to vie for seats.
5. Political parties to supply political good will to increase women representation in decision-making institutions, elective and non-elective.

#### Medium-Term Strategies

6. Another strategy to achieve gender parity is through capacity building voters and women on gender equity and fair representation. This will help deal with patriarchal culture and negative and often combative attitudes towards gender equality. Capacity building is necessary to ensure effective participation of women in party structures. Women are usually not elected to positions of power within political party's structures because of gender biases of male leadership. Political parties lack the gender perspective and capacities to plan , develop, implement and monitor critical decisions concerning gender equality contained in the party documents and national legal frameworks.
7. Gender sensitivity of males in the party can contribute positively to the operational effectiveness of political parties through the identification of specific tasks that place specific requirements to involve women in party activities. Parties should also identify and support male champions for gender equality, to demystify cultural stereotypes about women and leadership.

8. Political parties to include more (at least one-third) women party members in central and selection committees and in County Assembly and Parliamentary committees.

#### Long-Term Strategies

9. Ethnic politics has constrained women aspirants contesting for parliamentary and county assembly seats due the dominant patriarchal character of most ethnic groups, and the male-dominated councils of elders that decide on the political life and leaders of various ethnic groups. However, women should break this barrier by mobilizing women as a political block and jointly bargaining for representation and participation in legislative assemblies.
10. Political parties should equip women with special political funding, including that which provided for in the Political Parties Act 2011, to empower them run successful campaigns.

### ***5.3 Strategies for Countering Violence Against Women during Elections***

#### **Short-Term Strategies**

1. Imposing standards on political behavior and sanctions for non-compliance through political party code of conduct and national laws on electoral violence. The enforcement of the provisions of the law and code of conduct could be performed by state stakeholders such as the Independent electoral and Boundaries Commission, the Office of the Registrar of Political Parties, or in partnership with civil society organizations, faith-based organizations, judiciary, the police, et cetera. Impunity must be dealt with through systematic action by key stakeholders.
2. Women leadership training should integrate concerns for and the challenge of addressing violence against women during elections.
3. Political parties should protect and empower women through legal frameworks which assign firm penalties for violence against women and political violence in general. The Independent Electoral and Boundaries Commission (IEBC) should play a role in preventing political violence through electoral procedures.

4. Public education campaigns could be carried out to enhance intolerance for political violence against women. They could be conducted by IEBC, CSOs, faith-based organizations and political parties.

### **Medium-Term Strategies**

5. Engaging men to address the culturally entrenched attitudes about women's involvement in political and electoral life that may potentially trigger election violence is a critical piece of the effort to address the full spectrum of political violence against women. It is important to note that patriarchy is detrimental for women and has resulted in systematic gender-based discrimination, marginalization and violence. Due to patriarchal mend-set, women are often sidelined in politics, as men act as gate-keepers (UN Women, p. 46). Awareness raising, coalition-building, mentoring, and other activities, can yield positive results in changing these attitudes that breed violence. This could be done by political parties, women organizations, civil society and faith-based organizations, Registrar of Political Parties, National Cohesion and Integration Commission, among other stakeholders.
6. Control of political finances could be key to countering violence against women during elections. It is important to note that there is a connection between political finance and electoral violence (USAID 2013). Money is needed to acquire weapons, hire enforcers, buy votes, and finance other illicit political activities. Thus, political finance regulation addresses the 'supply side' that enable electoral violence to occur. Kenyan women have been victims of political violence during party primaries and national elections, especially in 1997, 2007 and 2013. This can be mitigated through enhancement of enforcement capacity, provision of public campaign resources (as stipulated in the Constitution), and civil society or/and CMD monitoring to bring accountability and transparency to political finance by creating obstacles for the use of campaign funds for violent purposes (USAID 2013: 6). Likewise, political parties should control the utilization of the public funds provided they receive and ensure that they are not used to fund political violence.

### **Long-Term Strategies**

7. Demobilization of the youth from electoral violence is a necessary step in reducing their vulnerability to recruitment as perpetrators of political violence and instilling values, norms and standards of behavior. These could be achieved through programming focused on education, engagement and employment. Special electoral education programs with youth audiences can provide focused civic education on democratic values and processes. Engagement of the youth as election workers can create a stake for them in the electoral process. Because youth vulnerabilities are economic in nature, employment during electoral cycle could provide income and disincentives to accept being recruited into political violence. Political parties, the IEBC, civil society organizations, donor community, the national and county governments, among other stakeholders, can concertedly implement this strategy.

## **6.0 Conclusion**

From the discussions above, one could conclude that political parties in Kenya have a key role in enhancing gender equity in women representation. Political parties should take steps to implement the gender equity principles enshrined in the national constitution and electoral laws, and their constitutions to bring about change in the identification, selection and nomination of women during the electoral. They can increase the number of women on the ballot, in party leadership, in appointment to decision-making or policy making positions at all levels of government, take decisive action to eliminate violence during party primaries and national elections, among other suggestions elucidated above. All stakeholders in the electoral process should take seriously their constitutional and legal mandates to ensure fairness and equity in the electoral process. The Office of the Registrar of Political Parties, the IEBC, relevant constitutional commissions, legislatures, the police, courts, among others, should ensure effective enforcement of the law, rules, codes of conduct during elections. Although political parties are central to this process using their internal structures, it is a concerted effort for all stakeholders in the country.

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