



Promises & Realities

Taking Stock of the 3rd UN International Women's Conference



Editors

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TAKING STOCK OF THE 3RD UN INTERNATIONAL WOMEN'S CONFERENCE

Sara J. Ruto
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Foreword

I grew up in apartheid South Africa, largely isolated from the rest of the continent as most African governments expressed their outrage and protest at this institutionalized and violent racial discrimination by denying any travel between their countries and ours. Hence, I was only dimly aware that one of the largest gatherings of women ever was taking place in Nairobi, Kenya in July 1985. There was almost no coverage in South African newspapers of this historical event that brought together around 15,000 women from 150 countries to attend the NGO forum, and more than 2,000 delegates to the official United Nations (UN) conference. The UN sponsored conference, the third of its kind, but the first to be in Africa, appraised the achievements of the UN's Decade for Women and adopted the 'Forward Looking Strategies for the Advancement of Women' (FLSAW). These strategies, based on the same basic objectives as the Decade of Women, were designed to be a practical and effective guide for global action to promote greater equality and opportunity for women. So it was not altogether surprising that a country that had at its core institutionalized discrimination should turn its public gaze and reporting elsewhere.

Ten years later, I was lucky enough to be able to attend the 4th Women's Conference in Beijing, as South Africa had by then re-entered the progressive global community. It was a joyful, exhilarating, and sometimes frustrating few days, being a part of a huge gathering of activists, scholars, diplomats and politicians, all focused on how to work more effectively for the advancement of women. Hence, I was intrigued and excited when one of the first proposals I received after I joined the East Africa office of the Foundation in 2005 was to take the opportunity of the 20th Anniversary of the Nairobi conference to reflect on the Forward Looking Strategies as a lens through which to better understand what gains had been made by the women's movement in the region. The questions posed in that initial proposal shaped much of the wide range of activities that the Foundation, and other donors in the region, supported over the following two years to both celebrate, reflect and question on the gains made for gender equality since the Nairobi conference:

- How much of the agenda that came out of the Nairobi and Beijing conferences has been implemented and with what results?
- What have these world conferences on women changed?
- How have they advanced the cause of justice and gender equality, particularly in Africa?
- Have we come anywhere close to realizing the ambitions that the world conferences seemed to embody?

- How did the Beijing action plan differ from or try to take forward the Nairobi Strategies?

What has made this project particularly engaging is that it is happening in a much changed world. We live in a world that is markedly different from that of the pre-Nairobi conference world, for that era was a ‘pre-HIV/AIDS’ and a ‘pre-IT’ era. It was also an era before the wave of democratization that swept away many military and single party regimes and crushed the Berlin Wall. This raised other interesting questions: What have these new developments changed in gender relations? How have the key roles played by women in the struggles for human rights, democracy and development in Africa shaped Africa’s social and political systems, contributed to their advancement and enhanced the quality of our democracy? What are the challenges now faced by women and those working towards the advancement of women under conditions of neo-liberal globalization, widespread poverty and physical violence? What new opportunities for the advancement of women do the ICT revolution and globalization also offer?

This book, so wonderfully edited by Sara Ruto, Jacinta Muteshi and Patricia Mbote, brings together some of the reflections of the best feminist scholars in the region examining these, and other, questions. It is hoped that this work, by consolidating and bringing together -- in a single volume -- a critical examination of much of the grey literature and diverse writings from the region which examines women’s position and experiences in the various sectors over the last 2 decades or so, might inspire a new generation of young scholars and activists by giving them a sense of the history of the women’s struggle in the region – both in terms of gains made and challenges remaining.

The book itself is only one aspect of what came to be called the ‘Nairobi +21’ project. Other activities included:

- A special edition of the CODESRIA bulletin (Looking Back, and Still Looking Forward: Nairobi +20, Beijing +10) which was distributed to around 9,000 institutions across Africa in English, French, Portuguese and Arabic
- A special edition of AGENDA (www.agenda.org.za) in Southern Africa with special follow up radio programs reaching 11 million listeners across the continent
- TAZAMA!, a youth magazine television program, over a 6 week period facilitated an inter-generational conversation between young and old women around the Beijing platform of action
- Agenda Kenya, a political discussion forum, had 4 special programs discussing gender equity which reached 4.5 million viewers in Kenya
- 10,000 educational institutions participated in the national school drama festival in 2006, which had a special competition for projects looking at the issues raised by Nairobi +21.

The project as a whole was brought to a close with a high profile conference organized by the Kenyan National Commission on Gender and Development which was opened by President Mwai Kibaki. At this conference, President Kibaki announced the establishment of a women’s fund, the fast-tracking of Kenya’s signing of a number of international protocols for women, and the introduction of an affirmative action program within the public service to ensure an improvement of women at the highest levels of government.

Achievements of this nature would not have been possible without the dedicated work and enthusiasm of a wide range of individuals and organizations. It was a great privilege for the Foundation to be able to provide the modest resources that we did to enable these ideas to come to fruition.

Carla Sutherland
Program Officer, Education and Sexuality
The Ford Foundation, East Africa
Nairobi, Kenya



Acronyms

APC	Association of Progressive Communicators
AWC	African Women and Child Feature Service
CAF	Confederation on African Football
CSW	Commission on the Status of Women
FES	Freidrich Ebert Stiftung
FGM	Female Genital Mutilation
GMAS	
GEM	African Gender and Media Initiative
GEM	Gender and Media Summit
GEM	Gender Evaluation Methodology.
GEMSA	Gender and Media Southern African Network
GL	Gender Links
GMBS	Gender and Media Baseline Study
GMMP	Global Media Monitoring Project
Hivos	Humanistisch Instituut Voor Ontwikkelingssamenwerking
ICT	Information and Communication Technology
IT	Information Technology
MAO	
MAP	Media Action Plan
MIC	
MISA	Media Institute of Southern Africa
NGO	Non Governmental Organisation
NIZA	Netherlands Institute of Southern Africa
OSISA	
SAEF	South Africa Editor's Forum
SABC	South Africa Broadcasting Corporation
SADC	Southern Africa Development Community
TAMWA	Tanzania's Media Women's Association
UMWA	Uganda Media Women's Association
WACC	World Association of Christian Communicators
ACFODE	Action for Development

AGEI	African Girls Education Initiative
AIDS	Acquired Immune Deficiency Syndrome
AMwA	Akina Mama wa Afrika
AWDF	African Women Development Fund
AWID	Association for Women’s Rights in Development
AWLI	African Women Leadership Institute
BPFA	Beijing Platform for Action
BTVET	Business, Technical, Vocational Education and Training
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CGDD	Kenya Center for Governance, Democracy and Development
COVAW	Coalition on Violence Against Women
CRADLE	Children’s Rights Advisory and Legal Education
CREAW	Centre for Rights and Awareness
CSOs	Civil Society Organisations
DENIVA	Development Network of Indigenous Associations
EAC	East African Community
EFA	Education For All
FAWE	Forum of African Women Educationalists
FEMNET	African Women’s Communication and Development Network
FGM	Female Genital Mutilation
FIDA	(Federecio Internationale de Abogadas) International Federation of Women Lawyers
FIDA-K	Federation of Women Lawyers (Kenya Chapter)
FOWODE	Uganda Forum for Women in Democracy
GEM	Girls Education Movement
GOU/UNECA	Government of Uganda/United Nations Economic Commission for Africa
HIV	Human Immune-deficiency Virus
ICPD	International Conference on Population and Development in Cairo
ICTs	Information and Communication Technologies
IMF	International monetary Fund
IRI	International Republican Institute
KCK	Kituo Cha Katiba
KHRC	Kenya Human Rights Commission
LGBTIs	Lesbian Gay Bisexual Transgender and Intersex
LTG	Land Tenure Study Group
MDG	Millennium Development Goals
MEW	Men for Equality with Women
MoE	Ministry of Education (Kenya)
MoES	Ministry of Education and Sports (Uganda)

MOYA	Ministry of Youth Affairs (Kenya)
MTGP	Moving the Goal Posts
MWENGO	Mwelekeo wa NGOs
MYWO	Maendeleo ya Wanawake Organisation
NALAF	National Land Forum
NAPW	National Action Plan on Women
NCWK	National Council of Women of Kenya
NFE	Non Formal Education
NFLS	Nairobi Forward Looking Strategies
NGOs	Non-Governmental Organisations
PEAP	Poverty Eradication Action Plans
PIASCY	Presidential Initiative on AIDS Strategy for Communication to Youth
PLE	Primary Leaving Examination (Uganda)
SADC	South African development Community
SAPs	Structural Adjustment Programmes
SBB	Sisters Beyond Boundaries
SGBV	Sexual and Gender Based Violence
SID	Society for International Development
SIDAREC	Slum Information and Development Resource Centre
SRHR	Sexual and Reproductive Health and Rights
STIs	Sexually Transmitted Infections
TAWLA	Tanzania Women Lawyers Association
TGNP	Tanzania Gender Networking Programme
UAF-A	Urgent Action Fund-Africa
UHAI	Ulingo wa kutetea haki za ardhi
UNEP	United Nations Environment Programme
UNGEI	United Nations Girls Education Initiative
UNICEF	United Nations Children's Fund
UNIFEM	United National Female Fund
UPE	Universal Primary Education
UWONET	Uganda Women Network
VCT	Voluntary Counselling Testing
WAD	Women and Development
WED	Women, Environment and Development
WEDO	Women's Environment and Development Organization
WID	Women in Development
WSSD	World Summit on Sustainable Development
YAAYAA	Youth Agenda
YWLI	Young Women's Leadership Institute



Contributors

Colleen Lowe-Morna

Colleen Lowe Morna is executive director of Gender Links, a Southern African NGO that promotes gender equality in and through the media. She began her career as a journalist specialising in economic and development reporting. Among positions she held were co-ordinator of the Africa office of Inter Press Service in Harare; correspondent for South Magazine and Africa Editor of the New Delhi-based Women's Feature Service. She joined the Commonwealth Secretariat as a senior researcher on the Africa desk in 1991, and later served as Chief Programme Officer of the Commonwealth Observer Mission to South Africa. She subsequently served as founding CEO of the South African Commission on Gender Equality. A trainer, researcher and writer, Colleen has written extensively on gender issues in Southern Africa, and is author of several publications on gender and the media. She is also editor of *Ring up the Changes: Gender in Southern African Politics*, the first comprehensive study of the impact of women in politics in this sub-region. Colleen holds a BA degree in International Relations from Princeton University; Masters in Journalism from Columbia University and certificate in executive management from the London Business School.

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Dr. Jacinta Muteshi-Strachan is the Chairperson of the National Commission on Gender and Development-Kenya. She serves on a number of strategic Government Committees for reforms on issues of governance gender equality, human rights and legal and Judicial Law Reform. She has worked as a consultant and scholar in the field of women's rights and gender equality combining

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Lynn Muthoni Wanyeki is a political scientist based in Nairobi, Kenya who works on development communications, gender and human rights. She is currently the Executive Director of the Kenya Human Rights Commission (KHRC). She was previously, for seven years, as the Executive Director of the African Women's Development and Communication Network (FEMNET). She is columnist with the East African, a sub-regional weekly newspaper published by the Nation Media Group. And she serves as a Board member/regional advisor to several national, regional and international organisations, including the African Women's Development Fund (AWDF), Akina Mama wa Afrika (AmwA), Article 19's Africa programme, the Forum International de Montreal (FIM), the Institute of Economic Affairs (IEA) and the Open Society Institute (OSI)'s Afrimap and Justice Initiative-Africa

Maria Nassali

Ann Marie Nassali holds a Master in Law and Development from the University of Warwick, UK. She has extensive training and experience governance. She has served as Executive Director of Kituo Cha Katiba: East African Centre for Constitutional Development; a regional Centre that promotes constitutionalism, good governance and democratic development in East Africa from 1998-2004. She is currently pursuing her doctoral studies at the Centre for Human Rights: University of Pretoria, South Africa. She has written on governance and constitutionalism. She is a co-author of , Haroub Othman and Maria Nassali Towards Political Liberalisation In Uganda, (co-author), Fountain Publishers, 2002 and Joe Oloka-Onyango and Maria Nassali: Constitutionalism And Political Stability In Zanzibar: The Search Of A New Vision, Fountain Publishers. She has authored two Centre for Basic Research Working Papers, namely, Gender And Grassroots Democracy: Documenting Women's Experience In Decentralisation and The Performance Of Inspectorate Of Government: Assessing The First Five Years(1995-2000) Other papers include "The East African Community and the Struggle for Constitutionalism: Challenges and Prospects," in Constitutionalism in East Africa (2000) KCK and E & D, 2003.

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Patricia Kameri-Mbote is an Associate Professor of Law, an Advocate of the High Court of Kenya and Chair of the Department of Private Law, University of Nairobi. She studied law in Nairobi, Warwick, Zimbabwe and Stanford and has served as Director of Research and Policy Outreach, African Centre for Technology Studies, Nairobi. She was also a member of the Committee of Eminent Persons appointed by His Excellency the President of Kenya in February 2006 to advise the government on the way forward for the stalled constitution review process, has been identified by the World Conservation Union (IUCN) as a renowned thinker in the global environment and sustainable development field and served as a Policy scholar at the Woodrow Wilson International Center for Scholars in 2006. She is the Chair of the Seeds and Plant Varieties Tribunal in Kenya, a member of the IUCN

Commission on Environmental Law and the Kenya National Academy of Sciences and has published widely in the areas of environmental law, women's rights and property rights.

Saida Ali

Saida Ali is the current Programme Director of the Young Women's Leadership Institute (YWLI), an organization she co-founded. YWLI was founded to create space for young women to articulate their views and visions on the women's rights development agenda. Saida has been at the center-stage in ensuring that YWLI's mission is realized by mobilizing young women for action; to empower and build the capacity of young women. She has at least 5 years experience in gender and human rights work and advocacy strategy development. Her current work involves programming on women in leadership, capacity building and skills development. At the YWLI, she provides leadership in organizational strategic thinking and plays a key role in development of leadership and governance programs for young women. She holds a Bachelor's Degree in Sociology and English and a post graduate Diploma in NGO Management.

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Dr. Sara Jerop Ruto is a lecturer in the Department of Educational Foundations, Kenyatta University. She studied education in Kenyatta and Heidelberg Universities. Other than focusing on core educational issues on school reform, she has a research inclination towards women's and girls concerns in education with a current research focus on gender violence in education and sexuality issues. She is the current chairperson of the Women Educational Researchers of Kenya, a professional association that encourages collective research among established researchers who work in collaboration with young people as a way of nurturing their research skills.

Sarah Mukasa

Sarah Mukasa is Ugandan and works as the Director of Programmes at The African Women's Development Fund (AWDF). She is a feminist activist with extensive experience of advocacy at international, regional, and national levels. Her areas of interest and expertise are on race as it interfaces with gender, sexual rights and the issues relating to the integrity of women's bodies, as well as the institutional development of women's organisations. She is a member of the Working Group of the African Feminist Forum.

Wanjiku Mbugua

Wanjiku Mbugua is a journalist by profession. She has worked in mainstream media, non governmental organisations both local and international in the areas of human rights and women empowerment. She has developed and run numerous projects in the area of human rights as part of her work. Wanjiku is currently involved in documenting women's historical injustices as well as developing programmes on media and conflict management.



INTRODUCTION

Introduction

*By Jacinta Muteshi-Strachan,
Patricia Kameri-Mbote
and Sara J. Ruto*

Four world conferences on women's issues have been organised under the auspices of the United Nations. The 3rd International World Women's Conference held in Nairobi in 1985 forms the pivot of this book. This meeting recommended practical and effective steps for global action to promote equality, development and peace for women. It was a landmark meeting for women the first of its kind in Africa, and it led to the adoption of the Nairobi Forward Looking Strategies (NFLS) for the advancement of women for the period up to the year 2000. These strategies addressed the following broad areas:

- The promotion of women to positions of power at every level and in every sector to achieve parity with men.
- The establishment of national mechanisms to advance gender matters.
- The recognition of women's unpaid work and the need to encourage sharing of the burden of childcare and nurturing between parents.
- Equal opportunities for women in all sectors such as education and employment

In 2006, 21 years after the Nairobi conference, various scholars conducted sector reviews of key areas identified in the Nairobi Forward Looking Strategies. The purpose of these reviews was to reflect upon the national and international commitments women made seeking to advance their human rights and social justice. The sector reviews thus re-visit the resolutions made in the NFLS, which have since been expanded in the Beijing Platform for Action (BPFA), analysing the achievements, gaps, silences and challenges. The sector reviews have a specific focus on women in Kenya, Uganda and Tanzania. Given that the 3rd UN Women's conference was held in Africa and in Nairobi, it seemed only natural that women from the region should take the lead in examining its impact on them. In this sense therefore, the Nairobi +21 sector appraisals present a "scholarly" commemoration of the historic conference that has been cited as the impetus for the growth and energy of many women-focussed organisations in the east African region.

The analysis shows that there has been positive movement forward in line with the strategies developed in 1985. There is, for instance, increased social participation of East African women

in many spheres. Institutional mechanisms for gender mainstreaming have been established at the national and regional levels. Civil society organisations and women's non-governmental organisations have increased and are advocating for the rights of women. Political representation of women has begun to rise. There is also increased participation of women in all levels of education due to favourable conditions, such as free primary education and affirmative action in university admission for women. Constitutional amendments and legislative reforms have either been effected or are underway with respect to women's rights.

Nevertheless, there continues to be critical areas of concern in the way of East African women's full realisation of the benefits. These include: Economic justice for women; violence against women; disproportionate burden of productive and reproductive work especially by rural women; access to resources; political Representation; high maternal mortality rates; sexual and reproductive rights of women; forced marriages, early pregnancies, sexual harassment and female genital mutilation for girls. The need to keep the priorities underscored in the NFLS and the BPFA at the core of present planning is critical given that present international documents do not comprehensively capture women's needs and ambitions. Mention is made of the Millennium Development Goals (MDGs), the contemporary goal setters, which have been faulted as being cautiously phrased and thus omitting key areas that are of significance to women.

This book seeks to provide substantive reflection on the extent to which the governments of Uganda, Tanzania and Kenya have delivered on the national and international commitments to East African women. The book relates NFLS and BPFA to eight key areas: Human rights and social justice; governance, sexual and reproductive health rights; education; environment; the Media; the Arts; and young women. The book has a dual objective. First, it seeks to emphasise the continuing importance and relevance of the guiding principles and calls of action that were set forth by the NFLS and the BPFA. The initiatives for change examined in this book that are informed by these international documents, illuminate what factors have contributed to positive change and it becomes clear that gender inequality cannot be overemphasized. Second, the book emphasises the complex processes of gender equality work, showing that policy directives, laws, and demands raised by women have not always been easily translatable into practice for a variety of reasons that are documented by each chapter; revealing what still needs to change to ensure gender equality.

The Promises and the Realities for Women in East Africa:

The first chapter, written by Jacinta Muteshi-Strachan, charts the Nairobi Forward Looking Strategies, which provided the framework that defined the gender inequitable nature of women's lives, the necessary inter-related approaches to be undertaken; and the combination of resources and support required from governments, organisations and donors to deliver gender equality. The author has shown how women's issues were understood; why the issues came to be framed as they were; the decisions made and how the conference of 1985 would come to inform and be linked to key contemporary initiatives such as the Beijing Platform for Action. The chapter sets the context for the subsequent chapters.

In the next chapter, Wanjiku Mbugua acknowledges that tremendous ground has been covered in the recognition of women's rights as human rights. She traces the progression through a number of regional and international conferences and points out the Vienna and Beijing

Conferences of 1993 and 1995 respectively, as critical in defining and pushing for women's rights. These, together with the African Charter on Human Rights and the Protocol on Women's rights provide comprehensive promises for women. Her analysis of the progress made using the case of Kenya reveals some steps forward but some gaps. She argues that insufficient progress has been registered in reducing poverty of women; the economic contribution by women is not entirely appreciated and therefore nurtured; Kenya stills lags behind other Eastern African countries in political representation of women; gender based violence continues unabated. The realities show that continued effort is needed to ensure that women receive social justice.

A key area in the discourses on women's rights has been governance. Maria Nassali's chapter acknowledges the strides that have been reached in giving women "voice" in decision making at different levels. The author provides a succinct mapping of the women's movement in east Africa and uses this as evidence of the need for continuing work to counter the gendered obstacles in politics and decision making. She highlights the domestication of international conventions as further proof of the promises given to women. However, cultural and structural constraints, inadequate financing and a complex relationship with national governments continue to undermine the realisation of meaningful participation for women especially in the public sphere. The author flags off the objectification and politicisation of women's femininity as a weapon that has continually been used to negate the integrity of women seeking elective posts.

Sara Ruto proposes that the biggest quantitative gains for women and girls have been registered within education. Unlike other sectors, there has been unity of purpose by national governments in keeping true to the promises delivered to girls in Nairobi, Beijing and a host of international meetings. Proactive actions, such as the girl's re-entry policy and affirmative action for university entry have provided the guidance of how to address girl specific issues. However, the author flags basic literacy provisions for women as an ignored area. In order to keep the promises made in education, she reiterates; the need for concerted attention to women and girls in rural areas and those made vulnerable due to conflict and social inequity; the need to move beyond access to quality issues, such as retaining people in the school system and; the need to provide a useful education experience that allows women and girls the opportunity to enhance their capacities.

In the chapter by Patricia Kameri-Mbote, the link between gender and environmental management is explored. The author problematises the disjuncture between the growth in the women's and environmental movements noting that opportunities for cross-fertilization between the two have been lost due to lack of systematic connections. The chapter critically analyses the extent to which environmental policies and interventions have taken onboard the strategic interventions identified in the Nairobi Forward Looking Strategies (NFLS) and the Beijing Platform for Action (BPFA) in relation to the environment. It also assesses the extent to which environmental legal and policy initiatives at national, regional and international levels have taken the NFLS and BPFA priorities into account in framing environmental entitlements and environmental management initiatives.

In this chapter, Sarah Mukasa addresses the sexual and reproductive health rights of women. She analyses that due to varied concerns such as high maternal mortality and increased rates of sexually transmitted infections including HIV, governments, civil society organisations and other actors have gradually expanded focus from preoccupation to women's fertility to addressing wider issues of their health and sexuality. The author posits the international conference on

population and development of 1994 and Beijing 1995 to have propelled the policy shifts. These conferences expanded the scope of analysis from a purely health perspective to embrace a combination of social, economic and political positions that continue to subordinate women. Her analysis, using the case of Uganda, reveals many gaps; reproductive health services for women throughout their life cycle are absent especially for poor women; voicing of women's sexuality is considered "un-African" and therefore shunned; and religious fundamentalism seems to have wrapped the women's movement thus muting its ability to push for the rights of women.

Grace Musila's analysis of *Women in the Arts*, using the case of Kenya, shows how gendered politics and patriarchy continue to be contested via the arts. The chapter provides adequate evidence that confirm the gains; there is increased visibility of women via autobiographies and historical biographies; women have a near monopoly as film directors; and there has been commendable participation by women since 1985 in the music industry or the informal arts. She critiques the oft superficial confrontation of patriarchal stereotypes in some books, film, and art by women. This notwithstanding, she observes that distinct participation in the Arts by women, as creators and users as a corridor has engineered social change.

Similarly, Colleen Morna's discussion reveals dissatisfaction with advances in gender and media work. The author acknowledges the many strides; like presence of more women in the media, increased quality and quantity in coverage on women's rights, better relation between gender activist and the media. Despite this, there is still a gender imbalance in news coverage. Women continue to be portrayed in predefined to narrow range topics. They are hardly reached or cited as sources of content. Rather they are favoured in portrayals as victims or within the family. The author asserts that though gender has emerged as a key agenda of the media today, its potential to advance gender equality has not fully been exploited.

Saida Ali reminds us that young women have become key participants in women's movements. She proposes that young women have been more vibrant in the women's movement rather than the youth movement. While both Nairobi and Beijing are identified as instrumental in attracting young women to the movement, Beijing is credited as critical in promoting higher level participation of young women. The chapter recognises that young women are most active in organised group action, and offers several examples of organisations and their varied activities. It is evident that these organisations enable the young women voice critical issues such as those relating to her sexuality.

The book concludes with a chapter on tools for gender analysis and gender mainstreaming developed by L. Muthoni Wanyeki. The author revisits all the chapters to tease out the varied resources and approaches that have been developed to aid the quest for women's equality. She posits data as vital in understanding the nature of women's inequality. Data will reveal the gender gaps and the missed targets. However, data is not easily accessed. The chapter discusses the international and regional legal and policy documents that have been crucial in setting targets and laying out strategies for gender equality work in the eight sectors analysed in this book. Her conclusion is that plenty of ground has been covered but more remains to be done.

Contributors to this book are in agreement that substantial progress has been made to advance the priorities that were framed in Nairobi 21+ years ago. The analysis urges for continued work that:

- Builds on the progress made since 1985.
- Recognises that mainstreaming gender will be an indispensable tool for transforming public decision making; and for the creation of the necessary equitable partnerships between women and men for sustained national development.
- Allocates adequate resources to implement gender equality and equity.
- Ensures accountability to women by their respective governments for full implementation of national and international commitments to gender equality.

Jacinta Muteshi-Strachan

Sara Jerop Ruto

Patricia Kameri-Mbote

September, 2008



CHAPTER 1

Conceptualising the Nairobi Forward Looking Strategies: *Continuing Relevance for African Women*

By Jacinta Muteshi-Strachan

Background

Since 1975, joint and global networking around women's issues and concerns within the context of international conferences =sponsored by the United Nations has grown.

The commonality of gendered disadvantage, discrimination, difference, and inequality have required organised world attention to women's issues as matters of international and national justice. United Nations' international conferences have thus served as key forums of discussion, learning and negotiation not only among women, but also between their nation states; and between women and their nation states to elicit commitment and =garner support in a bid to address their concerns and interests.

The United Nations has also institutionalised a practice of designating years for specific purposes as a means of bringing attention to issues and as an approach to mobilising support for particular concerns. Thus in 1972, at the 25th anniversary of the Commission on the Status of Women,¹ the UN General Assembly designated 1975 as an International Women's Year. The significance of that designation was that in the same year the General Assembly set out three goals that would women advancement and inform intergovernmental discussions from 1975 up to the Beijing Conference in 1995. The three goals included Equality, Development and Peace; their validity assured by their successive reviews at each world conference for women. The goals called for actions "to promote equality between women and men, to ensure the full integration of women in the total development effort and to increase women's contributions to the strengthening of world peace".² Subsequently, the Commission on the Status of Women called the first international women's conference to examine ongoing initiatives towards eliminating discrimination against women as well as to launch an international action programme to sustain efforts at curbing the drawback.

The First World Conference for Women took place in Mexico City in 1975 and it reiterated the guiding principles of "Equality, Development and Peace." Importantly, the Mexico City meeting would also recommend to the General Assembly the idea of launching the "United Nations Women's Decade: 1975-1985" and a convening of a world conference to review mid-term, the progress made in implementing the objectives of Mexico and re-adjust as necessary. This first UN decade of women was given to the recognition of the continuing unjustifiable

situation of women world-wide. The Mexico City conference was therefore crucial for women because it drew attention to the opportunities and problems for women and would result in a decade-long project of increased research on issues related to them and enhance their focus on development initiatives. The results of these efforts and activism would inform subsequent World Conferences for women.

The Second World Conference of the UN decade for women was held in Copenhagen³ in 1980; at the mid point of the women's decade to review the progress made in the first half of the women's decade. In light of the outcomes of the mid-term review of the women's decade the General Assembly adopted an agenda for Copenhagen that added three new sub-themes: education, health and employment, to expand the development goals of the decade.

When women next converged to mark the culmination of the women's decade, it was at the Third UN International Women's Conference held in Nairobi in 1985.⁴ Nairobi would reaffirm the three goals of the women's decade- equality, development and peace for the period 1985-2000. The Nairobi conference would also bring a new and expanded analysis of women's issues, broadening the framing of women's concerns and providing the first world consensus on a Plan for Action known as the Forward-Looking Strategies for the Advancement of Women (NFLS).

This paper will focus on the Nairobi conference and the (NFLS). As the first international women's conference to be held in Africa, it presented an opportunity for new organising designs that would more clearly and for the first time be informed by the agendas of women from the South. Agendas developed were clarified and strengthened during the women's decade. Indeed, Fatou Sow has argued that the women's decade "permitted stormy confrontations of ideas and actions regarding the notions of underdevelopment, women's roles in development projects, modernisation and progress, the transfer of (appropriate) technologies; the impact of the international division of labour and world capitalism on the condition of women; of oppression and sexual inequality."⁵ The invitation to hold the Women's world conference in Nairobi was made by the Kenya government. For Kenyan women, hosting the world conference would heighten the visibility on women's issues in Kenya and the entire continent.

The Nairobi conference would also present the possibility to document the legacy of the UN decade for women. By the time the Nairobi conference convened, a global women's movement had been strengthening in the years of the women's decade bringing an increasingly international involvement of women activists in each others struggles. Lessons and common women experiences shared at the Nairobi conference would mark the beginning of an expanded international women's movement. Indeed, women's non-governmental organisations, already an integral part of the achievements women were making world-wide, were key players at the Nairobi meeting but would proliferate after the Nairobi conference. Equally important, as Amirita Basu has argued, for many of these organisations "a new relationship emerged, in which the local and global became interconnected in more complicated ways... that began in 1985 and culminated in the Beijing Conference on women in 1995."⁶ Women were increasingly taking into account local, national and international power relations in an era of greater than ever globalisation processes.

This concept paper is thus intended to provide understanding of the 1985 Nairobi conference; what it was, what hopes and aspirations had informed the conference; how women's issues were understood and why these issues came to be framed as they were during that period; what

decisions were made and how the Nairobi conference would be relevant to key contemporary initiatives such as the Beijing Platform for Action. The commitments to equality and women's rights as human rights were signed by governments as critical aims for the Nairobi conference whose focus was to press for the principle of equality reaffirming the "international concern regarding the status of women and provid[ing] a framework for renewed commitment by the international community to the advancement of women and the elimination of gender-based discrimination".⁷ The reflections catalysed by this paper are intended to facilitate our thinking about how we might want to speak about and continue to work for the advancement of women.

The Nairobi Conference: The Context, Goals and Moral Imperative

The United Nations International Women's Conference held in Nairobi at the Nairobi University campus on July 15–26, 1985 was a women's world conference in the real sense of the word. Never before had so many women, from so many nations, gathered together for such a vibrant and extraordinary women meeting. With the Commission on the Status of Women acting as the preparatory body for the Conference, there were 157 countries present, with attendance estimated at 14,000 to 16,000 women. The Nairobi meeting was both a Non-Governmental Organisations (NGO) conference with more than 13,000 delegates from NGOs and a United Nations end of the women's decade conference with 2,000 delegates. The NGO forum had been a tradition at each of the previous world conferences for women but it would become especially famous at the Nairobi conference and not simply because of the sheer numbers present but also for the issues deliberated upon.

As the women's movement increased in size over the women's decade more women organisations and NGOs were started. NGOs started to play an important national, regional and international role with the United Nations, which granted some of them an interactive role with the United Nations at the creation of the Commission on the Status of Women (CSW). This new role for NGOs enabled them to attend CSW meetings as observers, to make statements and participate in its work. The NGO presence at world conferences would henceforth provide numerous opportunities over the course of a conference for diverse stakeholders from around the world to exchange experiences, knowledge and develop strategies intended to influence their governments and the international community for the advancement of women. The NGO forums would also be significant for strengthening women's movements globally because they helped generate new networks, coalitions and organisations for women activism. In Nairobi, the NGOs in attendance designated the prominent Dame Nita Barrow⁸, who had been president of the World Council of Churches, as their NGO lead convenor. The Nairobi conference thus set the broad framework for successive world conferences for women.

The task for the Nairobi conference was to appraise the achievements of the women's decade and to review the obstacles to the goals of Equality, Development and Peace first set forth for the women's decade. The Nairobi meeting would provide a global plan of action - the Nairobi Forward-Looking Strategies for the Advancement of Women (FLSAW) to guide renewed commitment at both international and national levels for the advancement of women. Thus, in the formulation of FLSAW it was agreed that:

The Forward-looking Strategies for the Advancement of Women during the Period from 1986 to the Year 2000 set forth in the present document present concrete measures to overcome the obstacles singled out in the decade's goals and objectives for the advancement of women. Building on the principles of equality also espoused in:

- the Charter of the United Nations
- the Universal Declaration of Human Rights
- the International Covenant on Civil and Political Rights
- the International Covenant on Economic, Social and Cultural Rights
- the Convention on the Elimination of All Forms of Discrimination against Women
- the Declaration on the Participation of Women in Promoting International Peace and Co-operation.

The Forward-looking Strategies reaffirm the international concern regarding the status of women and provide a framework for renewed commitment by the international community to the advancement of women and the elimination of gender-based discrimination. (NFLS: Paragraph

The Content of the Nairobi Forward-Looking Strategies

In appraising the situation of women at the end of the women's decade, the Nairobi conference recognised that it was women of developing nations who were most adversely affected by prevailing conditions of *“drought; famine; debt; and low-incomes as a result of structural imbalances and the continuing critical international economic situation”* (paragraph 8). The conference thus recognised that *“in order to stem such negative trends and mitigate the current difficulties of the developing countries, which affect women most, one of the primary tasks of the international community is to pursue with all vigour; the efforts directed towards the establishment of a New International Economic Order founded on equity, sovereign equality, interdependence and common interest”* (paragraph 8). In seeking to grapple with women's continuing inequality the diverse experiences of women would thus shape the discussions about the gendered nature of development, equality and peace processes.

Substantively, the Nairobi Conference and Forward-Looking Strategies was therefore of fundamental significance for women for it advanced global recognition of the roles that women play in myriad critical areas that enhance their advancement. Thus, attention was directed on women's crucial roles in culture and the family; in ensuring women's reproductive rights and improving their health status; in their political and social empowerment; in the realisation of their human and legal rights; in their self-reliance and for the attainment of national development; in the protection and management of natural resources and in the quest for peace. The three guiding goals of the women's decade—equality, development and peace—now linked to three sub-themes—employment, health and education would define how and why women are disadvantaged, the specificity of their problems and how governments, NGOs and international agencies would work together to overcome the oppressive structures and barriers that challenge women.

The 372 paragraphs of the Nairobi Forward-Looking Strategies for the Advancement of Women were therefore meant to be broad in scope and related in a comprehensive way to many aspects of women's lives. As guidelines, the *Forward-looking Strategies* reiterate through out each of the identified areas for specific action the principle that women's representation and involvement in all policies, plans and actions, especially in decision making was paramount for the achievement of equality, development, peace and the advancement of women. As a plan of action, the *Forward-looking Strategies* consistently provided in each area of specific action directions with respect to:

- Enhancing women's participation in planning, implementation and administration of critical areas of concern
- The creation of opportunities and encouragement for women's education and training to strengthen women's capacity to participate in all spheres of life
- Necessary measures that prioritise the development of infrastructures to deliver necessary services
- Recognising women's key contributions in every sphere of life
- Improving the status of women through legislation and reform institutions.

The substance of these three goals, which are inter-related and mutually reinforcing, were defined as follows:

Equality:

Equality is both a goal and a means whereby individuals are accorded equal treatment under the law and equal opportunities to enjoy their rights and to develop their potential talents and skills so that they can participate in national political, economic, social and cultural development and can benefit from its results. For women in particular, equality means the realisation of rights that have been denied as a result of cultural, institutional, behavioural and attitudinal discrimination. Equality is important for development and peace because national and global inequities perpetuate themselves and increase tensions of all types. (Paragraph 11)

Recognising that women's "*secondary position increased their vulnerability to marginalization;*" within the Forward-Looking Strategies equality entailed; *the full observance of the equal rights of women, and the elimination of de jure and de facto discrimination* against women. (NFLS: Paragraph 43). Measures called for constitutional and legal reform. Equality was not only a development issue but also a human rights issue for women.

Development:

The role of women in development is directly related to the goal of comprehensive social and economic development and is fundamental to the development of all societies. Development means total development, including development in the political, economic, social, cultural and other dimensions of human life, as well as the development of the economic and other material resources and the

physical, moral, intellectual and cultural growth of human beings. It should be conducive to providing women, particularly those who are poor or destitute, with the necessary means for increasingly claiming, achieving, enjoying and utilising equality of opportunity. More directly, the increasingly successful participation of each woman in societal activities as a legally independent agent will contribute to further recognition in practice of her right to equality.

The challenging and at times bleak economic conditions of the 1980s had been recognised by the Nairobi conference as a consequence of the structural imbalances in the international economic situation. The conference thus noted the vital need for “*continued efforts towards the establishment of a new international economic order*” that took into account the status of women and a pattern of development based on “*justice and equality in international economic relations.*” Efforts to ensure women’s equal participation in society provided impetus for addressing the “*chronic inequalities, injustices and exploitative conditions*” at all levels and informed the NFLS view of development. The NFLS document thus provided a comprehensive programme for the promotion of women’s economic and social development; that recognised women as an “*essential productive force in all economies*” and that would “*allow women to assume their legitimate and core positions in the strategies ... to promote and sustain development.*” Fore-grounded were the following areas for specific actions: employment; education and training; peace; law, equality and human rights; violence against women; health; food water, agriculture; industry; trade and commercial services; communication; science and technology; energy; environment; housing settlement, community development and transport; and social services. (Annex 1: United Nations report of the priority areas for the *Nairobi Forward-looking Strategies*)

Peace:

The full and effective promotion of women’s rights can best occur in conditions of international peace and security where relations among States are based on the respect for the legitimate rights of all nations, great and small, and people’s to self-determination, independence, sovereignty, territorial integrity and the right to live in peace within their national borders. Peace is not only the absence of war, violence and hostilities at the national and international levels but also the enjoyment of economic and social justice, equality and the entire range of human rights and fundamental freedoms within society. It depends upon respect for the Charter of the United Nations and the Universal Declaration of Human Rights, as well as international covenants and the other relevant international instruments on human rights, upon mutual co-operation and understanding among all States irrespective of their social political and economic systems and upon the effective implementation by States of the fundamental human rights standards to which their citizens are entitled. (Paragraph 13)

The basic strategies put forward with regards to peace called for the removal of obstacles to women’s participation in the promotion of peace and the recognition of women’s special vulnerability to armed conflict. The NFLS was comprehensive in outlining specific sites of threats to peace; and included the recognition of violence against women, for the first time, at the international level, as an obstacle to development, peace, and equality and as a violation

of the human rights of women. Immediate and special priority was called for with regards to violence against women within the family and society. At the Nairobi conference women and children living under apartheid and Palestinian women and children also received special recognition with regards to peace initiatives.

The Nairobi conference was thus underpinned by particular meanings and representations about equality, development and peace that produced certain understandings within which inequity and vulnerability with regards to women could be addressed primarily to overcome the obstacles to development. The Nairobi Forward-Looking Strategies brought important attention to the fact that there would be no development without equality, no equality and development without peace and that the achievement of peace required the equal involvement of women with men in all spheres of life. Thus a significant contribution of the NFLS was the attention it brought to:

The need for women's perspective on human development is critical since it is in the interest of human enrichment and progress to introduce and weave into the social fabric women's concept of equality, their choices between alternative development strategies and their approach to peace, in accordance with their aspirations, interests and talents. These things are not only desirable but also essential for the attainment of the goals and objectives of the women decade. (Paragraph 16)

A key premise of the NFLS was that women were entitled to the benefits of development. Furthermore, human rights for women had entered the vocabulary of development and women's world conferences, informed by CEDAW and other human rights treaties and the growing body of feminist writing on development that brought new points of reference to development thinking.

Recognising that women come from heterogeneous cultures and the desirability of bringing to the centre of debates and discussions issues of difference and diversity; the NFLS paid particular attention to the category WOMAN. NFLS noted substantively that women are often subject to discrimination on the basis of dynamic and various sets of relationships and identities. Importantly NFLS recognised this diversity and difference as possible sites of agency for women and the "*extreme importance ...to revitalise these women's aspirations.*" Particular attention was given to 14 Categories of vulnerable and underprivileged groups of women identified in the NFLS as:

Areas of special concern

Rural and urban poor women; women in areas affected by drought, armed conflicts, foreign intervention and international threats to peace; elderly women; young women; abused women; destitute women; women victims of trafficking and women in involuntary prostitution; women deprived of their traditional means of livelihood; women who are sole supporters of families; physically and mentally disabled women; women in detention; refugee and displaced women; migrant women; minority women; and indigenous women. (Paragraph 41)

When women and their governments next convened for the fourth World Conference on Women in Beijing in September 1995, they would reiterate the continuing validity of the

goals of equality, development and peace for all women everywhere. The Beijing Conference and its Platform for Action would subsequently acknowledge and build on the progress and consensus made on women in Nairobi in 1985. Reaffirming commitment to achieving the full and effective implementation of the Nairobi Forward-Looking Strategies the Beijing Conference would seek to intensify efforts and actions to achieve the goals of the Nairobi Forward-Looking Strategies. Most importantly, the Beijing's Platform for Action would be developed in consonance with the Nairobi Forward-Looking Strategies. For example, the Beijing Platform for Action recognised 12 critical areas of concern in a continuing effort to promote equality, development and peace for, and with all women. *Critical Areas of Concern* touch on the following broad areas:

- Women and Poverty
- Education and Training of Women
- Women and Health
- Violence against Women
- Women and Armed Conflict
- Women and the Economy
- Women in Power and Decision-making
- Institutional Mechanisms for the Advancement of Women
- Human Rights and Women
- Women and the Media
- Women and the Environment
- The Girl-Child.

The Beijing Platform for Action is therefore an agenda for women's empowerment. It aims at accelerating the implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women and at removing all the obstacles to women's active participation in all spheres of public and private life.⁹

The Beijing Platform for Action, a policy commitment, building upon the organised power of the global women's movement now sets the stage for much of the work of the women's movement, and development work.

Structuring the Discourses and Practices for Forward-Looking Strategies for the Advancement of Women

Introduction

The convening of UN world conferences on women have taken place primarily because women have seen the need to have such international forums to bring wider political attention on women and to render political women's struggles to challenge existing norms and practices that limit or deny women their entitlement to full citizenship. The declaration of 1975 as International women's year, its subsequent first UN conference for women, and the follow up

declaration of a decade for women had been driven by women lobbying their governments and the UN to take action to address the situation of women.

The mounting empirical evidence and analysis of the lives of women carried out during the women's decade showed that women continued to make up a disproportionate number of the poorest worldwide. That irrespective of their numbers, roles and responsibilities, women as a group were ignored or not benefiting from development initiatives currently underway, with catastrophic consequences for their families, communities and nations. Thus, the Nairobi Women's conference was an opportunity to respond to the discourses of development as *meaning and practice* because development discourses of modernity and industrialization for economic and social progress were having profound consequences for women. Dominant conceptions of social life were demanding that women as activists and theorists illuminate the consequences and possibilities for women within development.

In the women's decade that followed Mexico, women's activism was framed by their political and feminist positions enabling new analytical frameworks of engaging with development to be developed with consequences for the types of international, national and individual responses to women's concerns. The following section explores the narratives and frameworks that would contribute to the understanding and responses to the developmental issues facing women. For such frameworks would provide the theoretical and analytical insights to the crafting and implementation of the Nairobi Forward-Looking Strategies for the Advancement of Women.

Women in Development-WID: 1975 to the Present

The women's decade generated concepts and ways of thinking that profoundly influenced the Nairobi Conference. Thus any understanding of the Nairobi Forward-Looking strategies must begin with a consideration of the discursive practices of the women's decade. As an international meeting, the Mexico conference, had united women in agreement that= women were entitled to access the fair distribution of their nation's resources; but it was noted that this was most certainly not the case for the majority of women. Women had also agreed in Mexico City that the development of their nations would be made possible and strengthened by women's equal participation; but the reality as they showed was that women remained disadvantaged or invisible in existing development efforts and in many spheres of life.

Given the diverse women present in Mexico there would also be divisions among them along South/North lines; political and class differences; with regards to what constituted women's issues and even whether women's issues were different from men's in terms of development especially for the south. It is important to trace the nature of these first international engagements among women because the shared platforms and sharp differences emerging between Mexico and Nairobi in naming one's struggles, the sites of those struggles, and how development should be understood would come to underpin women's international conferences henceforth given women's different motivations. For example, at the Mexico City conference, women of the south were strongly focused on issues of economic and political justice for themselves and their nations; while northern women's broad concerns divided their attention to sexual politics and patriarchal-relations.

In response to the women's decade findings that women were excluded from development as "participants" and "beneficiaries" the analytical response that emerged after 1975 to guiding

actions were very informed by those feminist critiques that helped illuminate patriarchy and cultural attitudes as the barrier to women's equality and participation in development. The solutions that flowed from this analysis was to bring a "focus on women as an operational category" for development, to "seek equity" between women and men; "to integrate women into development"; and "to develop women-specific" projects. This approach to fit women into development is known as Women in Development-WID. Caren Levy states that organizationally, in governments, agencies and international NGOs the resulting incorporation of WID perspectives would lead to the establishment of separate women's sections with mandates to address their issues.

It is important to note that with the WID approach the development paradigm itself was not challenged; rather its dominant discourses implied its beneficial nature and defined the problem as lying with male biases and the traditions of communities that remained "undeveloped" or "underdeveloped thereby excluding women." The focus on culture and tradition as the basis for lack of development would however, hide from view the power of our gendered life conditions. Nevertheless, development discourses were being interrogated by women more clearly and for the first time. Revealed were how development meanings and practices were exacerbating power differentiation between the south and the north creating disparities through which unequal outcomes of exploitation and oppression work. Exemplified was the power of development practices to transform people into objects rather than agents of their own development. Further critiqued was development discourses' A priori definition of the south as "lacking" rather than hearing how the south might name its own existence.¹⁰

The most important feminist scholarship informing the development of WID was Ester Boserup's pioneering work "Women's Role in Economic Development" (1970). Its key insight was that development had marginalized women and the blame lay with male planners and practitioners of development. The power of Boserup's analysis and other supporting feminists' critiques resulted in greater focus on the economic processes that challenge women. WID perspectives that would develop as a consequence recommended solutions for women to have access to resources through equitable practices, primarily to increase women's productivity and incomes to enable them to fulfil their family responsibilities as well as contribute to the economic growth of their nations.

WID perspectives would make it possible for women to find themselves suddenly placed on the official agenda of development processes through the work of women and international conferences. WID policy responses were growing out of the realisation that women were central to the provision of basic needs and services to families and communities given their caring, domestic and nurturing roles and responsibilities. The recognition and evidence that women faced overwhelming obstacles arising from the devaluation of their productive and reproductive roles and compounded by limited access to productive resources and decision-making would be captured in the language of the Nairobi forward-Looking strategies. The NFLS would thereby recommend promoting women's inclusion in development, equality, and peace initiatives with WID perspectives seen as providing the route for pursuing integration approaches to support women. The NFLS would:

- Seek to commit governments to integrating women's concerns into political, economic, cultural, and social policy and programmes.
- Heighten global attention for the recognition of women's advancement and

- Recognise that women must be harnessed to make possible the implementation of the Nairobi forward-Looking strategies.

At first informed by WID approaches; the Nairobi conference and its strategies for change would provide new meanings and language through out its document to influence and push development agencies and government. The aim was to “*integrate women in the total development effort; support the “participation of women as agents and beneficiaries of development;” focus on the “upgrading and productive utilization of human resources;” and to “first and foremost alter unequal conditions and structures that define women as secondary persons.”* The operating principle of such meanings and language was towards the ultimate goal of the NFLS , the equality of women and men. To this end, strategies sought to guide and accelerate the economic, social and political advancement of women and their active participation on equal footing with men.

Equity concerns drove the first elaboration of WID because women activists were engaging with mainstream development thinking and modifying wider development policy discourses to integrated women. Thus the commitments of the NFLS would see shifts in development strategies towards treating women on equal terms with men. However, women’s continuing welfare needs that called for the provision of minimum standards of living for the poor; most of whom were women would be soon create shifts from equity to anti-poverty discourses with solutions of income generation for women being reflected in WID. Many aspects of the welfare and basic needs approach to WID in order to address poverty persist and have indeed continued to inform much of the work of many local NGOs in the South.

Even with the emphasis on basic-needs, international development agencies and national planners were by the early 1980s beginning to argue for “efficiency” and higher “productivity” driven by the continuing dilemmas and challenges facing economic development in the south. A new official global agenda towards women would emerge with liberal feminists in particular arguing for making women “self-sufficient” through skill provision and the production of “appropriate technologies” to increase women’s efficient contribution to economic development. Calls for efficiency would bring with it structural adjustment strategies with an emphasis on privatisation and liberalisation of markets. The consequences of women would be catastrophic, increasing women’s work burden with the simultaneous decrease in state provisions for social services. Women would begin to contest these definitions of development, the limitations of the integrative approaches of WID and its framing of women for economic development.

Indeed, through the 1980s women’s criticism was clear that this state of affairs was a consequence of a failure on the part of development to ground its theorising and actions in the realities of women’s lives.¹¹ Feminist criticism of WID was directed at their top down strategies that fit women into structures and institutions already male defined and structured, ignoring the pervasiveness and power of gender relations. Eva Rathgeber has argued that in fact, the language of gender, which would come to be framed in later development discourses as Gender and Development-GAD “can be seen as a predicable analytical outcome of the WID approach.”¹² Although gender-aware development had become a focus for feminists arguing for change of perspectives in development work during the 1980s, with WID in ascendancy, GAD would not guide many development perspectives nor fundamentally frame the Nairobi strategies at their inception.

Caren Levy has argued that WID has had tremendous impact internationally; “over the last twenty years we have seen the creation of a women’s sector. This is reflected in the flow of resources in and between international, national and local agencies and organisations concerned with WID. To the extent that women’s roles, recognition and actions are either absent or are present in an ad hoc or an add-on way [within WID]. While WID has institutionalised itself it has not institutionalised women in the practices of development agencies.”¹³

Analysing the responses of different agencies to the WID approach Nuket Kardam¹⁴ found varied responses to integrating women and women’s concerns into development programmes. For example, the Ford Foundation had recognised the importance of women’s issues since the 1970s such that WID projects had increased from 52 between 1972 and 1979 to 326 in 1980 and 1998 period. Ford Foundation even went further, and unlike other agencies or organisations did not establish a separate WID programme or office but mainstreamed WID activities into all its programmes and monitored its activities.

Donor agencies may have responded to the international feminism being voiced at the Nairobi meeting; however there were contradictions in their implementation of WID. Challenging dominant discourses of development as they implemented NFLS were organisations such as the Canadian International Development Agency- CIDA. CIDA stance was clear support for WID to integrate women into its programmes. However CIDA policy documents stated that WID was a “development issue” rather than a “women’s issue” and as a consequence, explicitly recognised that “women’s situation would be improved if its programmes addressed structural changes at social, political and economic levels.” Eva Rathgeber notes that “although CIDA continued to use the language of ‘Women in Development,’ the meanings attached to this language encompassed a “Gender and Development” approach.”¹⁵

Although the *Nairobi Forward-looking Strategies* had directed attention towards addressing women’s inequality, structural inequalities and unequal power relations remained inadequately addressed suggesting the need for the types of approaches that went beyond incorporating women into existing structures and would instead direct thinking towards social transformation.

Marxist-feminists had begun questioning existing analysis and approaches to women’s issues in a context of growing criticisms of development discourses from women of the south since the mid-70s. For example, critical questions about the WID paradigm was raised when feminists began to argue that “as women’s contribution have always been central to any possibility of development, the question to be asked was *why* women were excluded from projects of development.”¹⁶ Consequently, this approach known as “Women and Development-WAD” sought the transformation of mainstream development, the integration of women into development and also challenged the created dependency of nations of the South. (Sen and Grown, 1977)

The Language of Gender: Gender and Development (GAD)

Gender as a concept of analysis had been in use since the 1970s, however, it was not in use in development discussions until the 1980s but it would not be until 1988 that the Swedish development agency SIDA¹⁷ would be the first to institutionalise gender perspectives within its programmes. With the language of gender, feminists were able to make visible how the relations between women and men are about power and are socially constructed to “shape the dynamics of every site of human interaction”¹⁸ in ways that sustain inequality and oppression.

Cynthia Cockburn would argue that the explanatory power of gender analysis is that “the differentiation between and the relative positioning of women and men is illuminated and shown as an important ordering principle. These differences between women and men are of importance to feminists because differentiation constitutes power and powerlessness.”¹⁹

The power of the gender critique lay in revealing that “integrating women into development” was not enough, neither was legal equality between women and men, if the power relations between women and men, and if the gendered power relations manifest within institutions be it schools, workplaces, law courts, the family, or in parliamentary assemblies remained untouched. Focusing on gender rather than women as an analytical category revealed how our lives were constructed in ways that have brought gain to some and disadvantage and harm to others as a consequence of their gender. And that gain or harm was further intensified on the bases of sexuality, class, race, ethnicity, ability and even age. Such insights would see the demand for infusing gender analysis into development work; national policies, programmes and institutions.

GAD approaches create interventions that focus on women only or men only as appropriate; recognising that women have practical immediate needs arising from their *condition* as women and their strategic interests that arise from their subordinate *positions* is a of power relations function.²⁰ Both the practical and strategic interests of women must be addressed if social transformation is to be achieved. In GAD, whatever the concerns, they must be framed to attend to the unequal relations that prevent empowerment. The GAD agenda is better poised to strengthen engagements between women of the south and north given its attention to unequal relations of power than WID.. During the Nairobi Conference GAD thinking would be part of the unfolding discussions but it would not inform the structuring of the strategies rather, it would finally enable women to articulate concerns that had previously been categorised as not within their areas of interest such as political power and representation. For example, problems of gendered violence were recognised for what they were and rendered a matter of politics and therefore for the public realm.

In addressing the practical needs of women, GAD approaches have often approximated WID. For example, the provision of services such as health, education, water, sanitation or legal access for women uses WID strategies of integration, women projects, women only components, enhancing women access to credit to increase their productivity, and to increase women’s skills to manage their reproductive responsibilities. To address strategic needs, more is required such as women themselves identifying their concerns and how they seek to address them. Collective action is also required that is directed at challenging gender norms and seeking to reform the institutions and practices that create unequal power relations.

GAD approaches have been difficult to implement into the mainstream of development. The constraints arise from analytical challenges, under-investment in strengthening GAD implementation and the capacity to do so; and piece-meal approaches to gender equality work. Since the women’s decade down to the present policy environment that lay emphasis on economic development have continually reinforced WID rather than the social changes envisioned through GAD. Jane Parpart, citing Catherine Moser noted that what is problematic about GAD approaches are the “planning cycles, data collection, monitoring and feedback procedures that would exclude all but the most formally educated women. The formalities of planning thus reproduce, intentionally or by default, hierarchies within the development enterprise. The assumption that modernisation require such planning and expertise inhibits

new ways of driving development.”²¹ Kum-Kum Bhavnani and John Foran and Piriya Kurian also argue that “aid agencies and development practitioners tend to use the concept of gender in reductionist ways, failing to grapple with issues of power, conflict, and the larger social, cultural and political contexts that frame women’s inability to resist conditions of oppression.”²²

Feminist Interventions Within Development

The growth of an international women’s movement especially with the women’s decade acted to bring women together into the liberatory discourses of feminism.²³ In seeking to make sense of women’s lives and concerns and to understand the issues women face, feminism, broadly understood as an emancipatory and political²⁴ project for social justice has offered multiple powerful discourses. However, the term feminism is a contested term often dividing women along north-south lines with women of the south hypothesising the term as western inflected and exclusionary. More specifically, it has been this critique that drew attention to the “structural hierarchies, which do not give African women equal, access to forums and academic laboratories in which feminist issues are discussed and knowledge is ultimately produced.”²⁵ More importantly, the question that has continued to be posed since the women’s decade, given this critique, is whether the conditions of African women’s lives can be comprehended by the analytical frameworks produced by a feminism in which African women’s diverse life experience has not been articulated (Philomena Okeke).²⁶

Women scholars from the nations of the south have contributed insights yielding broader and multiple feminist debates. Influential discussions by Chandra Mohanty²⁷ at the end of the 1980s had a bearing on development thinking challenging western feminist theorising of women of the south in ways that positioned them as tradition bound and helpless victims of an overarching patriarchy. Questioned by women of the south was: what constitute women’s issues, the very definition of womanhood, the construction of gender and issues of power among women as Ife Amadiume would do in her seminal work, *“Male Daughters, Female Husbands: Gender Sex in an African Society”* (1987). Interrogated by women of the south was the idea of the west as the lens explaining the lives of “Third-World Women.” Uma Narayan would decry the faulting of culture²⁸ for the challenges women of the south faced, such that Philomena Okeke protested that “we cannot articulate our positions, especially those on culturally sensitive issues, for example, polygamy, circumcision, and birth control.”²⁹ The dominant vision of women of the south by development practitioners was to see them as obstacle and thus a problem for development, a view that failed to be attentive to women or to even consider them an important or direct “beneficiary” of development interventions. It is this vision of women that would ignite strong challenges from women activists, feminists and those critical of dominant definitions of development as material progress patterned after the North. M. Jacqui Alexander and Chandra T. Mohanty, thus posit that “the question we ask is how do women conceive of themselves and their communities in the context of retheorization”³⁰ of social life.

As the meanings of development practices began to be questioned especially by women from Africa, Latin America and Asia, bringing new voices that continually raised issues with the global distribution of power and resources, development discourses and their attendant’s ignorant practices towards the real needs and interests of women were brought to the fore.

The spaces expanded by international conferences would create demand and yield research for and by African women strengthening feminist theorising and basis for action that would inform the women's decade and beyond. The creation of the Association of African Women for Research and Development (AAWORD) in the late 1970s would strengthen African women's engagements with global activism while the development of DAWN³¹ in the 1980s would work specifically to bridge and inform the gap between women of the south and north with a new liberatory dialogue of Gender and Development and women's empowerment approaches. Fatou Sow observes that by 1982, a seminar in Dakar bringing "together French, English, Portuguese and Arabic speaking women at a seminar in Dakar proclaimed;

Feminism constitutes the basis of this new awareness of and cultural resistance to all forms of domination.... Feminism is international in that its objective is the liberation of women from all kinds of oppression and in that it seeks to promote solidarity between women of all countries; it is national in its definition of its strategies and priorities, which must conform to the specificity of cultural and socio-economic conditions.³²

More recently however, Everjoice Win, a Zimbabwean feminist has argued that, "gender discourses and tools have been systematically wrenched from the hands of feminists. There have also been serious efforts by many to distance "gender" and all it entails from feminism. So it is not uncommon to hear the refrain, 'we don't want to be feminists. We want to do good gender work.' What exactly does this mean?"³³

In the wake of this feminist critique, there remains the urgent need for dialogue and debate between different approaches to development.

Appraising Achievements and Challenges: Twenty Years after the Nairobi Conference

At the end of the Nairobi Conference, there was hope that great steps would be taken towards women advancement.. The NFLS were seen as contributing to the continued strengthening of the economic, political, social and legal aspects of women's lives. Five years later, in 1989, the Commission on the Status of Women (CSW) reviewed the implementation of NFLS.. The conclusion reached by CSW was that although many gains were being made especially with regards to reforming laws and the economic inclusion of women there had not been a sufficient improvement in the overall condition and position of women. In 1994, a regional African conference on women, held in Dakar, for =ministers and representatives of government, preparing for the fourth international women's conference of 1995, appraised the regional implementation of theNFLS. It was acknowledged at the Dakar meeting that there had been "an overall sensitisation of African leaders, development agencies and women on the need to incorporate gender perspectives in all development processes."³⁴ The same meeting also noted obstacles arising from; political instability, religious extremism, lack of political will, lack of resources, poor economic performance due to unfavourable terms of trade and ineffective policies, heavy debt burden, frequent natural disasters, the absence of women at decision making levels as all impeding the implementation of the NFLS."³⁵ Women's situation would continue to be exacerbated by poverty, with persistent and dramatic increases in world poverty, calling for poverty alleviation to be fore-grounded separately and specifically by the time of the Fourth World Conference for Women held in Beijing.

When women reconvened for the conference in Beijing, in 1995, the need and determination remained to advance the goals of the NFLS. Reflecting back on what had happened since the Nairobi meeting, the CSW, in consultation with women and their organisations, would draft a blueprint for actions building on the interventions of the intervening years since Nairobi, to be debated and adopted during the Beijing conference. The Beijing conference would support and reaffirm many of the actions set out by the Nairobi Forward-Looking Strategies and previous human and women's rights conference documents. The Fourth world conference would also present an opportunity to re-strategise actions for achieving gender equality. The Beijing Platform for Action would outline more clearly where responsibility lay, state more specifically the necessary accountability mechanisms and detail more strongly and fully the nature of the strategies required and by whom. The Beijing conference would also reiterate the need for governments to recommit to the issues of; education, health, violence, effects of conflict, access to economic structures, power and decision-making, human rights, media, the environment and restated the need for national machinery to ensure implementation. (See Annex 2: The review of the twelve critical areas of the Platform for Action).

The Beijing Platform for Action, adopted at the United Nations 4th World Conference on Women would establish gender mainstreaming as the key strategy to address inequalities in the twelve outlined areas of critical concern to women. As an approach to transforming development, gender mainstreaming focused attention on gender and gender analysis as the point of departure before decisions are taken in all areas of policy making and programme development. Reviewing whether gender mainstreaming works and how well it has worked, Gerd Johnsson-Latham argues that "current efforts appear insufficient and possibly not heading in the right direction; ... at best, a reminder of the need to add "women's interests' to "refine" already established settings."³⁶ Joanne Sandler writes in support of the previous critique, pointing to "the deep structures in organisations that inhibit or prohibit gender mainstreaming from being an effective strategy for transformation towards gender justice;"³⁷ while Everjioce Win sees part of the problem as arising from "the lack of conceptual clarity of gender as an analytical concept."³⁸ As a tool to realise women's empowerment, gender mainstreaming is burdened with the challenges that confront the discourses of "gender and development" (GAD); such as the lack of: political will, the provision of long-term resources; commitment to gender justice; and a shared conceptual and analytical intelligibility that informs gender equality work.

As we approach twenty years since we hosted the Nairobi conference, and ten years since the Beijing Conference, profound changes have marked the lives of African women. The discourses of official documents now more often than not incorporates the language of gender, women's rights, gender equality, and women's empowerment. Momentous steps forward have been taken in the areas of political participation. African women are now independent political actors aspiring and contesting for positions of national leadership. The number of African women in parliaments across Africa has increased substantially. Even the African Union Commission has gender parity, and its speaker of parliament is a woman. Reforming African governments and crafting new constitutions have seen women involved in the processes of gender responsive governance enabling women's issues to be fore-grounded and incorporated. Women's civil society organisations have grown, expanding the democratic spaces for women to press for equality claims and safeguard gains for women. At the same time, these democratisation processes have occurred with women's contributions thus adapting

democracy to reflect the entry of women. African nation states have also begun to respond to the demands from women to make laws responsive to women and to prohibit violence against women. Since the Nairobi and Beijing conferences women's activism has increased attention on gender-based violence. Globalisation of communications has helped mobilise women's participation in global forums. Women now network with diverse women's and civil society organisations as key participants seeking to reshape processes, for example, in the areas of trade, human rights, reproductive health and macroeconomics in global policy debates.

Acute challenges have also presented themselves. The HIV/AIDS pandemic has emerged and spread "fuelled by gender discrimination and violence against women."³⁹ Current care strategies for HIV/AIDS that overwhelmingly fall upon women have failed to address or transform the intensified burden of care on women. Increasing insecurity, failing states, and the crisis of armed conflicts in several African countries has increased violent crimes against women and caused mass population displacements with gendered consequences for the life chances of women; thus requiring women's and gendered peace responses to conflict. Women's work burden has continued to increase. Women have increasingly taken on responsibilities that their states should assume but have failed to as they become saddled with structural adjustment and privatisation policies that constrain the affordability, availability and safe access to basic social services for many women and their dependants. These challenges have been partly fuelled by globalisation; or what Alison Symington describes as:

"The significant political, economic and social changes that have been taking place, begun in the 1970s, driven by transnational corporations, states and financial institutions resulting in increased interconnectedness among nations and women. Globalisation has seen the power of the sovereign state shift and loose strength. For women, this means their governments make fewer decisions with respect to critical issues for them; with women suffering disproportionately from the disruptions caused by the depoliticised world economics, the exacerbation of existing inequalities and the production of new divisions and asymmetries."⁴⁰

Furthermore, the debt burden of several African states has placed severe limits upon the resources available for investment in women and the poor.

With regards to the processes we have embraced to deliver gender justice; the results, twenty years on, suggest opportunities have been made possible and taken; and constraints have also emerged from these same processes that undermine the work. Women in Development (WID) perspectives have remained dominant, while Gender and Development (GAD) approaches have been more irregularly implemented. Human rights as an approach to development has more recently also come to frame the agendas of development work. As both vision and a set of tools it has grown out of "the experiences and expertise of two significant branches of the women's movement: development and human rights,"⁴¹ during the period following the Nairobi Forward-Looking Strategies and the increased attention on women's rights as human rights. What these approach share, especially WID and GAD is that they have been under-resourced with regards to both funding and staffing. What is also evident from the lessons emerging in utilising these diverse approaches is that there is a need to rethink what and how conceptual frameworks underpinning gender equality work, will help our efforts. Following this is the need to give thought to addressing the need for analytical work, especially in the East African region, that will ground our activism; and the creation of spaces within which the necessary analytical work may be done and a reflective stance encouraged and supported.

Much has also remained the same since the Nairobi conference. Women have not attained equality with men; they disproportionately continue to perform most of those essential tasks of caring, nurturing, domestic work and holding their communities together their choices indeed expanded in some areas even as they remain narrower in several aspects. Furthermore, reproductive rights and issues of sexual autonomy remain un-addressed and issues of intense struggle and conflict.

The Nairobi conference made clear that an international woman's movement now existed marking women's issues as universal and global. World conferences for women have therefore, provided forums for the consistent espousal of the vision of women's empowerment and gender justice; what have varied are the strategic tools and approaches to deliver on this vision. What we need to now demonstrate in the East African region is what has worked and to support and expand current successful efforts towards gender equality work. At the same time we still need to build greater support, attention, capacity and accountability for women's human rights⁴² in the East African region. And it seems worthwhile to continue to recognise and support the development of sustainable and autonomous organisations that will and can strongly move the gender equality agenda in the region.

Given the contradictions and complexities, for women of Africa, two decades after the Nairobi conference, we seek to reflect on the obligations that we undertook to bring about change in women's lives. Equally important, for women of Africa, 2005 is also a year to celebrate achievements of the past twenty years, as well as an opportunity to sustain the vitality of the women's movement and to assess how and where we go from here.

Opportunities for Contemporary Initiatives

The Ford Foundation has a unique opportunity to strengthen organisations and networks contributing to the agenda for gender equality and women's rights. Consultants working in diverse areas of critical concern to women in the region will conduct explorations and discussions with grant receivers (local organisations) and grant makers (donors) in Kenya to provide understanding of:

1. How grant makers and grant receivers perceive and understand what it means to carry out gender work?
2. The role or influence of the Nairobi Forward-Looking Strategies and the Beijing Platform for Action and other World Conferences in the specific area or sector
3. The approaches, perspectives and strategies that have informed the gender work undertaken by the grant receiver/grant maker?
4. The nature of the challenges and opportunities in the specific area or sector in working within particular conceptualisations of gender work? (*The way a particular grant receiver / grant maker conceptualised its gender work may have been enabled or constrained the operationalisation of gender work*).
5. The successes, constraints and gaps for grant receivers and grant makers in the specific sector or area of work?
6. The types of training or capacity that have helped the grant receiver and grant maker

7. The international commitment to social justice for women has been continuously renewed over the past forty years; how have grant makers and grant receivers own perceptions, visions and understandings been changed in moving the work forward?

Understanding how grant makers and grant receivers have worked, continue to work and envision working in the area of gender equality and women's rights will be informed by the research conducted to explore the above questions. For Ford Foundation, the findings can begin to assist in clarifying and developing the tools for grant making as well as help illuminate what will be possible to do and achieve.

Annexes

Annex 1: United Nations Report of the Nairobi Forward-Looking strategies
(Provided separately)

Annex 2: Review of the 12 Critical areas of the Beijing Platform for Action
(Provided separately)

Notes

- 1 The Commission on the Status of Women is a United Nations Institution for the advancement of women at the intergovernmental level. It was designed to deal specifically with issues relating to the status of women.
- 2 United Nations "Report of the World Conference to view and appraise the achievements of the United Nations Decade for women: Equality, Development and Peace. New York, 1986.
- 3 Copenhagen was the substitute conference site in 1980. In 1977 the Government of Teheran had offered to host the second world conference for women but by 1978 it had withdrawn the offer with the fall of the Shah of Iran.
- 4 The Mexico Conference adopted the World Plan of Action for the implementation of the objectives of the 1975 International Women's Year and the Declaration of Mexico on the Equality of Women that called for the preparation and adoption of a convention on the Elimination of discrimination against women-CEDAW. CEDAW had been stated in 1967 thus Mexico brought the issue back on the agenda and the Commission on the Status of Women (CSW) began the work. CEDAW entered into force in 1981.
- 5 Fatou Sow. 1997. The Social Sciences in Africa and Gender Analysis. In A. Imam, A. Mama, and F. Sow, eds. *Engendering African Social Sciences*. CODESRIA, Dakar.
- 6 Amirita Basu. 2004. Women's Movements and the Challenges of Trans-nationalism. *Feminist Africa*, 4.
- 7 Report of the world conference to review and appraise the achievements of the United Nations Decade for women: equality, development and peace. Nairobi, 15-26 July 1985. United Nations. New York, 1986
- 8 Dame Nita Barrow would later become the Barbados representative to the United Nations and Governor General of Barbados.
- 9 United Nations, 1996. *Platform for Action and the Beijing Declaration*. United Nations Department of Public Information, New York.

- 10 A few examples of the feminist interrogators of development in the 1970s -1980 included: Leslie O. Ogundipe, 1987; Societe africaine de la culture, 1975, 1991; L. Beneria and G. Sen 1982; A. Ong. 1988; M. Mies, 1982; DAWN, 1987; G. Sen and C. Grown, 1987; V. Shiva, 1988; Steady, 1987; A. O. Pala, 1977; P. Antrobus, 1989; F. C. Steady, 1987, 1991; AAWORD, publications between 1986-1992.
- 11 A UNDP report noted in 1982 that “between 1974 and 1980, a period that included half of the United Nations’ Women’s Decade, only 4% of projects involved the participation of women; of these, half had only minor level of participation by women
- 12 Eva Rathgeber. 1995. *Gender and Development in Action*. In M. H. Marchand and J. I. Parpart, *Feminism, Postmodernism, Development*. Routledge, Great Britain.
- 13 Caren Levy. 1996. *The Process of Institutionalizing gender in policy and planning: The web of institutionalism*. Working Paper #74. Development Planning Unit. University College, London.
- 14 Cited in Eva Rathgeber. 1995. *Gender and Development in Action*. In M. H. Marchand and J. I. Parpart, *Feminism, Postmodernism, Development*. Routledge, Great Britain, p. 210.
- 15 Eva Rathgeber. 1995. *Gender and Development in Action*. In M. H. Marchand and J. I. Parpart, *Feminism, Postmodernism, Development*. Routledge, Great Britain, p. 211.
- 16 Kum-Kum Bhavnani and John Foran and Piriya Kurian. 2003. *An Introduction to Women, Culture and Development*. In Kum-Kum Bhavnani and John Foran and Piriya Kurian, eds. *Feminist Futures: Re-imaging Women, Culture and Development*. Zed Books, London, New York. p.5
- 17 Caren Levy. 1996. *The Process of Institutionalizing gender in policy and planning: The web of institutionalism*. Working Paper #74. Development Planning Unit. University College, London.
- 18 Cynthia Cockburn. 2001. *The gendered dynamics of armed conflict and political violence*. In C. Moser and F. Clark, eds. *Victims, Perpetrators or Actors?: Gender, armed conflict and political violence*. Zed Books, London, New York.
- 19 *Ibid.* p. 15
- 20 Eva Rathgeber. 1995. *Gender and Development in Action*. In M. H. Marchand and J. I. Parpart, *Feminism, Postmodernism, Development*. Routledge, Great Britain
- 21 Jane Parpart. 1995. *Deconstructing the development “expert”: Gender, development and the vulnerable groups*. In M. H. Marchand and J. I. Parpart, *Feminism, Postmodernism, Development*. Routledge, Great Britain, 236.
- 22 Kum-Kum Bhavnani and John Foran and Piriya Kurian. 2003. *An Introduction to Women, Culture and Development*. In Kum-Kum Bhavnani and John Foran and Piriya Kurian, eds. *Feminist Futures: Re-imaging Women, Culture and Development*. Zed Books, London, New York. p.5
- 23 Amina Mama. 1997. *Postscript: Moving from Analysis to Practice*. In A. Imam, A. Mama, and F. Sow, eds. *Engendering African Social Sciences*. CODESRIA, Dakar.
- 24 It is worth noting here my use of this term: “political”. Van Allen provided valuable understanding that I repeat here: “The political can be seen as encompassing all those human concerns and problems that are common to all members of the community, or at least to large numbers of them. Political problems are shared problems that are appropriately dealt with through group action- their resolutions are collective”. J. Van Allen. 1972. “Aba riots” or Igbo “women’s war”? *Ideology, stratification and the*

- invisibility of women. In N. Hafkin and E. Bay, eds. Women in Africa: Studies in social and economic change. Stanford University Press, California. USA. p. 64.*
- 25 Indeed most studies written about African women have come from outside the Africa continent. Bessie House-Midamba. July 1996. Introduction. *Africa Today*, Vol. 43. No.3 p219-222
 - 26 Philomena Okeke. July 1996. Postmodern Feminism and Knowledge Production: The African Context. *Africa Today*, Vol. 43. No.3 p223-234
 - 27 Chandra T. Mohanty. 1991. Under western eyes: feminist scholarship and colonial discourses. In C.T. Mohanty, A. Russo, and L. Torres Thord. Eds. *Third World Women and the Politics of Feminism. Indian University Press: Bloomington.*
 - 28 Uma Narayan, 1997. *Dislocating Cultures. Identities, Traditions and Third World Feminism.* Routledge, New York.
 - 29 Philomena Okeke. July 1996. Postmodern Feminism and Knowledge Production: The African Context. *Africa Today*, Vol. 43. No.3 p. 231
 - 30 M. Jacqui Alexander and Chandra T. Mohanty. Eds. 1997. Introduction, Genealogies, legacies, movements. *Feminist Genealogies, Colonial Legacies, Democratic Futures.* Routledge, New York, London. p. xxxvi.
 - 31 Development Alternatives with Women for a New Era (DAWN, was a network that emerged to effect change of WID discourses into development for “empowerment” as its vision for women.
 - 32 Fatou Sow. 1997. The Social Sciences in Africa and Gender Analysis. In A. Imam, A. Mama, and F. Sow, eds. *Engendering African Social Sciences.* CODESRIA, Dakar; p. 41
 - 33 Everjoice Win. 2004. Gender Mainstreaming: Can it work for Women’s Rights. *AWID Spotlight* No. 3.
 - 34 AAWORD. 1985. Cited in Fatou Sow. 1997. The Social Sciences in Africa and Gender Analysis. In A. Imam, A. Mama, and F. Sow, eds. *Engendering African Social Sciences.* CODESRIA, Dakar; p. 41
 - 35 *Ibid.*
 - 36 Gerd Johnsson-Latham. 2004. Gender Mainstreaming: Can it work for Women’s Rights? Spot Light, AWID. No. 3, p. 5.
 37. Joanne Sandler. 2004. Gender Mainstreaming: Can it work for Women’s Rights? Spot Light, AWID. No. 3, p. 4. 2004. Gender Mainstreaming: Can it work for Women’s Rights? Spot Light, AWID. No. 3, p. 7.
 - 38 Everjoice Win. 2004. Gender Mainstreaming: Can it work for Women’s Rights? Spot Light, AWID. No. 3, p. 7.
 - 39 Noeleen Heyzer. 13 January 2004. *Women’s Participation and Leadership: Vital to Democratic Governance.* Summit of the America. Monterey, Mexico.
 - 40 Alison Symington. 2004. Re-inventing globalization for women’s rights and development. Association for Women’s Rights in Development (AWID) 9th International Forum on Women’s Rights in Development.
 - 41 Association For Women in Development. 2005
 - 42 Joanne Kerr. . 2004. Gender Mainstreaming: Can it work for Women’s Rights? Spot Light, AWID. No. 3, p. 10.



CHAPTER 2

Review of the Human Rights and Social Justice Sector

By Wanjiku Mbugua

Introduction

The concept of human rights is fundamental to all aspects of human development and was bolstered by the United Nations Charter and the Universal Declaration of Human Rights of 1948. Human rights are inalienable birthrights for every human being regardless of sex, race, religion, creed or nationality. They inhere in humans by virtue of their being human and are not dependent on the State. Since 1949, numerous human rights instruments and resolutions have been concluded.¹ This chapter reviews the progress made in mainstreaming gender and women issues in the human rights and social justice sector in the last 20 years, since the Third World Women Conference, held in Nairobi, Kenya in 1985.

Concerns regarding human rights and social justice are at the core of the women's movements. Indeed, all the other concerns (education, governance, employment, among others) are only justifiable if existing practices in the relevant areas are seen as violation of human rights and social justice. Human rights are rights to which people are entitled to by virtue of being human while social justice is the morally justifiable distribution of material rewards. Social justice is a broad term that covers within its fold everything pertaining to the norm of 'general interest' ranging from the protection of the interests of the minorities to the eradication of poverty and literacy. For purposes of this study, human rights are claims that human beings are entitled to and which are manifested in legal normative frameworks and processes.²

Human rights and social justice concerns constitute the foundation of the women's movement. Indeed, inequalities between sexes in the social, political and economic domains have been responsible for women's agitation for human rights and social justice.

In the last few years, governments working through the UN, and the UN itself, have made tremendous strides in recognizing women's rights as human rights. Commitments have been made that will, if implemented effectively, advance women's enjoyment of all human rights and transform the lives of millions of women all over the world.

The universality and indivisibility of human rights means that they should be enjoyed by all people, at all times and that no one set of rights can be enjoyed at the expense of others. Despite the reaffirmation the debate continues with some sections claiming that where local

traditions or values are at odds with internationally recognized human rights, these traditions should take precedence. Thus, the rejection of the universality and indivisibility of all human rights is often a justification for women's civil, cultural, economic, political and social rights to be denied in the name of cultural values which are based on unequal power relations between men and women.

The review seeks to answer the following questions:

- Are human rights and social justice issues seen in a broad or narrow perspective?
- Is the broad or narrow perspective (broad or otherwise) is justified or is it by default?
- Has any progress been made towards the implementation of the commitments and relevant recommendations of the 3rd World Women's Conference in Nairobi in 1985 and Beijing Conference in 1996?

The Nairobi Forward Looking Strategies (NFLS) for the Advancement of Women

The NFLS were adopted by the 3rd UN World Women Conference held in Nairobi, Kenya, 15-26th July, 1985. The Conference's objective was to review and appraise the achievement of the UN Decade for Women. The NFLS were to guide the global and regional efforts geared towards uplifting the status of women over the period from 1986-2000. The Women's Decade, whose end was celebrated at the Nairobi Conference, was targeted at the achievement of its theme, *Equality, Development and Peace*. The NFLS acknowledged earlier efforts already in place to improve the status of women.³

The NFLS urged state parties to put in place mechanisms for implementing the strategies developed. The objectives of the Decade were therefore broad, interrelated and mutually reinforcing, so that the achievement of one contributes to the achievement of another and were seen as being integral to the fulfillment of goals and objectives set earlier in the above-mentioned documents. On the economic front, the conference was taking place at a critical moment in the developing countries. The report noted that ten years earlier, there had been hope that "accelerated economic growth, sustained by international trade, financial flow and technological developments would allow the participation of women in the economic and social development of those countries."⁴ These hopes were however, dashed by the persistent economic crisis which had become a significant "obstacle that endangered not only the pursuance of new programmes in support of women but also the maintenance of those that were already under way."⁵

Paragraph 10 points out that the Conference held in Copenhagen in 1990 (Social Dimensions of Development) had given equality a broad definition covering legal equality, elimination of *de jure* discrimination, equality of rights, responsibilities and opportunities for the participation of women in development, both as beneficiaries and as change agents. Paragraph 10 defines equality as a goal and a means of achieving equal treatment for women and men within the context of women's human rights and social justice which is in conformity with Heywood's point of view that "social justice is often seen to imply a bias in favour of equality".⁶

Strategies for women's advancement in the Human Rights and Social Justice Sector

Since the Women's Decade, a number of strategies have been advanced within the Human Rights and Social Justice Sector.⁷

Obstacles

Par- agraph	Obstacle	Theme	Action
43	De jure and de facto discrimination on the basis of sex	Discrimination	-The UN system Commission on the Status of Women
44	Poverty and social economic inequality of women	Unjust economic relationships	-United Nations -State parties
45	Social, economic, political and cultural factors	Discrimination of women on the basis of gender	Unspecified
46	Inequality in power and decision making	Gender imbalance in decision making	Unspecified
47	Underutilisation of women's human resource talent	Wastage of talents	Unspecified
48	Disconnect between legislation and implementation strategy	De facto discrimination	Unspecified
49	Conflict between customary and legal systems provisions	Conflict in law	Unspecified
50	Discriminative legal provisions in all sectors	Non harmonization of laws	Unspecified

Basic strategies

Para	Strategy	Theme	Action
51	Political will and a comprehensive legal framework for equality of women and men on the basis of human dignity	Political will	Unspecified
52	Guaranteeing the right to development	Gender equity and equality	Governments

53	Policy and structural change in the social and economic structures	Policy reforms and intergenerational equity	Unspecified
54	Guaranteeing equality before the law and social security	Social justice	Governments
55	Establishing and strengthening institutions and procedures to monitor discrimination	Institutional mechanisms and procedures	Unspecified
56	Removing gender stereotypes and perceptions using multiple channels	Stereotypes, perceptions and attitudes	Unspecified
57	Appropriate governmental machinery for monitoring discrimination and abuse of women's rights	Strategic national machinery	Governments
58	Collecting and collating gender disaggregated data	Gender analysis and interest integration	Unspecified
59	Division of labour and recognition of women's contribution as well as access to and control of means of production	Sharing of domestic responsibilities	Unspecified

Measures for the Implementation of Basic Strategies at the National Level

Summary of constitutional and legal measures

Para	Measures	Theme	Action
60	Signing and domesticating CEDAW and other international instruments within the national legislation framework	Domestication and internalisation of instruments	Governments
61	Establishment of appropriate institutional mechanisms and administrative procedures for enforcement, implementation and monitoring	Policy and institutional reforms	Governments
62	Recognition and tabulation of the women's labour contribution in the agricultural sector and access and control of means of production	Policy change in the agricultural sector	Unspecified

63	Conducting action-oriented research in relation to the role, status and material circumstances of women	Research and integration into educational curriculum	Unspecified
64	Capacity building for national statistical institutions	Technical and institutional capacity building	Unspecified
65	Research on customary law and the extent of its protection or otherwise of women's rights	Comparative research on customary law	Unspecified
66	Setting up gender inclusive and multi-sectoral law reform committees	Gender parity in law review	Governments and NGOs
67	Equality in employment in all sectors	Equal rights to formal employment	Unspecified
68	Review of civil codes and family law	Equality Family law	Unspecified
69	Gender parity in economic development and world of work	Equal employment opportunity, terms and conditions of work	Unspecified
70	Improving working conditions of women	Better terms and working conditions for women	Unspecified
71	Lobbying and advocacy for gender equality in employment opportunities	Equal rights in employment and a just pay	Unspecified
72	Labour rights education and advocacy	Labour reforms	Governments
73	Enforcing the reproductive health rights of women and girls	Respect for reproductive health rights of women and girls	Unspecified
74	Enforcing women's property rights and fighting against disinheritance	Protection of women's property rights	Unspecified
75	Capacity building for the judiciary and paralegal fraternity	Skill building for paralegal workers	Unspecified
76	Building capacity of women and institutions to deal with gender based violence	Training in civil and criminal procedures	Unspecified

Summary of measures of ensuring equality in social participation

Para	Measures	Theme	Action
77	Sustained public campaign for equal participation and abolition of discriminatory perceptions and practices by the year 2000	Joint collaboration in public campaigns	Governments and NGOs
78	Formulating national women's policy	Gender policy formulation	Governments
79	Ensuring equality in representation of women and men at sub region, regional and international fora	Equal representation and participation in decision making processes	Governments
80	Mobilization and sensitization of women and men as agents of change at all levels of society	Parental responsibility	Unspecified
81	Identification of discriminatory practices in education and training	Impact of sexual discrimination on the development of human resources	Unspecified
82	Developing broad based curriculum for educational and training institutions incorporating women's history and their role in society	Promoting women studies and research activities	Governments and private institutions
83	Developing creative and innovative Information, Education and Communication materials	Gender sensitive learning and teaching methodologies	Unspecified
84	Enhancing women's participation in public life	Gender equality in public life	Governments
85	Promoting positive images of women through media	Positive imaging and profiling women	Unspecified

Summary of Measures for Achieving Equality in Political Participation and Decision Making

Para	Measures	Theme	Action
86	Enhancing effective representation and participation of women in politics and decision making at all levels	Mainstreaming in Executive, Legislature, Judiciary and political parties	Governments and political parties
87	Increasing women’s visibility in management and governance structures	Promoting women in governance	Government and other employers
88	Legislative and administrative reforms for gender equality in decision making	Affirmative action, policy and strategy	Governments
89	Reconciling and family and professional duties	Special gender consideration in employment and deployment	Governments
90	Creating awareness of their political and trade union rights through multiple channels	Women in politics, trade unionism and public life	Trade Unions, Media, Business organizations and NGOs
91	Enhancing social mobility for women for women	Career open for merit and affirmative action	Trade unions, political parties and other organizations
92	Creating policy platforms for women and men participation	Gender responsive institutional arrangements and procedures	Governments

The Attention Given To Human Rights and Social Justice Post Nairobi on Women's Issues

The Abuja Conference

The proceedings of the Abuja Conference were published by the United Nations Economic Commission for Africa in a document entitled: *Advancement of African Women: Forging a Strategy for the 1990s*. Although a number of the remarks by individuals who gave key note addresses and the General Assembly (that made the recommendations (contained in the Abuja Declaration) are pertinent to the NFLS, they are somehow treated as human rights and social justice issues. In many cases, they are not even expressly associated with the Nairobi Conference. All the same, one can see areas where some improvement had been observed. After noting all the improvements and persistent areas of concern, the Abuja Conference concluded its deliberations with the Abuja Declaration (pp75-87,) whose full title was: *The Abuja Declaration: Towards Participatory Development of African Women in Development in the 1990s*. It is easy to see that, although the Abuja Declaration did not have a specific category of issues catering for human rights and social justice, its coverage is largely congruent with the Nairobi agenda on human rights and social justice. It shows clearly our initial perception that matters of human rights and social justices underlie the whole spectrum of concerns defining the women's movement.

The Fifth Regional Conference on Women (Dakar, 1994)

The Fifth Regional Conference on Women was attended by Ministers and representatives of African Governments in order to consider and adopt the African Platform for Action, "in preparation for the Fourth World Conference on Women to be held in Beijing the following year (1995). The Dakar Conference was expressly based on a review and appraisal of the NFLS. It is instructive that the African Platform for Action overtly mentions human rights as something underlying and relevant to the issues in "all sectors of society." This is as close as one could get to our idea that human rights and social justice is the foundation of all the concerns energizing the women's movement. Its own declared "critical areas of concern" are tabulated below for ease of comparison with NFLS.⁸

As in the case of Abuja, we see an interesting degree of congruence in addressed issues between Dakar and Nairobi. However, apart from the mention in the statement of Mission⁹ that there is something to do with human rights underlying all these concerns, the idea of human rights and social justice is hardly mentioned in the main text. It is simply deduced as the underlying assumption. Another interesting feature of the Dakar Conference is that, unlike Abuja, it does not report any notable cases of improvement in the outlined areas of concern since Nairobi. It only outlines the reasons why the lamentable conditions of African women, with respect to each area of concern happen to be so.¹⁰ In its Strategic Objectives and Actions to be Taken¹¹ the Platform sees the relevant concerns as belonging to three categories of "core issues", namely: Equality, Development and Peace.¹² Once again, we witness a non-mention of human rights and social justice, which was declared under the Statement of Mission to be underlying.¹³

A shared weakness between Dakar and Nairobi is the non-indication of the intended/expected actors in the proposed actions. Occasionally one comes across a mention of women, governments and/or development partners. However, the general tendency is to have long lists of proposed actions without any indication of who should take or spearhead those actions. An innovation in the Platform is the indication of the Resource implications and mobilization¹⁴ as well as the corresponding institutional arrangements for the implementation of the African Platform for Action¹⁵.

Another innovation is the provision of guidelines (pp 60-61) for the establishment of a Follow-up Mechanism for the Implementation and Monitoring of the African Platform for Action. In a nutshell, the African Platform for Action was merely a sharpening of tools for tackling the problems identified in Nairobi.

The Fourth World Conference on Women (Beijing 1995)

The UN World Conference on Human Rights (The Vienna Conference), held in Vienna, Austria in June 1993 and the Fourth UN World Conference on Women held in Beijing, China in September 1995 were key but others, particularly the UN International Conference on Population and Development, held in Cairo in September 1994, and the UN World Summit for Social Development, held in Copenhagen, Denmark in March 1995, played important roles in this process. Women's organizations came to the Vienna Conference to demand that "women's rights are human rights". At the end of the conference on June, 25 1993, participating countries adopted a declaration that came to be known as the Vienna Declaration and Programme of Action (Vienna Declaration).

The Vienna Declaration put the women's agenda squarely in the centre of human rights discourse alongside what could be perceived as "hard human rights." It urged that the full and equal enjoyment by women of all human rights should be a priority for governments and the UN. In particular, the World Conference stressed the importance of working towards the elimination of violence against women in public and private life - thus extending international concern and state accountability on violence against women in both the public and private spheres.

This momentum was reinforced by the adoption by the UN General Assembly in December 1993 of the Declaration on the Elimination of Violence against Women, and the appointment the following March of a Special Rapporteur on violence against women by the Commission on Human Rights. The Declaration and Platform for Action in Beijing, was adopted by 189 countries reflecting a new international commitment to the goals of equality, development and peace for all women. Five years later, in June 2000, member states reaffirmed their commitments to the twelve critical areas of concern in the Beijing Platform at the Beijing +5 session of the General Assembly at United Nations Headquarters in New York, and considered future actions and initiatives for the year 2000 and beyond.

In Beijing, the assembled governments incorporated "*women's rights are human rights*" as Article 14 of the Beijing Declaration. The Beijing Declaration and Platform for Action represents an important step forward by governments towards acknowledging the reality of human rights violations against women and girls and state accountability for those violations. The proceedings of the Beijing, Conference were published by the United Nations in 1996 under the title of Platform for Action and the Beijing Declaration.

The relationship between the Platform for Action (henceforth PFA) and the NFLS is clear and emphatic from the beginning. In the first item under PFA's Mission Statement, it is stated that: "It (PFA) aims at accelerating the implementation of the NFLS for the Advancement of Women ..."¹⁶ Of particular significance to the agenda of this review is the fact that PFA mentions, again in the first item of its mission statement, that "Equality between women and men is a matter of human rights and a condition for social justice..." (ibid) It buttresses our argument that human rights and social justice (treated collectively) as the foundation of all the various facets of the women's movement, not one component of it to be seen against other components. That this is the view which informs the PFA is further evidenced by the fact that in the section outlining its global frameworks (pp21-30), PFA states that: "The full realization of all human rights and fundamental freedoms of all women is essential for the empowerment of women." It is also instructive to note that the very first sentence of the PFA's Mission Statement declares that "The Platform for Action is an agenda for women's empowerment."¹⁷ If any further evidence is required for this view, we cannot find anything better or stronger than what is stated in paragraph 412 of the PFA.¹⁸

In its treatment of the human rights of women, PFA does not report any improvements since Nairobi; it merely defines the issues more comprehensively and, even more important, it indicates for each recommended action who is expected to act as required. As its name suggests, the PFA was designed not to review development since Nairobi, but to define the issues more comprehensively and identify the tools for realizing the dreams of NFLS. To that extent, PFA seems to have served its purpose. Whether those tools have or have not been used effectively can only be established by examining the activities of the recommended governmental and non-governmental actors.

The conference outlined 12 Critical Areas of Concern namely; women and poverty, education and training of women, women and health, violence against women, women and armed conflict, women and the economy, women in power and decision making, institutional mechanism for the advancement of women, human rights of women, women and the media, women and the environment and the girl child. Five years later, in June 2000, member states reaffirmed their commitments to the 12 critical areas of concern in the Beijing Platform at the Beijing +5 session of the General Assembly at United Nations Headquarters in New York, and considered future actions and initiatives for the year 2000 and beyond (Beijing +10).

African Charter on Human and People's Rights and the Protocol on Women's Rights

The Assembly of Heads of State and Governments of the Organization of African Unity meeting at its Thirty-first Ordinary Session in Addis Ababa, Ethiopia, in June 1995, endorsed the recommendation of the African Commission on Human and Peoples' Rights to elaborate a Protocol on the Rights of Women in Africa. In 2003, after almost a decade of lobbying and advocacy by women's organizations at various levels, the same Assembly adopted the Protocol on Women's Rights to the African Charter on Human and Peoples' Rights. The Protocol came into effect on November 25, 2005.

It is the only human rights instrument originating in Africa specific to women's rights. It represents the first international law explicitly protecting the right to an abortion in the case of

rape, incest or endangerment, and prohibiting female genital mutilation. The Protocol requires African Union member nations to include the principle of equality between women and men in their national constitutions and other legislative instruments, and to commit to the protection of women from all forms of violence, raising the minimum age of marriage to 18 and the right of women to own property, among others.

Progress in implementing the Beijing Platform for Action

The decade review (Beijing +10) for Africa was carried out by the Economic Commission for Africa (ECA) in 2004 in the wake of the creation of the African Union. The process involved national level evaluations by all African countries which prepared their own assessments of their progress made in the implementation of the BPFA. By this time, 51 countries had ratified CEDAW and 17 had signed the optional protocol to CEDAW.

The review showed that Africa had registered some progress at the national, sub-regional and regional levels. Majority of the countries had adopted national plans of action. Some had also developed gender policies, increased enrolment of girls into school, put in place awareness creation initiatives on women's and human rights, increased participation of women in the economy and recorded increased numbers in representation of women in governance structures. In spite of this progress, major challenges still persist.

Poverty and inequality are closely linked to the non-fulfillment of human rights and social justice. According to the capabilities approach, poverty is the absence or inadequate realization of basic freedoms such as the freedoms from hunger, diseases, or illiteracy. It relates to the inability or low ability of individuals to seize opportunities that are available to them because of hunger or because they lack shelter. These are the basic freedoms that would ensure human dignity for men and women. Similarly the human rights approach to development situates human dignity at the centre of its insistence that individuals have the inalienable rights to fundamental freedoms from hunger, disease, illiteracy, lack of shelter, unemployment, among others. Fighting poverty and inequality, and assuring the exercise of rights are hence interlinked elements in economic and social justice. Freedom is then as Armatya Sen argues, not the primary end of development, but also the principal means of achieving it.¹⁹

Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national action and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support. The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women.

Progress in Kenya

Kenya is a signatory to the International Covenant on Economic, social and Cultural Rights of 1966, which is the key to international human rights instrument covering issues of economic, social and cultural rights. Kenya is also a signatory of the Vienna Declaration. It is the role of human rights organization to monitor the Kenya government's compliance or otherwise in

upholding and fulfilling its obligations of providing basic needs such as food, decent shelter, clean water, affordable energy, health care and education to all its citizens regardless of gender, political affiliation, religion and other social divides. However, the majority of the people in Kenya today who are affected by lack of these basic needs are women and children and hence the need for human rights organizations to be proactive in lobbying and advocacy for their fulfillment by the State and its development partners. Women have also suffered. Indeed, women's participation in decision making process world wide has been one of those areas where notably, there has been little progress.

In terms of available literature, there are two reports on Kenya's implementation of the BPPA. These are the proceedings of the National Conference on the Advancement of Women and the way forward (by UNIFEM)²⁰, and the government report.²¹ The Unifem report records little progress on the BPPA as the government has had high hopes and promise in the Proposed New Constitution. The government had argued that instead of having piecemeal legislation, the constitution would deal with issues that would address issues concerning women's advancement and other gender related issues such as affirmative action and laws that needed to be developed or amended. The constitution was however, rejected in the national referendum held in November, 2005.

The government report recorded achievements in policy formulation and legislation. It cites the Economic Recovery Strategy for Wealth Creation (2003), the Poverty Reduction Strategy paper (PRSP), the National Development Plan 2001-2007 and the Medium Term Expenditure Framework (MTEF) as efforts it has put in place to improve the country in various ways. It states that all the above policies have taken gender and women's concerns into consideration. On legislation, the report noted that a number of laws that address past inequalities have been enacted and are operational while others are at advanced stages of enactment. (One of these is) the Children's Act that gives effect to the principles of the Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child. It is notable that apart from the Children's Act, the report does not cite any other laws that have been put in place to address "past inequalities" as promised. As stated earlier, it cites the anticipated new constitution as the mechanism that will address pending legislative issues. It notes that the Domestic Violence (Family Protection) Bill was introduced into Parliament but was not deliberated on and is due for re-introduction into Parliament.

Women and poverty

Women comprise more than half the population of Kenya and the majority of the poorest. They form the bulk of the population working in the agricultural sector (which is the backbone of the economy), but control little of the produce and the incomes accruing from their activities. Their situation is further aggravated by discriminatory practices which include harmful traditions and culture, inequalities in opportunities in wage employment, access to education and inequality in the right to own property such as land. The number of women living below the absolute poverty line has been rising as revealed by the *Demographic and Health Monitoring Survey, 2003*. Despite the efforts which have been made, little progress has been made on the reduction of poverty among women and the country is unlikely to achieve Millennium Development Goal One (to eradicate extreme poverty and hunger) in the set time.

The HIV/AIDS pandemic, a severe health problem which has had far-reaching implications on every aspect of the country's development at household, community and national levels, has affected women particularly as care givers. This has exacerbated their poverty.

Women and the Economy

Women participate in the economy and are key stakeholders in it. Poor performance of the economy therefore affects women adversely given their multiple roles as mothers, wives, food providers, care providers, heads of households and workers. Both the UNIFEM and government reports show evidence of discrimination in opportunities and recognition of women's contribution to the economy. Although the government reported economic growth for the years 2005 and 2006, the direct impacts of this improvement are not yet discernible as far as women are concerned.

Power and Decision-Making

Both reports observe gross under-representation of women in decision-making and positions of power and authority in Kenya; overall low participation in politics; and low representation in the provincial administration. They have however noted some improvements in local government authorities and the judiciary. The government report notes that progress has been made in women's representation in power and decision-making area especially in the last general election. The ninth Parliament has the highest number of women. This is partly due to the 1997 Inter Parliamentary Parties Group (IPPG) reforms.

To its credit, the government has increased the visibility of women in decision making positions in the public service as well as in the diplomatic corps. There are now more women permanent secretaries, ambassadors, heads of parastatals and in cabinet as either ministers or assistant ministers. Kenya however still lags behind Uganda, Tanzania, Rwanda and other countries in Africa which have put in place legislation and policies to embrace affirmative action in all areas of development.

In 2003, university admission requirement for female students was lowered by one point to allow more girls admission for degree course studies. This is a welcome move but should be taken at an earlier stage – secondary school enrollment. Many girls are unable to join secondary schools due to discriminatory practices such as early marriage and boy preference in poor families. The government should consider having interventions earlier, so that more girls are able to enter secondary schools and therefore join universities. Issues of retention even at the university level need some attention.

Table: Women in political participation and decision making

Rank				2003		2005		
	Women	Men	Total	%	Women	Men	Total	%
National Assembly	18	204	222	8.1	18	204	222	8.1
Councillors	377	2,469	2837	13.3	377	2,469	2837	13.3
Ambassadors/ High Commissioners	7	27	34	20.6	11	29	40	27.5
Permanent Secretaries	3	21	24	12.5	6	25	31	19.4
District Commissioners	3	68	71	4.2	2	69	71	2.8
Judges of Appeal	1	12	13	7.7	-	14	14	-
Chief Magistrates	6	8	14	42.9	6	9	15	40

Source: Department of Gender, ECK and DPM Complimentary Statistics, June, 2005

Human Rights and Violence Against Women

Regarding matters of human rights and violence against women, a lot still needs to be done in this area. The UNIFEM report notes that Kenyan women for the most part remain ignorant of their legal and human rights; violence against women is increasing; victims of sexual offences are often treated inhumanely by the law enforcement agents; gender abuse and violence continues to be a widespread phenomenon among women and girls; and harmful practices, traditions, policies and laws which violate women's rights persist despite the fact that they have been outlawed.

In 2004, when Kenya wrote its progress report, some progress was recorded. The report cited the establishment of both the Kenya National Commission on Human Rights (KNCHR) and Gender and Development Commission (GDC) to promote and protect Human Rights and to coordinate, implement and facilitate gender mainstreaming by lobbying and advocacy for legal reforms on issues affecting women and the girl-child. These developments are laudable. However, the KNCHR continues to be resource-challenged as the government continues to allocate it a much lower budget compared to other institutions with similar status. The GDC on its part exist only in name. Its infrastructural development is still at a very basic stage. It has no budget so far. In its first year, it was allocated a paltry six million shillings (less than US\$100,000) Again, the government's intention is noble, but the GDC's performance of its mandate will continue to be dogged by limited resources.

The government has embraced training for law enforcement agencies in dealing with gender issues. This has been due to the insistence of NGOs, especially FIDA Kenya which has run a program for close to 10 years now. The result has been the establishment of "Women-friendly Police Stations" where women who have been abused can report. This is a step that can be built on.

Away from government efforts, women's organizations have done commendable work in this area. They have come together every so often to blow the whistle on gender based violence with a measure of success. It is no wonder that men are now coming out and owning up to being violated by women (be they lovers or spouses). The establishment of the Nairobi Women's Hospital and the Gender Recovery Centre (GRC) has helped highlight gender based violence. The GRC admits, counsels and treats victims of gender based violence free of charge. It further highlights their cases in the media which has kept the subject in the national conscience. The GRC has reported that it admits both men and women victims of gender violence.

The Girl-Child

Both the UNIFEM and the government reports note that girls in Kenya continue to be victims of socio-cultural traditions such as early marriage and exploitative child labour. In addition, girls suffer from gender-based violence in ways unknown to their brothers, such as sexual harassment, adolescent pregnancy, female genital mutilation and domestic violence. The government report however reports improvement in girls' status since the passing of the Children's Act.²²

The question that needs to be addressed is whether the Children's Act has changed the practices with regard to children generally and the girl child in particular. Is it enough to have a law that is not followed? The big issues in the public domain have been those of conflicts brought about by the law and traditional practices. Is a young girl going to value education more than marriage? Education and sensitization needs to move together with the passing of the law so that the law can get meaning in all communities.

Institutional Mechanisms for the Implementation of the Platform of Action

Kenya is among the countries which have set up national machinery for monitoring and implementation of the BPFA. The Ministry of Gender, Sports, Culture and Social Services is tasked with facilitating efforts towards implementing the BPFA. The National Commission for Gender and Development is the implementing arm of the ministry. The Women's Bureau has previously co-ordinated all efforts in this area. The government is also working with other institutions in implementing the BPFA. These include: Kenya National Commission on Human Rights, Civil Society Organizations, development partners and the UN.

Emerging Issues and Conclusions

This chapter has explored the human rights and social justice sector and used Kenya as a case study to illustrate the implementation of the NFLS and the BPFA. Some progress has been made but more needs to be done to consolidate the gains. The chapter has also looked at the activities that the organisations have undertaken and the impact they have had. It emerges that candid interaction between grantees and donors is critical. The duties and obligations

of one to the other must also be understood. Below are more specific recommendations for making the human rights and social justice sector more effective in executing the mandate of protecting human rights for all.

Human Rights and Social Justice Organizations

Networking

Conducted interviews show that there is merit in networking. The positive influence of networks is that they are able to reach bigger populations and have more impact on an issue by drawing the synergies or organizations working together. Networks can however produce power imbalances. They can be hijacked and used to promote individual interests. Competition for power among individual members can also undermine the functioning of networks and usurp collective decision-making. Questions of ethnicity, personalities and age are critical factors that are often overlooked and can affect networks, creating exclusion and leaving out large sections of the networks membership. In Kenya, for example, the Kenya Human Rights Network (K-HURINET) has had problems with defining its particular mandate in a way ensuring that it does not overstep that of its membership. A network of this sort, if utilized efficiently would be a boost to human rights organizations.

It was recommended that there should be partnerships between like-minded organizations to reach out to donor partners from a point of strength and to create a self-regulating partnership. This would deal with the view that “donors are an institution where you need a contact and must know people even when your proposal is good”.

Over-extension

Due to the demand for services and high public expectations, Human rights and social justice organizations are over-extended. This results in reduced attention to the core business. The organisations recognise that over-extension reduces the impact they have on the communities where they work and the need to focus on areas where they have comparative advantage is clear to them. It was suggested that one way of dealing with over-extension is to have structured programs linking the development and humanitarian sectors with human rights-based programming. This would encourage utilization of what is already on the ground and avoid creating new ones.

Agenda setting

Who sets the agenda for grantees and development partners? Those interviewed said there was need for forums where they can interact with donors. It was recognized that both donors and grantees at times, have separate agendas. For grantees, not to be sucked into a donor’s agenda, they must have a better understanding of their value and contribution to society as opposed to the importance of receiving donor funds. Organizations must have the strength to refuse funding that takes them away from their mandate and derails their work, and to remain focused on their core programs.

Donor policies and different reporting requirements take up a lot of time and tie down resources. Short funding cycle by some donors in the context of work around women’s issues raises some concerns. The need for continued dialogue and more face to face interaction between the

development partners and grantees is crucial. Piecemeal funding for one to two years is seen as problematic when implementing projects of a longer duration; the impacts of a project are difficult to see after only one year. The need for clear tracking and quality control mechanisms from the development partners was raised.

Institutional Capacity

All organizations interviewed said that their work in the human rights and social justice sector cannot be sustained without donor funding. They blamed donors and the government for treating their organizations as training grounds and employment bureaus from where they recruit the best who they offer better salaries and benefits. The need to record institutional history and the challenges met in doing women's rights work as a resource from which others can learn was also noted.

Where are the men?

The failure of women oriented NGOs to have deliberate programmes and to work with men who are supportive of the women's cause is another issue. While there is emerging new ideas and thinking around men deliberately working with women to eliminate discrimination against women, these men are viewed with suspicion and the concept has not yet been fully embraced. Men for the Equality of Women and Men (MEW) is a case in point. It is worth noting that this suspicion is not a Kenyan preserve. This is a new area in the human rights and social justice in Kenya that needs to be engaged vigorously.

One of the organizations that have emerged to address issues of men working with women to redefine operational frameworks as they have prevailed over time is MEW. Their work is at early stages but where they have engaged, results have been interesting and there is now a lot of interest, especially among women NGOs.

Notes

- 1 The resolutions in favour of equal rights of women and girls include the first World Women Conference in Mexico in 1975; the First Regional Conference for Integration of Women in Development held in Nouakchott in 1977; the Second Regional Conference for the Integration of women in Development held in Lusaka in 1979; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) concluded in 1979; the African Charter on Human and Peoples Rights; the Social Dimension of Development (Copenhagen: 1980); the Lagos Plan of Action and Final Act of Lagos concluded in Nigeria in 1980; the Third Regional Conference on Women was held in Arusha in 1984; the 3rd World Women's Conference held in Nairobi in 1985); the Fourth Regional Conference on Women held in Abuja in 1989; the Arusha Declaration of 1990, the Dakar Declaration on Population, Family and Sustainable development of 1992 and the Vienna Declaration of 1993; the Kampala Action Plan on Women and Peace, 1993); the Council of Ministers of OAU Resolution CM/res.1550 (LX) of June 1994; the Fifth

- Regional Conference on Women held in Dakar, 1994); the Beijing Platform of Action, 1995 and Beijing + 5 in 2000 and the Beijing +10 in 2005.
- 2 Frans Viljoen, *International Human Rights Law in Africa*, (Oxford University Press) (2007) 4-5
 - 3 Charter of the United Nations (1945); the Universal Declaration of Human Rights (1948); the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights (U.N.T.S. No. 14531, vol. 993 (1976), p. 3; the Convention on the Elimination of All Forms of Discrimination against Women, 19 I.L.M. 33 (1980).
 - 4 NFLS paragraph 7
 - 5 See NFLS paragraphs 7 and 8 stating that: The critical international economic situation since the end of the 1970s has particularly adversely affected developing countries and, most acutely, the women of those countries.The gap between the developed and developing countries, particularly the least developed among them, instead of narrowing, is widening further.
 - 6 In paragraph 11 we see that equality even included (human rights) and that for women in particular, “equality means the realization of rights that have been denied as a result of cultural, institutional, behavioral and attitudinal discrimination.”
 - 7 The most elaborate focus on women’s advancement in the human rights and social justice sector are found in the Equality section (Part 1), paragraphs 43 to 92 of the report of the World Conference to Review and Appraise the Achievements of the United Nation’s Decade For Women: Equality, Development and Peace, July, 1986. Paragraphs 41-50 not only spell out the obstacles but, also suggest a wide range of measures of overcoming them in different categories and situations. They include: Women in armed conflict, underprivileged and vulnerable, young women, elderly women, abused women, destitute women, women victims of trafficking and involuntary prostitution, women deprived of their traditional means of ,livelihood, women who are sole supporters of families, physically and mentally disabled women, women in detention, refugee and displaced women, migrant women, minority women and indigenous women.; Paragraph 51-55 identify the basic strategies, the legal and policy framework as well as the political commitment of the government to mainstream women issues within the existing social economic structures for tackling the obstacles. Paragraphs 56-59 examine the inequalities created by stereotypes, perceptions and negative attitude towards women. These paragraphs suggest practical strategies of overcoming them such as additional legislation, education of the population through formal and informal channels including the media, lobbying and advocacy for policy change by Non Governmental Organisations and political party platforms; and Paragraphs 60-92 raise the concern on the non-ratification and accession to Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). They therefore call upon governments or state parties to formulate appropriate legislation and domesticate CEDAW. They also urge state parties to consider the possibilities of establishing appropriate bodies charged wit reviewing the national legislation and policies to ensure that the NFLS and other international instruments are mainstreamed or complied with.
 - 8 cf. Dakar, pp10-28.
 - 9 *Ibid.* p. 4.
 - 10 *Ibid.* pp 11-28.

- 11 *Ibid.* pp28-56.
- 12 *Ibid.*p.28.
- 13 *Ibid.*p.3
- 14 *Ibid.*pp. 56-58.
- 15 *Ibid.* pp 58-60.
- 16 Beijing Platform, p. 17).
- 17 Beijing Platform, p.17; emphasis added.
- 18 Beijing Platform, p. 33 provides that the advancement of women and the achievement of equality between women and men are a matter of human rights and a condition for social justice and should not be seen in isolation as a women's issue.
- 19 Amartya Sen, *Development as Freedom*, Oxford, (Oxford University Press) (1999)
- 20 K.C.C.T, Mbagathi.2nd – 4th August 1999).
- 21 Report of Kenya Review and Appraisal Final Report on the Implementation of Beijing Platform for Action (Beijing +10) (1994 – 2004) June, 2004, references to it in this discussion will be to Government report.
- 22 The Children's Act (2001) was passed by Parliament not only in recognition of education as a basic human right that every child should enjoy but also to provide equal educational opportunities for both girls and boys and remove cultural, religious and other forms of biases, particularly against girls.



CHAPTER 3

Politics Without Shame: *Engendering Civil Society and Governance in East Africa*

By Maria Nassali

Synopsis

The chapter celebrates the Nairobi conference for having cast women as decision-makers resulting in the alteration of state masculinity and a redefinition of political priorities. The paper argues that the shrinking resources to women organisations, the political systems that enable the co-optation of women leaders and the objectifying of women's sexuality are political issues underlying the power imbalances in society. Thus, success will depend on building of women's movements as autonomous power bases while simultaneously infusing the wider civil society with the values of equity, respects and participation of marginalized groups in achieving an egalitarian society.

“Money, Power and Sex.

The history of the world can be told in three words ...” M. Edwards¹

Introduction

The First World Conference for Women, held in Mexico City in 1975, recommended to the United Nations General Assembly, the need to dedicate a decade to women for reflection and activism to address the inequalities created by the exclusion of women from opportunities in development and the democratic processes of their nations. Twenty-one years after the end of the women's decade, the women of East Africa convened in Nairobi to review their gains and the challenges since the plan for action, known as the “Nairobi Forward-Looking Strategies for the Advancement of Women” (NFLS), in 1985. Women noted that their positions had improved in the arenas of politics, social affairs and the economy. They have also attracted resources (money), albeit still meagre, infiltrated the decision-making tables within civil society, the donor community and governments (power) and lastly, sex is on the table as the battle to control women's sexuality wages in the midst of a multitude of contradictions,

upheavals and emotions. Placing of women's struggles within the human rights paradigm has provided a system of accountability, political leverage and point of reference for organising and advocacy; while the passion and intellectual conviction of women's movements have ensured that women are now a political constituency at both global and national levels.

The chapter will offer insights into the overall impact and utility of the NFLS and the Beijing Platform For Action (BPFA) in engendering civil society and the governance sector in the East African countries of Kenya, Tanzania and Uganda. Following the introduction, section two provides a brief situational analysis of civil society and the governance sector in East Africa. Section three will highlight the relevant NFLS and BPFA for this sector, while section four discusses the NFLS and BPFA achievements in this sector underscoring the strengthening of women's movements given their centrality in realising the objectives of NFLS and BPFA in East Africa. Section five provides a critique of the gaps and challenges faced by the sector, bringing to attention the continued high obstacles for women to equally participate with men in public spaces of governance that influence national processes. The chapter concludes with reflections on the way forward that arise from the lessons learnt from the history of women's movements in East Africa.

Cognisant of the definitional disputes that plague the concept of civil society, this study adopts a general classification of civil society as voluntary organisations that stand between the family and the state, and although autonomous of the state, interact with it to advance their interests. While the concept of governance will be explored in its more expansive form, whereby there is an obligation on the part of the state to enable its citizens to freely associate and organise in order to influence the democratic and development processes that directly affect them.

Situational Analysis

The history of civil society in East Africa is traced to the formation of cultural, ethnic and professional associations, farmers unions and women's groups that struggled for independence in the 1960s. For women, the 1960-70s saw them mobilised primarily into self-help informal or church-based groups aimed at and mainly focusing on caring and domestic roles. With the establishment of single party states soon after independence, these civil society groups became restricted or co-opted into the workings of the ruling parties of the three East African states.² For example, in Uganda, the then President Idi Amin established the National Council of Women as the sole women's organisation, rendering it illegal for any women organisation to exist outside it. In Kenya, in 1987 the KANU government co-opted *Maendeleo ya Wanawake*, the largest national women's organisation and in Tanzania Umoja wa Wanawake was reduced to a political wing of the ruling party—CCM.

In the early two decades of independence, CSOs in East Africa were peripheral to governance issues. The opportunity for CSOs' to participate in issues of governance occurred with the demise of the cold war, when donors began to base their relations with recipient governments on principles of national ownership of development processes, state accountability to citizens, and the rule of law;³ in the belief that enhanced participation of civil society in national processes of decision making would promote "good governance." For women, this same period, of the 1980s, presented new opportunities for organising to challenge national processes and its attendant development paradigm that failed to reflect their experiences and

expectations. The resultant “Women in Development” (WID) discourse sought to *integrate* women into development, recognizing women not only as mothers, but also as producers and decision makers. Consequently, women’s groups embraced political activism for the democratic expansion of political space and constitutional reform. This period also witnessed the proliferation of Women’s formally constituted organizations. This growth in women’s non-governmental organizations (NGOs) can be attributed to:

- The global women’s movement,
- The retreat of the state in the provision of welfare services placing this burden upon women,
- Donor policies of channeling funding through NGOs
- The opened political space ushered in by the end of the cold war that placed human rights and governance on the agendas of western donors.⁴

East African states have however been antagonistic to human-rights and governance agendas of civil society organisations, accusing them of being part of the opposition, radical, elitist, un-pragmatic, urban-based, self-seeking, facilitators of foreign agendas, undemocratic and most recently terrorists. Relying on the law as a tool of control, governments sought to proscribe the political role of civil society organisations. Inevitably, several human rights and pro-democracy civil society organisations began to shun political activism, especially activities such as monitoring human rights, public protest and advocacy, choosing to engage in non-confrontational awareness-raising or non-contentious regime supporting projects.⁵

The Nairobi Forward-Looking Strategies (NFLS) and the Beijing Platform of Action

The NFLS will always be celebrated for having successfully targeted women as a marginalized group in achieving both their strategic and practical needs; the emphasis on participation of women in decision making in all spheres of life and the multi-sectoral approach of ensuring equitable development. Nevertheless, because the NFLS was implemented under the WID framework, focus was mainly placed on access: getting women into development as either recipients or clients of development and democratisation programmes. Thus, the NFLS did not adequately address male systematic privileges or relations of power that sustain patriarchy.

On issues of governance and civil society the NFLS called for:⁶

- The participation of women on equal footing in all spheres of the political, economic and social life, particularly in the decision-making processes as a basic foundation for the nurturing of peace and development (para 12, 13 & 32).
- Targeted participation of the poor or destitute woman as legally independent agents in order to claim, achieve, enjoy and utilise equality of opportunity in societal activities (para 12), including the right to dissent publicly and peacefully from government’s policies (para 32).
- People-oriented and multi-dimensional strategies (para 14), including:

- Valuing women's contribution to the welfare of families and the development of society (para 18),
- Promoting women's central role as intellectuals, policy-makers, decision-makers, planners, contributors and beneficiaries of development (para 15) and
- Rectifying the structural imbalances in the international economic order which coupled with the scarce national resources compel governments to concentrate on alleviation of poverty at the cost of equality issues (para 23-25).
- Strengthening women's ability to build solidarity across sexual lines (para 33-34).

The Beijing Platform of Action, that emerged out of the 4th international women's conference, followed on the Nairobi 1985 international women's conference to reconfirm and elaborate the goals of NFLS.

The Beijing Platform of Action called on states to:

- Ensure women's equal access to and full participation in decision-making,
- Guarantee gender balance in government institutions, UN bodies and delegations and political parties,
- Review electoral systems,
- Encourage non-discriminatory policies and practices including shared parental roles and
- Support NGOs to conduct research on women's participation and conduct statistical gender analysis (para 190).

With regards to political parties the BPFA noted that they are obliged to remove barriers of discrimination in structure, procedures, and policies and incorporate gender issues in the political agenda (para 191).

The BPFA also noted that all institutions, organisations and relevant sectors are duty bound to:

- Build a critical mass of women leaders,
- Promote employment policies and measures to ensure parity in ranks and
- Promote debate on roles of men and women and develop career development of women (para 192).

Women's organisations were identified as key stakeholders with the role of advocacy for and support of the implementation of the BPFA. The BPFA thus states that non-governmental organisations are to:

- Strengthen solidarity among women
- Seek accountability for elected representatives and
- Establish databases on women's qualifications (para 194).

To enable the success of the above plans for action, the BPFA noted that there was an obligation upon governments to strengthen women's capacity to participate in decision-making and leadership by providing gender-sensitive leadership, self-esteem training, mentoring and encouragement for women to participate in decision making (para 195). Furthermore, the BPFA urged governments to vest the responsibility of advancement of women at the cabinet level and create a well defined and resourced national machinery to guide, coordinate and monitor gender mainstreaming, gather and disseminate information and promote equality between men and women in all sectors (para 203). Governments were also under obligation to mainstream gender legislation, public policies, programme and projects and encourage inter-ministerial co-ordination of gender (para 204). While all relevant actors, including UN agencies had the role of generating and disseminating gender disaggregated data and information for planning and evaluation of the impact of the equitable distribution of power on men and women (para 187, 189, & 206).

The strategies and plans of action for NFLS and the BPFA were in consonance with Article 7 of the CEDAW. Kenya, Tanzania and Uganda as state parties to CEDAW are obligated to take all appropriate action to:

- Eliminate discrimination against women in the political and public life
- Enable women to vote and be eligible for elections in public bodies
- Enable women to hold public office and participate in non-governmental organisations concerned with the public and political life of the country.

Article 2 of CEDAW also required states to embody the principle of gender equality in their national constitutions.

The goals of NFLS, strengthened by the BPFA, regarding governance and civil society were essentially similar, the difference lay with the implementation framework. The NFLS worked through WID strategies, which focused on the welfare needs of women in recognition of the effects of their marginalization from control and decision-making over resources. BPFA introduced the Gender and Development (GAD) discourse that recognised the need to target the relations of power between women and men that were at the root of women's disempowerment, in order to achieve targets of NFLS.

Achievements and Gains for Women's Equality

Twenty-one years after the NFLS what has been achieved for women in the areas of governance? The very existence of women's movements in East Africa bear witness to women's continuing work to overcome the gendered obstacles in politics and decision-making. Transformative work has occurred in legal systems, organisations run by women and for women have grown and have been successful at empowering women to be present in politics and decision-making levels.

Engendering legislative processes and legal achievements

Kenya, Tanzania and Uganda have ratified CEDAW⁷ and identified a ministry to oversee women's development concerns. Furthermore, formal gender equality in the Constitutions and non-discrimination on the basis of sex, are enshrined in all East African constitutions.⁸ Women in East Africa struggled to engender their national constitution to assure both men and women fair access to power and equality before the law.

In Uganda, the support to the ACFODE's LINK Programme played a pivotal role in the constitutional making process under the Women's Caucus, that deemed women the most organised constituency in the constitutional review processes.⁹ The 1995 Constitution of Uganda domesticates CEDAW, by providing for equal rights of men and women in a family, affirmative action in favour of marginalized groups, affirmative action for women, outlaws negative culture, provides for a woman representative for every district and guarantees at least one third of each of the Local Government seats for women. While the Local Government's Amendment Act of Uganda (2001) provides for one-third women representation in statutory bodies such as District Service Commissions, Local Government Public Accounts Committees and District Tender Boards.

In Kenya, the 1997 Constitutional Amendment Act makes it mandatory for parties to allocate half of nominations slots to women. Albeit defeated in the referendum, the 2005 Draft Constitution of Kenya represents a recognition of gender equality and affirmative action for elective posts, equality before the law, land rights and outlaws harmful practices. In Kenya, human rights and women's organisations, such as Kenya Human Rights Commission, Institute for Education and Democracy, League of Women Voters and FIDA-Kenya sought to enhance the effective participation of women delegates in the constitutional review committees and protected the gains of women by crafting gender responsive provisions for the draft constitution¹⁰ but the review process remains unfinished work.

Tanzania constitutionalised affirmative action provides for 20 per cent special seats for women in parliament through party nomination in proportion to the seats won by parties. Further, the Village Land Act of 1998 not only outlaws discriminatory culture but also provides for a minimum of two women on Tanzanian Village Councils.

At the sub-regional level, the fundamental principles of the East African Community Treaty include "good governance, and adherence to the principle of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as recognition, promotion, and protection of human and peoples rights in accordance with the provisions of the African Charter on Human and Peoples' Rights" (Article. 6). Further, Chapter 22 of the same Treaty acknowledges the Role of Women in Development.

At a global level, the Nairobi conference resulted in the establishment of national machineries for women. For instance in 1976, United Nations Development Fund for Women (UNIFEM) was a mere voluntary fund geared at the empowerment of women at the community level. With the impetus of Nairobi, UNIFEM became a mandate of the UN, with increased funding coupled with the establishment of regional offices in Africa.¹¹ Similarly, the mandate of the Commission on the Status of Women established in 1947 was broadened to monitoring of the implementation of NFLS.

Blossoming women's movements

The Nairobi international conference of 1985 triggered the blossoming of women's organisations. For example, in Kenya women's groups grew from 171 in 1963, to 567 in 1980, to 23,614 in 1991 and to 97,317 in 1998.¹² Importantly by casting women as producers and decision-makers the NFLS infused a more holistic political analysis of women's issues. It also constituted a wake up call for new groups of women's organisations focusing more on policy advocacy, rights awareness and decision-making, prominent of which are, FIDA-Uganda, FIDA- Kenya, Tanzania Women Lawyers Association (TAWLA), Action for Development (ACFODE) and TGNP. The formation of these organisations achieves the goal of building women's solidarity both as a social network and coping mechanism to gain access to power.

Both the NFLS and the BPFA underscore the importance of strengthening women's movements in order to keep the women's agenda at the core of development and democracy discourses. African women's movements in the human rights context have been found most mature and effective,¹³ exhibiting greater cohesion than other civil social actors.¹⁴ However, activists opine that the women's movement has begun to loose steam as evidenced by the lack of consensus on critical issues that present serious obstacles to women such as issues of land ownership, the legal frameworks that govern the personal and domestic relations- family relations and sexuality.¹⁵

Further, women in East Africa have often mobilised with assumption that all women share common and easily identifiable experience and self-understanding which masks the patterns of exclusion and power inequities among women resulting in inadequate addressing of factors that shape women's lives.¹⁶ How for instance have we as feminists, mediated and facilitated women's identity relationships and intersections, such as class, ethnicity, abilities, marriage, pregnancies, motherhood, or single adulthood to name a few? These complexities underscore the necessity of continued learning, advocacy and activism. Hence the need to be linked to academia to take stock of the struggle, analyse options and discern strategies that will render civil society movements in general and women's organisations specifically, positioned to safeguard the gender equality gains that have been made and their critical role sustained for the task of the political empowerment of women.

Increased presence of women at the decision-making levels

Women's political participation has been the least contentious of women's rights, as evidenced by the adoption of the Convention on the Political Rights of Women in 1952, as the first articulation of women specific human right to vote, stand for elections and hold office. However, it was the Nairobi conference that directly impacted on women's role as decision-makers. Thus, the increasing election or nomination of women to public offices evidences the enhanced confidence of women to contest for political power and growing public acceptance of women as independent political actors.

In Tanzania,¹⁷ the percentage of women parliamentarians rose from 16per cent in 1999 to 21.1 per cent in 2002. Out of the 283 parliamentarians, 65 are women of which 12 competed for constituency seats. The number of women ministers rose from 9 per cent in 1980, to 19 per

cent in 1994 and by 2000 there were 4 ministers out of 27 totalling 15 per cent and 4 Deputy Ministers out of 17 totalling 24 per cent. In Zanzibar, prior to the 2001 elections, Fatuma Maghimbi headed the Opposition. The newly-elected government of Tanzania of 2005, boasts of 5 female and 25 male ministers and 10 out of 31 deputy Ministers. Women head the prestigious ministries of Finance and Foreign Affairs.¹⁸ Tanzania also produced the first African woman UN Deputy Secretary-General, Asha Migiromi in 2006 and the First President of the Pan-African Parliament, Getrude Mongella in 2004.

Despite the absence of affirmative action in law, comparable trends are discernible in Kenya with women parliamentary candidates gradually increasing from 4 in 1969, to 19 in 1992 and to 50 in 1997.¹⁹ Women councillors in the semi-autonomous local governments have increased from 2.7 per cent in 1992 to 8.1 per cent in 1998. In 2003, there were 385 women candidates out of 7,008, vying for local government and most instructive is that unsuccessful candidates were pleased with having exercised their right to compete for elective posts. Furthermore, in the 2003 election, the incoming NARC government increased the number of women ministers to 3 at cabinet level and 4 as Assistant ministers with 18 women members of Parliament, of which 9 had competed for constituency seats and the rest, nominated by the government.²⁰

In Uganda, during the 1996 parliamentary elections, 8 women successfully competed for constituency seats. In 1998, there were 7 women out of the total 47 Cabinet ministers and 51 women out of the 226 Members of Parliament.²¹ By 2005, women occupied nearly 25 per cent of parliamentary seats and 30 per cent of the Local governance councillors.²² In 2005, women constituted 32 out of 56 Deputy District Speakers, and 40 out of 45 Deputy Chairpersons. Eight of the District Speakers are women and there was one District Chairperson, Josephine Kasya of Kanungu District while Specioza Kazibwe served as the first woman Vice President in Uganda from 1994-2003; she was also the first in Africa.

At the regional level, a third of the 27 members of the East African Legislative Assembly are women, with four out of the seven Standing Committees chaired by women.²³ There is one female judge, Solomy Bossa, out of the six judges of the East Africa Court of Justice. To date, the top leadership of the East African Community (EAC) is dominated by men and they outnumber women in prestigious positions within the EAC.

The increased participation of women in decision-making is a fundamental building block for more effective presence and influence in shaping national political discourses. There are gender national policies and gender is incorporated into national planning policies of the three East African countries. Gender advocates are utilising gender budgeting tools to influence the allocation of resources towards services and amenities favouring women, such as access to safe water, health services, reproductive health and safe motherhood. FOWODE in Uganda, TGNP in Tanzania and CGDD in Kenya spearhead these processes.

Strengthening of women's capacity to participate in decision-making has been addressed by CSOs. For example, in Kituo Cha Katiba in collaboration with Centre for Democracy and Development sought sponsorship of women lawyers in a Masters degree programmes in development and governance to shift the mindset of lawyers by using the law as an instrument of social change by challenging the existing ideological framework upon which patriarchal political participation is based.²⁴ Beyond the anticipated bolstering of KCK's resource persons and the augmentation of individual capacities, these women were entrusted with leading key aspects of the reform processes in East Africa. They used their agencies to alter state

masculinism by influencing the improvements in the self-representation of women in political processes.

In Uganda the Ministry of local government offered leadership training but were insensitive to the fact that women and men had different educational and life competencies. To fill the void, ACFODE and FOWODE trained women leaders to promote their effectiveness to participate in the decision-making arena. It is such interventions that build capacity and the self-esteem of women for entry into public spaces that acts as an important catalyst to participation in societal change process. The hindrances to the political participation of women are not restricted to lack of knowledge but extend to lack of resources, time, heavy domestic responsibilities and an internalised inferiority.²⁵ Furthermore, DENIVA and CPDA combined skills building with monitoring of local governments, ultimately influencing the planning and resource allocation of the local government projects. Moreover, the engagement of the local community by DENIVA and CPDA in strengthening women's capacities for public office has not been a single episode but sustained for a period of time. Significantly, CPDA's framing of "the qualities of good leadership" has been an important entry point, such that the cultural taboo against electing women as leaders is getting demystified in the areas where they have worked, as evidenced by the election of the first woman Chief, Mrs Joyce Muyefu in Western Province, a position that oversees among others the circumcision of men.²⁶

Engendering local governance structures entails being sensitive to the constraints of women's participation: targeting both men and women to mirror real life situation in order to track and address gender based challenges; providing closed discussion sessions with women to enable them to raise controversial issues collectively; timing training and discussions to be sensitive to women's multiple roles; linking women in civil society to the political decision-makers while supporting them to voice their issues themselves; using local language to ensure the eloquence of both men and women in a local setting; using local drama to package complex concepts by relating them to real life situations and having the training facilitated by both men and women are some of the necessary actions required to strengthen women's capacity to participate in structures of governance.

Overall gains have been modest regarding women's presence at decision-making levels, changing relationship between men and women is creating new challenges requiring continuous reflections, new perspectives, strategies and measures (para 34 NFLS). There is resistance to gender equity at decision-making levels, reflective of the effectiveness of women in causing discomfort in the status quo.

Gaps, Challenges and Dilemmas

Despite the commitments to conventions, plans of action and strategies to mainstream gender into development governments cannot show a truly successful record of including women in governance. There are cultural and structural constraints on women entering the public domain. Financial resources are inadequate for promoting gender equality, women's organisations are often in a complex relationship with their national governments that undermine their capacity to promote women's agendas. While human rights and governance civil society organisations, with few exceptions, often fail to perceive gender equality work as a fundamental element of their work.

Gender-mainstreaming

Gender mainstreaming as institutional strategy for advancing women's concerns by bringing attention to the gender relations that shape women and men's different access to rights, resources and opportunities was formalised under BPPA as an effective strategy for the implementation of the various plans and programmes of action. However, the purely technical approaches that guide gender-mainstreaming actions²⁷ have limited the effectiveness of this strategy. By ignoring the political realities of development processes, the lack of political will, the absence of monitoring government policies and programmes to ensure accountability to women and the inadequate availability of and access to resources to attain gender equality explains the difficulties faced in gender-mainstreaming. Furthermore, national planning policies such as the Poverty Eradication Action Plan (PEAP-Uganda), the Poverty Reduction Strategy Plans (PRSP-Tanzania) and the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC-Kenya) to address poverty, inadequately takes into account women's issues even when there is consultations undermining the mainstreaming of gender equality into national political and development agendas.²⁸

Negotiating the private-public domain

NFLS and the BFLS underscored the importance of harmonious family relationship with equal responsibilities of men and women as a basis of promoting women's public participation and the consolidation of democracy,²⁹ however family norms, and laws governing the family and sexuality continue to create difficulties for women in asserting their rights.

The case of Specioza Kazibwe, former Vice President Uganda, and the first in Africa is a classic example of the debilitating impact of family norms that justify the subordination and oppression of women. Probably motivated by the theme of the 2002 Women's Day "*Speak Out Against Violence*," the then Vice President revealed the domestic violence in her life. However, men and women alike ostracised her attributing the subsequent break down of her marriage to her arrogance and insensitivity to the husband perceived sympathetically as the "poor man." Some women expressed trepidation at Kazibwe's failure to keep private the domestic violence she had experienced and she was harshly judged as a "failed wife." There was little approval of her public role as the Vice President who revealed the power imbalances between women and men, even for women located in her position of power, and the violence against women as a manifestation of those power differences. Her eventual resignation was foreseeable.

Furthermore, the oppressive norms and practices surrounding sexuality increases the cost of women's participation in public life because their sexuality is often at the centre of the ideological construction of women leaders, explaining the resistance to elect women because she would "rule" over men as aptly captured by Ahikire:

Because gender identities ...are more likely to be constructed in conjugal terms, this readily translated into a discourse of wives ruling over husbands, hence automatically becoming not only an aberration, in terms of the dominant culture, but also of engendering highly charged masculine solidarity.... Masculine solidarity does not mean that all men are against all women, but rather about the

“order of things... even some women could be opposed to the idea of a woman ruling (read sleeping) over their husbands.”³⁰

Arising Tide also documents how women ministers and women who participated in resistance movements are dismissively addressed as the collective wives of the president of Uganda. For example, Getrude Njuba, a National Resistance Army veteran noted that:

They said I had Museveni’s child. Then I went to visit Zizinga, it was the same story! They said these things because they did not believe that we actually participated in our own right. They thought that what had kept us there (in the bush) under those difficult conditions were to be Museveni’s wives, and it hurt(s)...very soon the first women ministers were accused of the same thing: they were all Museveni’s concubines... It hurts to be brushed aside so lightly... and your contributions underrated.³¹

The above examples highlight how the sexualising of women and the attendant objectification of women who seek to enter politics serves to negate their credibility as equal participants to men in public life.

Resources, donors and women’s organisations³²

Recent research by the Association for Women’s Rights in Development (AWID) which examines trends in funding to women’s organisations world-wide provides considerable evidence that they are experiencing considerable challenges to accessing funding. The key AWID study finding was that “public awareness of women’s rights violations has increased but funding for women’s organisations to guarantee those rights has not”.³³ The study highlights for sub-Saharan Africa were as follows³⁴:

- The majority of women’s groups reported to have annual budgets in 2004 well under USD 100,000, which demonstrates that women’s organisations are doing an incredible amount with very few resources. Most of the money they received in the period between 1995-2004 came from development assistance and public foundations, followed by women’s funds and large independent foundations. While large sums of money are going to Africa, women and women’s rights issues are receiving little benefit.
- Women’s rights organisations are having to invest more time and resources into fundraising than in the past and therefore those that can afford to are more likely to get funding. Funding raising and donor demands led to increasingly technical staff with little political or feminsit experience, but strong skills in completing logframes, and developing and reporting on impact indicators.
- Women’s rights organisations have become experts at refining their discourse to adjust to shifting donor interest. In the efforts to fit into so many donor bixes, groups end up over-extending their workloads and promising more than they are really capable of taking on.
- Funding is more readily available for work around HIV/AIDS and violence against women, but funding for work related to reproductive and sexual rights and non HIV/

AIDS related health issues is harder. It was significantly easier to raise funds for media, technology and communications work, leadership development, and linking and networking.

- Core funding for salaries, administration and capacity building has become more elusive.

The diminishing resources now available to women's organisations and institutions that were established to advance women's and gender issues means that organisations are beginning to find their capacity to promote the gender equality agenda seriously undermined. The new funding landscape of New Aid Modalities which has seen development assistance by bilaterals and multilaterals shift from NGOs and increasingly and directly to governments presents new challenges for the funding of women's organisations. Furthermore, there has been in general cutbacks to gender equality work by the large independent foundations who saw many of their own resources affected by stock market losses or their commitments and attention to gender diminished.

There are however, positive developments with regards to funding for women's organisations and gender equality work for example, new smaller sources of funding are emerging such as "women's funds" and private sector funds. In East Africa, such funds include those of the Urgent Action Fund and the African Women Development Fund. Governments are also seeking to implement their gender policies and women's rights advocates are making new interventions within the new aid modalities and seeking to leverage resources for gender equality work and to ensure that gender equality priorities are part of government to government development assistance discussions.

The dilemma of engendering organisations

The Nairobi Forward Looking Strategies called on all institutions and organisations to have equality of men and women in their ranks.³⁵ East African non-government organisations with human rights mandates such as KHRC, KCK, MWENGO and DENIVA have organisational policies that address the gendered dimensions of their work. While it is assumed that CSOs working in the governance and the human rights sector would automatically ascribe to the ideals of equity and participation, the reverse is often true. With the exception of women specific organisations, a study in Uganda found that 75per cent of Directors were men with women mostly occupying the lower echelons of organisations.³⁶ Yet, organisations cannot achieve social justice outcomes without a value system based on equity, respect and participation of marginalized groups not as passive recipients of good gestures but as active participants determining the governance of their organisations. International non-governmental organisations for example, the Ford Foundation have mechanisms such as the Diversity Table as a mandatory prerequisite for receiving funding that have enabled the presence of groups that are traditionally absent at decision-making levels within civil society sector such as women, minorities and peoples with disabilities.

It is unfortunate that it is erroneously often assumed that gender work is exclusively women's work. It is true that altering patriarchal based oppression and the structures that sustain inequities in society requires that women's movements be part and parcel of the greater

democratisation of society; and that women will have a distinct mission of articulating women's rights and gender equity. Having women at the decision-making tables in civil society and organisations has the potential of influencing the essentially male sculptured working places to promote gender accountability with regards to: responsiveness to gender sensitive goals, policies, procedures, staffing, incentive systems and projects. Furthermore, citizen-centred development will mandate the equal participation of men and women in policy making. For it is neither desirable nor feasible that women exclusively shoulder the burden of an egalitarian society. Men have to participate in the dismantling of the privileges and power that accrue to men under systems of patriarchy and this will necessitate an intellectual, emotional and critical consciousness as well as redefinition of what it means to be male in present day society.

Given that gender inequities are embedded in social norms, practices and organisational structures and systems, strategic alliances between civil society organisations are urgently needed. Ideally, civil society movements when organised as networks enable a wider reach of the populations, foster organisational synergy, avoid wastage through duplication, strengthen the sector, gather information and provide training and serve as the visioning and reflection centre for the sector.³⁷ In reality, civil society organisations are volatile, prey on and compete with the membership, usurp collective decision-making, are afflicted by primordial interests such as ethnicity, religion, and class, are unclear about their roles and are plagued with egoistic power struggles.³⁸

State co-optation of women's movements

In Uganda, women organisations are accused of implementing the agenda of the National Resistance Movement (NRM), the ruling party and for engaging in issues that fail to challenge the practices of the ruling regime. Similarly, Kenyan's oldest women's organisation, Maendeleo ya Wanawake, has functioned like an appendage of KANU, the single political party that ruled Kenya from Independence until 2002 when it returned to its position as a women's grassroots organisation. Likewise, in Tanzania few organisations have been bold enough to demand political rights for women. Women's movements have tended to be trivialised as elitist often fragmenting and demoralising women; while rural women are conceptualised as a victim of immense sufferings, rather than active citizens capable of defining their destinies.

Women organisations have not been successful in courting political parties to appoint women in their top decision echelons. However, where women have succeeded, they are dismissed as political stooges. For example, in Uganda, women organisations did not utilise the nomination of Mrs Miria Obote to the Party Chair-ship of the Uganda People's Congress (UPC) as a springboard for political advocacy for women. Similarly, the dialogues organised by UWONET and IRI in Uganda to engender political parties were dominated by the trading of accusations between women and parties over each other's expectations.³⁹ However, it is the resilience to promote women's political agendas, by Ugandan women that achieved the formal commitment to have 30-40 percent representation of women within the all party's leadership and established a Code of Ethics that prohibits gender discrimination.

In Tanzania, very few women candidates publicly contested for parliamentary seats on the opening up to Multipartism in 1992. The few women supported by NGOs such as TGNP and TAMWA have ascended to power through special seats set aside for their nominations.

It is noteworthy that neither Tanzania nor Uganda has a formal organisation devoted to women's political advocacy. Uganda's initiative Coalition for Political Accountability to Women (COPAW) is in hibernation for lack of institutional framework.⁴⁰ Equally, Feminist Activism is housed by TGNP in Tanzania, given its lack of formal structure.⁴¹ In contrast, Kenyan women organisations are unequivocal about their political role. The Kenya Women Political Caucus (KWPC) aims at increasing women's representation and visibility in leadership and constitutional processes. While the Centre of Gender and Development and FIDA (K) have worked on manifestos to engender political parties, and the League of Women Voters and Women Political Alliance collaborated on affirmative action advocacy.⁴² Regrettably, the failure of women to align themselves with political parties early accounts for the 4 per cent of the women candidates in 2002 elections.⁴³ Furthermore, the ethno-political divides continue to weaken women's collective voice, such that women political aspirants owe their allegiance to their ethnic based political parties rather than to the possible political constituency of women. Thus, in all the three East African states political expedience and survival anxieties compromises women politicians to side with the patriarchal state in order to protect their positions. In fact, despite the women's movement activism to put women political participation on national agendas, there is no direct causal effect of women's movements determining politicians' assumption or stronghold to power.

Electoral processes and the political party leadership pose significant obstacles to women political candidates. In Uganda the electoral colleges system has ensured that elected women were mostly presidential loyalists, who perceive themselves as district representatives not representatives of women as a political constituency.⁴⁴ In 2000, affirmative action in Tanzania saw 53 out of the 65 women parliamentarians nominated to the special reserved seats were government supporters, which boosted the government's majority position.⁴⁵ These high numbers of women into the governance of Tanzania nevertheless present the key challenge of lack of accountability mechanisms that will promote a willingness and capacity to represent the critical concerns of women.

While women in East Africa have clarity about the agenda of their struggles as expressed in women's political manifestos and constitutional struggles, the strategies and processes of achieving them remain ill-defined⁴⁶ and on the whole, women are conspicuously absent in the conceptualisation and implementation of political party agendas.⁴⁷ Indeed, the linkages between civil and political society are natural, useful and should be encouraged if politics determines who gets what, when and how, and the distribution of power in terms of resources and influences then the absence of women's voice and presence in governance structures is a matter of politics. In East Africa, women are increasingly entering political parties which remain reluctant to honour their formal commitments to gender equality and emancipatory policies that would empower women to take full advantage of their political and civil rights.

Governance challenges for civil society organisations

In an article that explores public investment in women organisations, the researcher notes that there are a group of important factors that "affects the progress of women's organisations and they include: the dynamics of power between women in the organisation, which are linked to those of the wider society; the organisational structure, leadership, and management style, the balance between paid and unpaid workers; and the ownership and control of the organisation".⁴⁸

Besides, that many women organisations are run the way women run households, stretching money to its limits and working a 24-hour job, with burn out inevitable for many of the women leaders.⁴⁹

Generally civil society has weak organisational mechanisms for renewal and rejuvenation that builds a cadre of successors. Succession in civil society has often not been a planned activity it is more often than not on the expiration of term limits or in response to crises.⁵⁰ Induction of incoming leadership is reduced to handing over procedures, hardly addressing the dynamics of change or key issues or strategies to strengthen the organisation. Instead, there is focus on individuals with specific characteristics. Moreover, the functional link between senior activists and subsequent generations are fragile and ad-hoc. Young people complain of being excluded from the leaderships of organisations or being recruited in ways that seek to clone them in the image of the mentor, a term Barry Jane refers to as “*mother-daughter*” syndrome.⁵¹

The above noted challenges are compounded by inadequate institutional documentation within the civil society sector. Existing documentation is confined to programme reports that are often inaccessible, and do not form part of the organisational experiential learning.

Conclusion and Way Forward

Nairobi yielded the enshrinement of equality of sexes in East African national constitutions and the establishment of the national machinery for women. Women’s presence at the decision making levels disrupted the gender hierarchies of public office and saw the redefinition of political priorities that place women’s gender-specific concerns as mainstream political issues.

Through the passion and intellectual work of women’s movements, gender is part and parcel of the discourses of development and democracy and it has provided several lessons:

- Strengthening gender equity has called for approaches which starts with the involvement of those directly affected by social exclusion by making them the principal agents of action in the struggle for recognition, presence and influence in order to ensure that they are the principal beneficiaries.⁵²
- Critically, women specific programming must be seen as a critical index of successful gender mainstreaming, cognisant of the fact that gender mainstreaming has been applied in a piecemeal approach and with a technical focus that fails to respond to politically complex influences..
- Given the turbulence and unpredictability of political processes, civil society and governance work cannot be short term and must be supported by efforts of institutional building and leadership development.⁵³
- Whilst gender equality goals are represented in overall legal and policy frameworks, they “evaporate” at the level of budgetary allocations, implementation, evaluation and measuring impact. Who has money, and who makes the decisions about how it is used are therefore critical political issues that magnify the importance of creating and strengthening adequate women specific funds and access to money for women’s organisations in order to move forward the agenda of women empowerment and gender equality.

- The enhancement of the capacities that enable women to claim their right to participation in politics, speak for themselves, influence local governments, create opportunities for inclusion of more women and engender the constitution as the principal document of governance are continuing arenas of work and struggle.
- The sexual division of labour intensifies the burden of work on women negatively impacting on their effective participation in politics and increases the costs of women's participation that challenge us to address gender relations and to focus on those who lack power.
- NFLS and BPFA, underscores the importance for women's organisation to build solidarity across the numerous and diverse classes, professions, age-groups and interests in order to strengthen women as autonomous power sources and to augment the support and legitimacy for women in politics. In an era of globalisation, security threats and identity-based fundamentalisms, women's movements must forge new alliances with social movements, civil society and political parties in order to broaden the base of committed supporters in the policy arena and quest for more secure and durable funding.⁵⁴
- Importantly, men have to participate in the dismantling of their privileges that breed social inequalities.

In 1985, the 3rdUN International Conference on Women held in Nairobi was celebrated as the first major conference in Africa that unleashed the political activism of women in the south. Whatever the shortcomings of the women's movements, how much less would have been achieved without the dynamism and resilience of women's collective and accumulative impact on the immeasurable gains for their societies in East Africa is both sobering and gratifying.

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CHAPTER 4

The Quest for Formal Education by East African Women and Girls

By Sara J. Ruto

Abstract

This chapter examines the gains and gaps in women's and girls education in East Africa. The analysis shows that the education priorities contained in the Nairobi and Beijing final documents are in tandem with other international provisions which together with the accompanying domestication in national planning, has resulted in consistent and systematic progress in formal education participation for women/girls. A pervasive absence, exacerbated by lack of recognition in the millennium development goals, the contemporary goal setters, is the rural woman who needs to be embraced for collective progress in gender equity in education to be registered.

Introduction

This Chapter examines the strides, achievements and gaps in the field of women's and girls' education in East Africa since the 3rd UN International Women's Conference held in Nairobi in 1985. The Nairobi conference was a phenomenal celebration of the culmination of a decade given to reflection and activism to raise awareness about women's concerns. Critically, from Nairobi, would spring the Nairobi Forward Looking Strategies and a new global solidarity among women that enabled concerted advocacy by women's movements, informing the field of the education, literacy and training. Ten years after the Nairobi conference, its lessons would guide and deepen the platform for Action of the 4th UN International conference for women held in Beijing in 1995. It has thus been reflected;

“I always see the success of the Beijing conference as a combination of the post Nairobi mobilisation. I think Nairobi has to recapture this because Beijing was a culmination of the process which started here¹”

Twenty one years after the Nairobi conference, a prevailing mood of despair can be discerned when assessing women's and girls advancements in the region. This is largely due to the persistent gap between gender sensitive laws and policies and mechanisms for implementation. The “slow” rate of progress has yielded the observation that Beijing had been “betrayed”².

This notwithstanding, strides have been made towards achieving “equality, development and peace”, the goals of women’s advancement articulated by all the United Nations (UN) international conferences for women. There is consensus that the most impressive progress has been in the area of education for girls and women³. This has not been accidental. Formal education has been conceptualised as central in enhancing women’s development and meaningful participation in society. The right to education for all is universally acknowledged and its actualisation often prioritised nationally and internationally.

This chapter focuses on three areas. First, it undertakes an analysis of women’s and girls’ progress towards achieving the targets identified and set by the Nairobi Forward Looking Strategies (NFLS) of 1985 and the Beijing Platform for Action (BPFA) of 1995. Reference is made to other key international declarations and instruments relevant to education. The scope of analysis is educational progress in Kenya, Uganda and Tanzania in the last 20 years. The analysis utilises quantitative assessment indicators as contained in national and international progress reports. Second, the chapter examines development assistance and funding in education by selected development partners; and how NFLS and BPFA have influenced their priorities in education. Third, the chapter concludes by highlighting the critical gaps and potential areas that need attention in order to achieve the goals of the NFLS and the BPFA.

NFLS and BPFA: The Priorities in Education

The themes of *equality, development and peace* linked to the sectors of *employment, health and education* in relation to women’s advancement have been a central focus in the four world conferences for women organised under the auspices of the United Nations (UN). First adopted in Mexico in 1975, these concepts formed the focus of the UN decade for women 1976-1985. They were reaffirmed in the mid-decade world conference in Copenhagen. The Nairobi conference of 1985 appraised the achievements of the decade and came forth with more strategies that were concretised in Beijing 1995 under twelve critical areas.

Education was conceptualised as being at the very core of achieving the goals of women’s advancement. This is confirmed by Paragraph 15 of the NFLS that “*the enhancement of women’s equal participation in development and peace requires the development of the human resource*”⁴. The undisputed belief in the power of education, informed by modernisation and human capital theories, is that the development of the human capital is a prerequisite for development and it can only be attained through formal education. These theories informed the framework of Women in Development (WID) approaches that provided the dominant understanding in NFLS guiding expansion of education and literacy opportunities for women. The WID approach to education did not confront the gendered constitution of social structures that had resulted in women’s disadvantaged position. It is the BPFA, informed by gender and development (GAD) approaches that argued for the removal of the structural barriers to gender equality in education, bringing attention to the place of politics in education and the relevance of addressing power relations.

Over the last twenty years, several world summits and conferences (see Table 1) have provided policy documents and frameworks for action in education, with the Millennium Development Goals (MDGs) being the most recent goal setting stage and focus for world governments. In Kenya, for example, the document containing current planning for education, the Kenya Education Sector Support Programme (KESSP) 2005-2010 states that: “KESSP is based on the rationale of the overall policy goal of achieving Education For All and the

Government's commitment to the attainment of Millennium Development Goals"⁵. The shift of world attention and resources to MDGs has however been worrying to gender advocates who challenge the limited framing of the MDG's education targets to *access* issues. The MDGs have in general been faulted as "*being soft goals that lack targets and indicators for the most important issues affecting women*"⁶. The MDG education goal has gender specific indicators; however education analysts have been critical of the education specific targets for being "cautiously phrased"⁷. For example, though completion of education is mentioned, they omit free and compulsory education, and literacy provisions which are crucial for achieving gender equality and equity.

Table 1: International Meetings in Education

1985	3rd World Conference on Women (Nairobi)
1985	4th International Conference on Adult Education (Paris)
1990	World declaration on Education for All (Jomtien)
1990	World Summit for Children
1993	The education for Girls: The Ouagadougou Declaration and Framework for Action
1994	World Conference on Special Needs Education: Access and Quality (Salamanca)
1994	International Conference on Population and Development (Cairo)
1995	World Summit for Social Development (Copenhagen)
1995	Forth World Conference on Women (Beijing)
1996	Mid Term meeting of the International Consultative Forum on EFA (Amman)
1997	5th International Conference on Adult Education (Hamburg)
1997	International Conference on Child Labour
2000	World Education Forum (Dakar)
2000	Millennium Development Goals

An examination of the priority needs identified in Nairobi and Beijing depicts clear sequential development. The strategies in the NELS in 1985 are concretised in the BPFA in 1995. The BPFA benefited from the invigorated energy and vision of the World Declaration on Education For All (EFA) of Jomtien 1990⁸. Together, the three meetings (Nairobi, Beijing and Jomtien) provide the most comprehensive vision for girls' and women's education that continue to be reflected in subsequent international documents, such as the Dakar Framework for Action and the MDGs (see table 2). There is general consistency and agreement in international documents on the call to avail education to all, just as there is commitment by national governments to domesticate these actions. A few points of divergence can be noted in the recommendations of the international meetings:

- a) Shifts in the time frame for achieving the targets. For example, though Nairobi does not indicate a specific year for universalising access to basic education, Beijing and Jomtien suggest 2000, while Dakar and the MDGs push it to 2015.

- b) Different stress points: The NFLS encouraged the development of “education programmes to enable men to assume as much responsibility as women in upbringing of children and maintenance of the household” (paragraph 173). The closest statement in the BPFA is under Objective B.4, Action plan B that seeks to “*develop training programmes and materials for teachers and educators that raise awareness about the status, role and contribution of women and men in the family*”⁹ An opportunity for action is missed by failing to follow up on the “male” focus as highlighted in Nairobi.
- c) Embracing emerging realities: The BPFA addressed emerging needs like life skills and education on HIV/AIDS, areas that were not yet pertinent in the NFLS of 1985
- d) Addressing quality: The Dakar meeting stresses on the need to ensure completion and quality education. The MDGs reiterate the essence of paying attention to completion of schooling.

Table 2 summarise the education priorities and calls for action in NFLS (1985), BPFA (1995), DPFA (2000) and MDGs (2000).

Table 2: Priority Areas in Education

<p>Beijing Platform for Action (BPFA) 1995¹⁰</p> <p>B1: Ensure equal access to education a): Advance goals of equal access b): Provide universal access by 2000, close gender gap by 2005, Universal Primary Education (UPE) by 2015 c): Eliminate gender disparities in tertiary levels d): Create gender sensitive education system e): Provide young women with academic, technical training f): Increase enrolment and retention of girls g): Eliminate barriers to schooling of pregnant adolescents and young mothers</p>	<p>Nairobi Forward Looking Strategies (NFLS) 1985¹¹</p> <p>Paragraph 165: Address causes of absenteeism and dropout among girls</p> <p>Paragraph 166: Avail scholarships and other forms of support</p>	<p>Dakar Framework for Action (DPFA) 2000¹²</p> <p>Ensure by 2015 all children, particularly girls have access to and complete free and compulsory primary education of good quality.</p>	<p>Millennium Development Goals (MDGs) 2000¹³</p> <p>Achieve UPE</p> <p>Target: Ensure that by 2015 children everywhere, boys and girls alike, will be able to complete a full course of primary schooling</p>
<p>B2: Eradicate illiteracy among women a): Reduce female illiteracy by half its 1990 level b): Ensure gender equality in completion of primary schooling for girls by 2000 c): Eliminate gender gaps in basic and functional literacy d): Encourage adult and family engagement to promote literacy</p>	<p>Paragraph 164: Elimination of illiteracy by 2000</p>	<p>Achieve 50percent improvement in all levels of adult literacy, especially for women.</p>	
<p>B3: Improve women's access to training, science, technology and continuing educating a): Develop training policies for entry to the labour market b): Recognise non formal education opportunities c): Provide information on availability, benefits of training in science and technology d): Design education and training programme to offer new knowledge and skills e): Diversify vocational and technical training and improve access</p>	<p>Paragraph 169: Encourage girls to study scientific, technical and managerial subjects</p> <p>Para 171: Diversify/ Increase access to science, Voc Tech for especially the poorest women</p>	<p>Eliminate gender disparity in primary and secondary education by 2005 and achieve gender equality in education by 2015 ensuring girls' full and equal access.</p>	<p>Promote gender equality and empower women</p> <p>Target: eliminate gender disparity in primary and secondary education preferably by 2005 and to all levels no later than 2015</p>

<p>B4: Develop non-discriminatory education and training</p> <ul style="list-style-type: none"> a): Develop curricula and text books aids free of gender stereotypes b): Develop training programmes for teachers and educators to raise awareness on contribution of women and men in the family c): Develop programmes on effective strategies for gender sensitive teaching d): Ensure that female teachers and professors have same opportunities and equal status e): Introduce training in peaceful conflict resolution f): Increase proportion of women in educational policy and decision making g): Develop gender studies and research at all levels h): Develop leadership training opportunities i): Education and training programmes to respect multilingualism and non-discriminatory education j): Remove legal/ social barriers to sexual and reproductive health k): Guidance/ support to raise awareness on responsibility, avoid unwanted pregnancy, STD especially HIV/AIDS l): Provide recreation and sport activities n): Recognise rights on indigenous women and girls q): Promote education and training for rural women 	<p>Para 163: Strengthen the participation of women at all levels of national educational policy formulation level</p> <p>Para 167: Examine Curricula, textbooks, retrain personnel to eliminate gender stereotyping</p> <p>Para 168: Promote women's studies and perspectives from women</p>	<p>Equitable access to basic and continuing education for all adults.</p> <p>Ensure that the learning needs of all young people and adults are met through equitable access to basic and continuing education for all adults</p>	
<p>B5: Allocate resources for monitoring implementation of educational reforms</p> <p>Governments: To provide required budgetary resources to the education sector: and establish a mechanism to monitor reforms and measures</p>			
<p>B6: Promote lifelong education and training for girls and women</p> <ul style="list-style-type: none"> a): Avail broad range of education and training programmes b): provide support in child care to enable mothers continue schooling c): Create flexible programmes 	<p>Para 170: Flexible and accessible education and occupational training</p>		

Assessing Progress

By March 1999, Kenya, Uganda and Tanzania had made post-Beijing Plans of action in which education and training of women and girls featured as priority areas. The following section presents a brief appraisal of the achievements of the last 20 years. The discussion is anchored around assessing progress in the six strategic objectives of BPFA and accompanying strategies identified in Nairobi.

Equal access to education

While the commitment to access education to the citizenry has been a consistent feature in the education vision of Kenya, Uganda and Tanzania, the policies adopted in the 1980s were not in tandem with this vision. This was especially true given the effects of the World Bank engineered Structural Adjustment Programmes (SAPs) introduced in 1980s which shaped educational developments in the decade between NFLS and the BPFA (1985-1995). SAPs were economic recovery programmes, whose most obvious outcomes with regard to education, was less public expenditure on education. As a result, cost sharing in education was introduced. This resulted in many disadvantaged children, especially girls, from rural communities, the urban poor and children with disabilities, not accessing formal education due to prohibitive costs associated with schooling. That the SAPs were introduced after NFLS, which had called for various strategies to address girls' poor participation in schools means that the NFLS calls for increased access were largely ignored in national planning in East Africa. Indeed, it is the "World Declaration on Education for All" of Jomtien 1990 that created a new impetus for addressing declining participation in education. In an effort to domesticate the Jomtien declaration for example, the Ugandan government issued the White Paper on Education in 1992 which provides the official policy in education.¹⁴ It renewed calls for accessing and universalising educational opportunities to its citizenry, a spirit that is carried on in the BPFA.

The decade of 1995-2005 held more promise for East African countries with regards to delivering on national and international commitments to education, in terms of increasing access to primary and post primary institutions and closing the gender gaps in education. Reduction of the gender gap in education has emerged as the international development target for assessing progress towards gender equity and empowerment.¹⁵ The democratisation wave of the 1990s and political stability opened up spaces for diverse non-governmental organisations to participate in the provision of education. Furthermore, the three East African governments had begun to put in place policies and schemes that cushioned educational participation for women and girls.

Primary education

The preoccupation with universalising access to basic education is so central in national projections that it has become a "collective national philosophy".¹⁶ Successive governments have implemented several schemes aimed at reaching the elusive Education for All (EFA) dream¹⁷. The pace-setter in the current EFA campaign in East Africa is Uganda, which announced in 1996, the Universal Primary Education (UPE) drive stipulating free primary

education for four children per family, two of whom had to be girls. This has since been expanded to include all children. Tanzania followed with a Five-Year plan on Primary Education Development (2002-2006) in 2001 that abolished school fees and other mandatory parental contributions that had added to the cost of education. In Kenya, a presidential proclamation led to the Free Primary Education (FPE) drive in 2003.¹⁸ All three countries have capitation grants¹⁹ per child that support specific school requirements. The immediate impact of these positive developments has been an increase in the learner population in primary school. By 2003/4, Kenya, Uganda and Tanzania had a national gender ratio of 51:49 indicating a near gender parity in national primary school enrolment (See Table 3).

Table 3: Primary School Enrolment in Kenya, Uganda and Tanzania²⁰

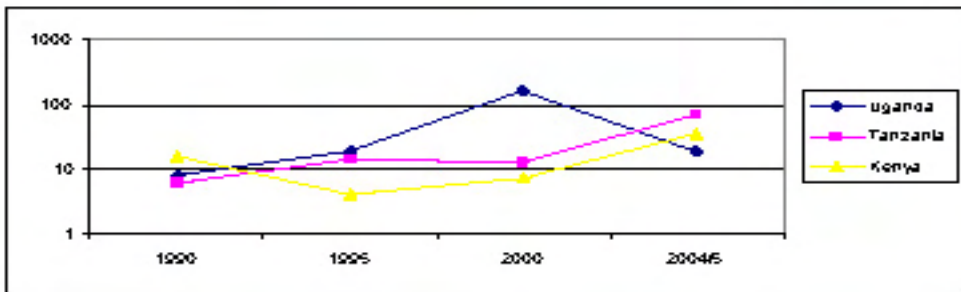
Country	Enrolment	1985	1990	1995	2000	2004/5
Kenya	Total enrolment	4,702,414	5,392,319	5,536,396	5,926,068	7,591,500
	Total Female	2,267,511	2,625,943	2,734,091	2,933,158	3,688,800
	%	48.2	48.7	49.4	49.5	48.6
	Increase in female enrolment by %	-	358,432	108,148	199,063	755,642
		-	15.8	4.1	7.3	25.7
Uganda	Total enrolment	2,117,000	2,276,590	2,636,409	6,559,013	7,633,314
	Total Female	931,480	1,007,026	1,197,423	3,163,495	3,760,725
	%	44	44.2	45.4	48.2	49.3
	Increase in female enrolment by %	-	75,546	190,406	1,966,072	597,225
		-	8.1	18.9	164.1	18.9
Tanzania	Total enrolment	3,160,125	3,379,000	3,872,473	4,370,500	7,476,650
	Total Female	1,575,585	1,673,765	1,913,000	2,164,000	3,685,496
	%	49.8	49.5	49.4	49.5	48.8
	Increase in female enrolment by %	-	98,182	239,235	251,000	1,521,496
		-	6.2	14.2	13.1	70.3

The largest margins of increased access for girls have occurred in Uganda. Uganda has been the most proactive in promoting girls' education, prioritising "the Girl-Child and Education"²¹ in its educational interventions. Uganda has a girl-child education strategy that outlines strategic interventions to accelerate girls' education. In a bid to improve the qualitative aspects of schooling, Uganda introduced the child friendly basic education and learning programme; a concept with six broad components one of which is to make the school girl friendly. This includes having a senior woman teacher in each school who acts as a mentor and confidant to girls and helps them deal with issues of maturation. Uganda also has in place affirmative action on school feeding and take-home rations for girls in selected districts. The institutionalised construction of gender segregated toilets and washrooms avails girls privacy when dealing with menstruation. In addition, the Girls Education Movement (GEM), initiated by UNICEF-Uganda, has been lauded as giving girls (and boys) the space to take charge of their destiny.

The children reach out to one another and help each other to remain in school through for instance using proceeds from income generating activities to purchase uniform for the needy.²² The quantitative results of this specific focus can be seen in the four times increase in the raw number of girls in primary schools since 1985.

By and large, quantitative expansion in girls' access to basic education, at the national level, especially within the last 10 years in the East African region has been commendable. The peak enrolments in each of the countries came after the introduction of free primary education (See Graph 1) with Uganda setting the precedence.

Figure 1. Percentage Increase in Girls enrolment in Uganda, Tanzania and Kenya



The East African countries have introduced parallel school alternatives, generally categorised as Non Formal Education (NFE) programmes, in an attempt to attract learners who are above the official entry age. Tanzania and Uganda are more advanced in terms of the scope and institutionalisation of these alternatives, some of which, like the Complementary Basic Education in Tanzania (COBET) and the Complementary Opportunity for Basic Education (COPE)²³ in Uganda are managed by the respective education ministries. In Kenya, the NFE programmes for school aged children are individual or organisation sponsored, small scale, and until recently operated outside the formal education provision, though they actively sought to provide formal education and training. NFEs have been instrumental in giving girls a second chance to attain formal education. The 2006 COBET enrolment for example stood at 129,845 boys and 91,634 girls (41 percent)²⁴. More attention however, needs to be paid to the quality of NFE provisions, particularly addressing its linkage to formal institutions and the potential for progression. Without this, NFE graduates will occupy low cadre positions in society.

Secondary Education

The massive expansion in primary school enrolment spiralled public demands for accessible secondary education. While Tanzania followed a systematic plan “The Secondary Education Development Plan 2004-2009” to expand the secondary school base, Uganda and Kenya relied on presidential decrees issued in 2006 and 2007 respectively that declared free secondary education that basically entails tuition fees waivers. The planning and proclamations notwithstanding, the gains in secondary school access since 1985 have been very modest and rank way below gross enrolment in primary schools (see Table 4).

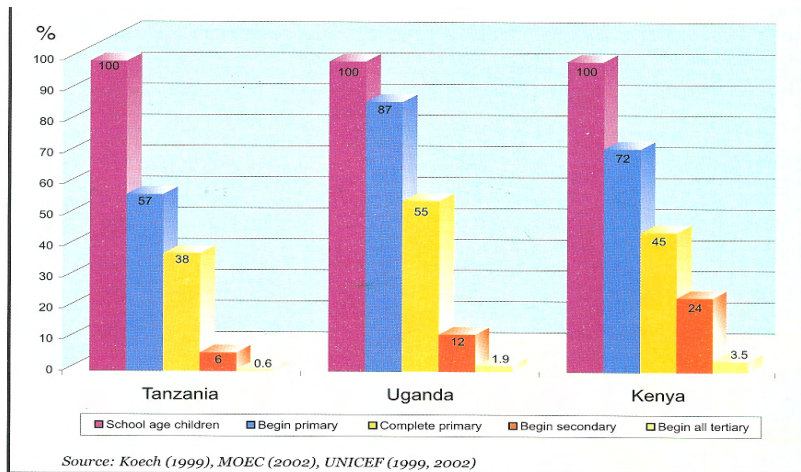
Table 4: Primary and Secondary School Gross Enrolment Ratio in Uganda, Tanzania, Kenya²⁵

Country	1985		1990		1995		2000		2004	
	Pri	Sec	Pri	Sec	Pri	Sec	Pri	Sec	Pri	Sec
Uganda	73.2	10	68.7	12.5	74.3	12	127.3	15.9	125.4	18.6
Tanzania	75	3.3	67.2	4.7	66.8	5.4	66	5.9	101	--
Kenya	99	21.3	94.5	23.8	84.9	24.4	97.7	39.2	111.3	48 ²⁶

The minimal enrolment in the secondary school sub-sector is compounded by the fact that not all who complete primary schooling, despite meeting the secondary school qualification, transit²⁷. Recent years have however witnessed increased enrolment. In Kenya for example, the transition rate from primary to secondary rose from 43.6 percent in 2002 to 50.5 percent in 2004 and by 2006 stood at 57.0 percent²⁸. Boys’ transition is slightly higher. The number of learners transiting in Tanzania rose from 15 percent in 1995 to 49.3 percent in 2005²⁹. The quota system in Tanzania’s secondary school admission has benefited girls. Community secondary schools are expected to have a 50-50 enrolment of boys and girls.

The cohort progression analysis for the years 1996 to 1999 show that only 6 percent, 12 percent and 24 percent of every cohort accesses secondary education in Tanzania, Uganda and Kenya respectively (See Figure 2).

Figure 2: Access to Education in East Africa³⁰



Efforts to increase secondary school enrolment in general and girls’ access in particular include removing the fees burden through provision and proper targeting of bursaries to reach the needy, scholarships, decentralising funding while at the same time stipulating an amount to be spent on education³¹ and lately declaring free secondary in Uganda and Kenya. Additionally, more

classrooms have been built, class sizes have been increased to allow space for more learners and private sector investors have been encouraged to participate in secondary education. In an effort to specifically increase girls' enrolment in secondary schools, the Tanzanian Ministry of Education launched the *Girls Secondary School Support*, a project implemented in Mtwara, Lindi, Coast Region, Kukwa, Kigoma and Morogoro.

Improving women's access to training, science, technology and continuing educating

Compared with secondary education, the enrolment trends in tertiary institutions have been somewhat more promising. There has been a steady rise of female enrolment in polytechnic and other technical training institutes. In Kenya for example, female enrolment in the variety of technical institutions (polytechnics, technical training institutes, institutes of technology and youth polytechnics) in 2001 stood at 25,833 (29,515 male). The 2005 enrolment of 42,061 (49,455 male) depicts a steady increase³². Arguably, it is the universities that have recorded the most remarkable increases in female numbers. The increased female enrolment in the universities has often been facilitated by affirmative action as follows:

Uganda: The 1.5 bonus weighting system, instituted in the 1989/90 academic year to allow more female students to attain the university qualification led to a 33 percent women increase in university admission by 1993.³³ In Makerere University, an estimated 3000 women students are admitted as a result of the 1.5 bonus points. Together with other actions, such as the female scholarship programme run with the support of Carnegie Cooperation of New York, Makerere University boasts of an increase in the women numbers from 19 percent in the 1980s to stand at 45 percent by 2006³⁴.

Tanzania: The University of Dar-es-Salaam started with policy reform to address the gender gap in university participation among students and staff. The Institutional Transformation Programme launched in 1994 allowed the admission of female students with lower cut-off marks. A pre-entry programme to increase women's admission to science related programmes targets those who meet the university entry requirements but fail to meet science course entry admission. The female students undergo a six-week science programme to enable them pursue the Bachelor of Education (science) degree. Certain scholarships have been earmarked for women. The result of all these efforts has been an increase of women's numbers from 161 (936 men) in 1993/94 academic year to 1,428 (2,796 men) in 2000/1 in the main campus³⁵.

Kenya: Women students are admitted with a point less than the stipulated cut-off entry mark. The female figures accounted for only 30.4 percent in 1997/8 and increased to 39.4 percent in 2003/4. In Kenyan public universities, the female enrolment in the same years was 27.8 percent and 30.8 percent respectively and private universities in the 2003/4 academic year had a higher female enrolment accounting for 54 percent of the total³⁶. Most of the private universities concentrate on degree courses in the Arts and Humanities, explaining the higher female enrolment trends. Nevertheless, it is encouraging to note that more females are enrolling for technical courses in the middle level colleges.

The improvement of girls' participation in science and technology can be said to be the evidence of concerted effort by governments, non-governmental organisations and individuals. Some of the examples include:

- Female Education in Science and Mathematics (FEMSA), a project piloted in Tanzania and Uganda between 1995-1997 and supported by a donor consortium comprising the Norwegian Aid (NORAD), Rockefeller Foundation, Irish Aid, Danish Development Agency (DANIDA), African Development of Education (ADEA), Carnegies Corporation and Swedish Development Agency (SIDA)³⁷.
- Documentation of profiles of African female scientists as role models for girls to emulate by organisations such as the Women Educational Researchers of Kenya and Forum for African Women Educationists.
- Strengthening of Maths and Science Education project (SMASE) supported by the Japanese International Corporation Agency (JICA) and implemented in secondary schools in East Africa through the respective ministries of education.

An area that remains wanting is the provision of training opportunities at the post-primary level. Girls, for whom primary education is the terminal phase may have another opportunity available in Youth Polytechnics in Kenya, or in Vocational Education and Training Centres in Tanzania but these are often inadequate and limited in their course offerings that primarily focus on tailoring and dress-making skills. There is need for diversification and inclusion of more market oriented and technical course options at these lower levels of training.

Eradicating illiteracy among women

Every UN conference and declaration has emphasised on literacy education and training especially for rural, and grassroots women. The acceptance that “*illiteracy diminishes women’s economic well-being, increases their dependency on men, reinforces their ties to the domestic sphere and diminishes their ability to control or understand their property, wealth, health and legal rights*³⁸” gives authority to invest in literacy for all populations, and especially women. Hence, the ability to read and write has emerged as a key indicator for measuring progress in a country’s social development. The NFLS, BPGA and DFA identify literacy provisions and set targets for example, “reducing female illiteracy by half its 1990 level” (BPGA), “eliminating illiteracy by 2000 (NFLS), “achieving 50percent improvement in adult literacy” (DFA). These targets have since either lapsed or will not be achieved. Available, disaggregated national literacy rates (adults aged over 15 years who can read and write) for Kenya, Tanzania and Uganda in 1990 and 2000 are summarised below. Based on these figures, Tanzania boasts of the best female literacy rates in the region.

Table 5: Literacy Rates in Kenya, Uganda and Tanzania 1990 and 2000 by Sex

Country	1990		2000	
	Female	Male	Female	Male
Kenya	61	76	67	89
Tanzania	51	81	76	84
Uganda	44	69	57	78

Source: UNESCO Institute for statistics, including the education for all 2000 Assessment.

The global multilateral agreements notwithstanding, the position of women’s literacy has remained almost constant. Results of the Kenya National Adult Literacy Survey conducted

between June and August 2006, that for the first time contained actual testing of the skills, places literacy rates for women in Kenya to be 58.9 per cent (men 64.2 percent) while the numeracy rates are 61.4 percent (men 67.9 percent)³⁹. This suggests that the figures contained in Table 5 may be overrated considering that they were based on responses from respondents rather than of actual testing.

Women form the vast majority in adult literacy classes, accounting for more than 76 percent of the total in Kenya and over 80 percent in Uganda. However, the illiteracy levels continue to be high. This has attracted the outrage of policy makers as evidenced during the Ministers of Education in Africa meeting in 1998, Durban, South Africa where it was acknowledged that a female illiteracy rate of 54 per cent in Africa was unacceptable.⁴⁰ Despite the high-level recognition of the need to combat illiteracy and accompanying policy rhetoric, literacy programmes have never attained prominence in prioritisation or funding. In Kenya for example, the main boost in literacy provision was during the 15th anniversary of Kenya's independence in 1978 when a presidential decree was issued that resulted in a national programme on the "eradication of illiteracy". The Department of Adult Education was established to spearhead the promotion of literacy. This period marked the "golden era" of literacy participation in Kenya. Enrolments in literacy classes soared to over 400,000. The momentum was however, not sustained, not even with the renewed commitments of high profile international women's meetings such as Nairobi (1985) or Beijing (1995) conferences. Available statistics reveal that literacy enrolments in Kenya in 1985 stood at 171,047 (77 percent female) but have since steadily declined to 147,940 (75 percent female) in 1990, 116,051 (76 per cent female) in 1995 and by 2000⁴¹, the figures stood at 93,903 (72.5 percent females).⁴² The recommendations arising from NFLS and BPFA have impacted little in the provision, prioritisation and funding of literacy programmes.

Developing Non-discriminatory education and training

Strategic Objective number four in the Beijing final document specifically calls for the development of non-biased education and training. This is seen to include a whole array of functions like recognition of rights, addressing gender bias and development of training opportunities. This section focuses on three areas namely; books free of gender stereotypes, gender studies and equal opportunities for women.

Books free of gender stereotypes

One area that has been faulted for encouraging gender stereotypes and perpetuating an ethos of male supremacy is textbooks. Hitherto, few books had women as protagonists. East African history on the whole was silent about women. By directly supporting research projects and publication on the theme of women, Nairobi and Beijing conferences played a crucial role in lifting the image of girls and women, especially as portrayed in books. In the count down to the Nairobi Women's Conference, the Non Governmental Organisations (NGO) organising committee, chaired by Dr. Eddah Gachukia, from Kenya, encouraged and facilitated various research projects on women and girls. It was in this spirit that Francis Imbuga, a leading playwright from Kenya was commissioned to write a creative piece focusing on women. The result was the play "Aminata" that highlights the social and work related pressures a female

African lawyer undergoes. “Aminata” is one of the readings available at secondary school and university levels that provide students with the opportunity to engage with women-specific concerns. The NGO Forum at the Nairobi 1985 conference supported research projects focussed on the written media. In Kenya, Anna Obura undertook a detailed text book analysis showing the biased portrayal of girls and women in school texts. The result was the book “Changing Images⁴³” published in 1991 that arguably provided the stimulus that led to the evaluation of gender stereotypes in textbooks in Kenya. “Changing Images” together with other supportive analytical studies such as the “ABC of Gender Analysis⁴⁴” and “Gender Analysis for Educational Policy Making⁴⁵” formed the early documents that guided practitioners interested in addressing gender stereotypes in schools in the 1990s. A flurry of writings also ushered in the Beijing conference. An example from Kenya is the research documentation that resulted in two types of profiles; *women in history and women achievers* by the then Ad hoc group of Women Researchers⁴⁶. The former specifically delved into the historical archives to document and make visible women who had risen within their traditional set-ups to be able leaders of their times while the latter focussed on women in the contemporary setting. In addition, FAWE also invested in research and documentation of African women educationists. Both the Nairobi and Beijing conferences provided the impetus to devote research to the subject of women and girls and there has been a ripple effect in that primary education curriculum has seen the revision of gender stereotypes in Uganda⁴⁷ and in Kenya.

Gender Studies and Research

The need to promote women’s studies to elicit perspectives from women featured prominently in the NFLS of 1985. This subsequently led to the introduction of departments on Women and Gender studies and development courses on gender. In East Africa, Makerere University established the Department of Women and Gender Studies in 1991. This department has influenced the university to institute a gender-mainstreaming unit in the academic registrar’s office, thereby institutionalising mechanisms for addressing gender equity.⁴⁸ Not all universities however welcomed propositions for gender study departments. A case in point is Kenyatta University, where efforts to initiate such a department were frustrated. Only much later was the softer option “Development Studies Department” adopted where it was hoped that gender perspectives would be taught. In 2001, the Centre for Gender studies was established, disbanded and incorporated into the Sociology Department in 2004.⁴⁹ A Gender Studies Centre was once again successfully begun in 2005. This notwithstanding the period after 1985 depicts progress in gender studies in African countries, especially in South Africa and Nigeria.⁵⁰ The 1990s also witnessed the growth of research focusing on women and girls. Indeed there was a saturation of educational research on “factors influencing girls’ participation in schools” by university students and organisations interested girls education.

Equal Opportunity and Status for Female Teachers and Professors

Prior to 1985, women professionals in Kenyan universities did not have equal terms of service. This was especially evident in the case of allowances, where married women were not entitled to house allowance. The period after the Nairobi Women’s conference seems to have been the watershed for discussing woman specific issues as eventual policy revision for women university employees were implemented in 1994. The number of women professionals in the

university has remained skewed at 30:70 ratio with fewer women at the top. In Kenyatta University for example, female tutorial fellows account for 41 percent of the total compared with 5.6 per cent female professors.⁵¹

Allocating resources for the implementation of educational reforms

The BPFA recognises that different institutions have a responsibility to fund and monitor educational reforms and these include governments, public and private institutions, foundations, research institutes and non-governmental organisations; multilateral development partners (including the World Bank) and bilateral donors, regional development banks and foundations; and international and intergovernmental organisations. Governments, in particular, are charged with the responsibility of establishing institutional mechanisms to address monitoring efforts and accountability to gender equality and women's empowerment.

The education sector, particularly the free primary education schemes in the three countries, have been funded by development partners. The World Bank is the biggest donor, extending loans of US\$50 million to Kenya and US\$ 30 million grant and US\$ 40 million loan to Tanzania in 2003.⁵² In East Africa, Kenya invests the highest percentage of public expenditure on education. In 2004, the total spending on education as a percentage of GDP in Kenya stood at 7 percent, compared with 5.2 percent in Uganda⁵³ and 3.9 percent in Tanzania⁵⁴. All three East African countries have sizeable donor support for their education programmes with Uganda leading with approximately 60 percent of the basic education funding being external.

To understand the role of partners in promoting education, as envisaged by NFLS and BPFA, the educational activities of the Ford Foundation and the United Nations (UNICEF and UNIFEM) are analysed below as case examples. This discussion takes cognisance of the fact that the vision and mission of the two organisations subscribe to principles of gender equity and advancement. As such, the discussion will highlight some of their programme priorities that seek to advance the Beijing and Nairobi visions.

The Education Portfolio of the FORD Foundation in East Africa

The FORD Foundation is a grant maker that has been operational in East Africa for the last 40 years. The education programme is relatively young, given that it was formally in the 1990s. This notwithstanding, several grants have benefited the education sector. The priority focus in previous years has been higher education where grants have been made to support research⁵⁵, create departments for higher education studies and provide scholarships to underserved communities, women lawyers and train students in leadership and research. A major scholarship scheme currently benefiting East Africa is the International Fellowship Programme (IFP).⁵⁶ IFP seeks to reach persons who have traditionally been excluded from higher education opportunities. The "marginalized" are identified as those excluded in terms of gender, geography (targeting the rural-remote populations), religion, economy (the urban poor), disability and culture. The IFP recruitment criteria specifically seek out women, especially those located in rural areas. As such, IFP is responsive to the NFLS and BPFA calls for more training opportunities for women and targeting rural women.

However, two interrelated issues emerge. Experience from IFP-Kenya shows that while men from marginalized communities have benefited from the programme, it is mainly women working with marginalized communities and not those women indigenous to those communities who have been reached. One reason for this is that girls in those marginalised communities do not survive the education system long enough to enable them to exploit higher education opportunities. Addressing the BPFA objective B4 (h) and NFLS paragraph 171 and reaching rural and indigenous and the poorest women requires refocusing to lower levels of education. The East African countries continue to have serious wastage in the lower levels of education. Secondary education expansion has not correlated to demand. Cohort analysis in the region shows that only 0.6 percent, 1.9 percent and 3.5 percent⁵⁷ of every female who starts school in Tanzania, Uganda and Kenya respectively complete the education pipeline to the university. These facts have necessitated a rethinking of strategy within the Education portfolio of Ford Foundation. There is justification in focussing on lower levels of the educational pyramid and this is reflected in the current areas for grant-making by Ford Foundation that seek to keep girls in school (e.g. address causes of dropout especially for rural girls, increase well trained female teachers in rural schools); create safer and more supportive educational space for girls (e.g. managing sexuality, early pregnancy, school based violence and sexual harassment) and address issues in higher education provision (e.g. research and scholarships).

The Ford Foundation's funding focus is in tandem with the BPFA (Strategic Objective B1, B3, B4 and B5) and other education-related statements such as the MDGs. The girl/woman focus specifically seeks to redress the lower female participation in primary and higher education institutions done through, for example, addressing sexual and reproductive health issues, and violence in learning institutions as well as capacity building of women professionals. The recognition that women are not a homogenous category but are diverse as a result of socio-economic status, ethnicity, age and the rural-urban divide has helped shape the focus to fund programmes that reach underserved communities and groups.

One untouched area is Strategic Objective B2 of the BPFA on literacy provision for women. Most of the grants have benefited those within the formal education sector and reaching the indigenous women, as the IFP-Kenya experience confirms, has remained elusive. Additionally, more attention needs to be paid to secondary schools which provide the opportune level of reaching girls and interesting them in key areas raised of science, technology and leadership.

Educating women and girls: UNICEF and UNIFEM

The United Nations has provided the overarching guiding principles governing human life, dignity and fulfilment subscribed to by nations of the world. The discussion here will focus on the education activities of UNICEF (Uganda) and UNIFEM for the following reasons: UNICEF is the lead agency propelling education for school aged children and the Uganda programme in particular has been successful in its wide outreach and focussed investment in girls' education. UNIFEM on the other hand, is an agency that grew out of recommendations of Mexico UN Women's conference and has the prime mandate of focusing on women's empowerment and gender equality. The two agencies therefore provide a good overview of the education strategy for women and girls carried out by the United Nations.

UNICEF-Uganda: Country programmes that take cognisance of national and international priorities in education are drawn every 5 years by UNICEF. In the period 2000-2005⁵⁸, the

UNICEF programme sought to consolidate the UPE achievements through supporting child friendly basic education and learning. The programme emphasis in Uganda was on:

- Early childhood care and development: Supporting establishment of community based sites, training of caregivers, and development of instructional material. These sites have been instrumental in giving many rural children a head start in formal education acquisition;
- Promoting girls education and quality: Provision of sanitation facilities; Supporting GEM in collaboration with FAWE-Uganda, adaptation of curricula to incorporate life skills; and
- Supporting complementary basic education. Specifically, UNICEF spearheaded the Complementary Opportunity for Primary Education (COPE) and facilitated both the instructional material development and provision of quality control in conjunction with MoES. Of all the alternative programmes, COPE has the largest geographic coverage and as of 2005, was taken up as a core programme of the MoES.

The discussion in section 3.1.1 shows that Uganda has shown the largest progression in girls' education. The support offered by UNICEF to the national educational effort, in terms of programming, funding and logistics, considerably assisted in this gain. The current plan of operation (since 2005) does not have a girl specific focus, but targets the quality of basic education in its entirety and achieving gender equality. Bridging the gender gap in education for example remains a priority focus for UNICEF-Uganda and has seen the country office actively participating in related UN initiatives such as the United Nations Girls Education Initiative or more local endeavours such as analysis of national examination results by sex and district to inform education authorities of performance status of girls.

UNIFEM: The one organisation mandated to be “female focussed” and charged with the responsibility of advancing the goals of “equality, development and peace” is UNIFEM. To address this mandate, UNIFEM concerns itself with (a) empowerment of women, communities, institutions by addressing issues of access to resources such as information, financial and land rights; addressing issues of power and decision making; and enhancing capabilities by improving on education and skills; (b) gender mainstreaming and gender responsive budgeting as the strategies for the reduction of gender inequalities at the intersections of class, age, sex, race, ethnicity and region and (c) women’s human rights be they legal, political, civil including addressing gender based violence.

Given the complementing temperament within the UN system, the dominant mandate on Education, for adults and children respectively, is held by UNESCO and UNICEF. Since 1985, UNESCO has been faced with diminishing resources and as a result has not been able to execute this mandate successfully. The stagnation in adult literacy programmes within UNESCO mandate attests to this. The complementary role played by UNIFEM is to enhance capabilities as an empowerment process for women. This is done through an array of activities that train women with the purpose of uplifting their economic status and political participation. There has been a deliberate effort to reach women across the socio-economic divide as seen in the training of women parliamentarians to provide skills of leadership. The motivation for focussing on women who may be considered advantaged has been explained as thus:

“Our programmes are still focused on the poor and the marginalised as if it is only the poor and the marginalised who suffer gender discrimination. I know there

are many of us who dare not, who dread to go home and would punch on this computer until eight o'clock because it is a safe space to be. We have not looked at those issues... We have not developed tools to make sure those women who have been elevated, who are in leadership, who are in middle class, feel confident, comfortable and supported to be able to move the issues forward”⁵⁹

Unlike UNICEF, that is in the core mandate of the UN funding system. UNIFEM is a voluntary fund that relies on bilateral agreements with governments for support. Such funding arrangements imply that changes in priorities, policies or global modalities of funding by governments deeply affect UNIFEM's financial base and programme breadth.

Gaps and challenges in accessing education to girls and women

The review of education in East Africa for women and girls has shown that considerable progress has been made to meet the goals identified in Nairobi (1985) and Beijing (1995). This progress has been cushioned by the policy prioritisation, strategic involvement and funding from governments, organisations and individuals. However, challenges remain in the region with regards to the full implementation of NFLS and BPFA. These represent gaps that require renewed focus as outlined below. This section therefore focuses on selected issues that would ensure universal access to education for women and girls given that educational access has emerged as the international target that measures social development.

Refocusing towards the unreached: East Africa is united in missed targets of achieving UPE and reducing gender gaps. A fashion has emerged of postponing the target years. Universal access can only be achieved if special attention is paid to regions and peoples who have traditionally been poorly served by formal education establishments. National education policies and drives have had negligible impact among the nomadic, agro-pastoralist and hard to reach areas. The so-called “Northern frontier districts” of Kenya, Karamoja districts of Kotido, Moroto and Nakapiripirit in Uganda and pastoralist districts in Tanzania such as Monduli, Ngorongoro, Kiteto and Simanjiro continue to register very low enrolment and completion rates especially for girls. In Kenya, it is well documented that FPE has had negligible impact in North Eastern Province where the 2004 gross enrolment rate stood at 34 percent and 19 percent for boys and girls against a national rate of 108 percent and 102 percent respectively for boys and girls. This depicts not only very low enrolment but also a wider gender gap. Girls in such regions continue to face a multitude of problems stemming from the socio-cultural belief systems such as early/forced marriage and female circumcision, which curtail their efforts at formal schooling.

Retaining the numbers: Retention and completion rates in primary school remain dismal for all three East African countries. In Uganda, only 21 percent girls and 24 percent boys who started Primary 1 in the 1997 cohort reached Primary 7 in 2003.⁶⁰ In Kenya, of the 949,787 pupils who enrolled in Standard 1 in 1996, only 543,558 (or 57.2 percent) completed primary education in 2003. Of these, slightly higher figures of 58.4 percent were girls.⁶¹ This is one of the highest completion rates ever achieved as previous years have consistently recorded below the 50 percent mark. The highest completion rates have been registered in Tanzania as 67 percent girls and 65 per cent boys who started primary education in 1995 completed by 2001. The relatively low retention and completion rates within the first cycle of education impacts negatively on future progression and engagement in professional and managerial job levels as hoped for in the NFLS and BPFA.

Creating a gender sensitive education system: The BPFA views this in relation to the number of women and men participating in education, administration and policy making. Using teacher numbers as an example, the representation of females in the teaching profession decreases higher up the academic teaching ladder. While urban schools often have a higher proportion of female teachers, some schools in the North Eastern Province of Kenya, or in the conflict affected areas in Northern Uganda have very minimal woman presence; most teachers, workers or managers in such territories tend to be men.

Quality of provision: The mass inflow of children following free education calls led to overcrowded classrooms, overstretched learning resources, overworked and often under-trained teachers. These factors undermined the quality of education. The failure to increase the number of teachers, given the much higher pupil enrolments has clearly led to overburdening of available teachers. This has negative implications on the general quality of educational provision for all and consequently on the realization of equity and gender equality in education.

Eliminating barriers to schooling for pregnant adolescents and young mothers: Kenya and Uganda have a girls' re-entry policy while Tanzania is yet to institute one. On the whole, there seems to be a lack of pro-activeness and urgency in harmonising and implementing a comprehensive legal framework that protects and promotes the education rights of pregnant adolescents and young mothers. For example, in Kenya, while the Children's Act Chapter 586 of the Laws of Kenya, promulgated in 2001, stipulates that compulsory education should be available for all and that "nobody should subject a child to female circumcision, early marriage or any cultural rights..."⁶², the Education Act Chapter 211 of the Laws of Kenya, the official document regulating education in the country, is silent on these issues.

Impact of conflict: One of the biggest impediments to access, quality, equity and gender equality in educational participation and performance is civil conflict. Uganda has faced the biggest challenges in its northern districts; while sections North Eastern and Rift Valley provinces in Kenya are confronted by periodic inter-ethnic clashes. Girls' education within such conflict-affected regions is bleak. For example, the summary Primary Leaving Education (PLE) results depict the appalling state of girl's performance in the five districts in Northern Uganda (Gulu, Kitgum, Pader, Lira and Apac) where on the average they accounted for 31 percent of the total number of registered candidates. Each year, less than one percent of girls get the high-ranking Division 1 grade (as opposed to 2 percent for boys) while 42 percent of children in these conflict areas get the low Division 4, U and X grades that often constrain further education. So while attention needs to be paid to all children in conflict affected districts girls need to be specifically targeted, as they are the most likely to fail, not take part in national examinations and not attend school.

Complementary programmes: Given the skewed historical development of formal education opportunities that tended to favour men/boys, the vast majority of those in need of basic literacy remain to be women/girls. For this group complementary opportunities outside the formal school system are the best second chance of redressing the missed opportunities of education and training. Literacy programmes are however under funded and underdeveloped. The ripple effect is that the vast majority of rural women are locked out of other opportunities that formal education can accord them as they lack basic literacy skills.

Conclusion

Over the last 20 years, substantial gains have been registered in education. There has been positive movement forward in advancing the education of women and girls in all the three East African states. More girls and young women have access to learning institutions and science education; a near national gender ratio has been achieved in gross primary school enrolment; there is a conscious effort to engage with girls/women's issues and address them. Nevertheless, many women and girls cannot access basic education and therefore remain disadvantaged; how to engage men and boys more actively in women's and girls' advancement remains unrealised; and literacy concerns of adult women have not received adequate attention. For women, access to education remains the practical and strategic pathway to personal, social and economic empowerment. Hence, prioritisation in education for women must address the primary factors that keep women and girls locked out of formal educational opportunities. There is disquiet that the gender approach is overshadowing focus on women's specific needs and that the concept of mainstreaming is getting lip service. The reflection; "*Nairobi was about women. Twenty-one years later, women are being overshadowed by gender. So the conceptual shift to gender relations and gender mainstreaming is somewhat leaving behind the empowerment issues of women.*"⁶³ suggests the essence of remaining true to women specific concerns, which at the very basic level entails ensuring that each girl and woman has basic literacy and numeracy skills as a first step towards enhancing their capacities.

Notes

- 1 Interview with Gumbonzvanda, Nyaradzai, UNIFEM Regional Representative Eastern Africa (May 2006).
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- 3 Seager, Joni; *The Atlas of Women*; (3rd edition). (The Women's Press Ltd, London) (2003).
- 4 United Nations; Report of the World Conference to review and appraise the achievements of the UN Decade for Women: Equality, Development and Peace (1985).
- 5 MoE/GOK; Kenya Education Sector Support Programme KESSP: Delivering quality education and training to all Kenyans (2005).
- 6 GEM News, *Supra* note (March 2005) 2.
- 7 UNESCO; *Gender and Education for All: The Leap to Equality*. EFA Global Monitoring Report. (UNESCO, Paris) (2003) 27.
- 8 The United Nations (UNESCO) has organised several intergovernmental and world congresses that have resulted in policy documents and frameworks for action in education. The two most prominent world gatherings in the recent past are: the World Declaration on Education for All (Jomtien 1990) and the Dakar Framework for Action (2000). The Jomtien conference can be said to be the single most important event that resulted in renewed emphasis on universalising education. Dakar 2000 does not differ much in content, emphasis or direction.
- 9 United Nations; The Beijing Declaration and Platform for Action. Forth World Conference on Women (1996) 46-55.

- 10 *Ibid*, BPFA
- 11 United Nations; *Supra* note (1985) 4.
- 12 UNESCO; The Dakar Framework For Action, Education For All: Meeting Our Collective Commitments (UNESCO Paris) (2000).
- 13 United Nations; Towards Universal primary Education: Investments and Incentives: Achieving Millennium Development Goals. UN Millennium Project (2005).
- 14 Ministry of Education and Sports (MoES)/Government of Uganda (GOU); Education Sector Strategic Plan 2004-2005 (2005).
- 15 UNIFEM; Progress in the World's Women. Biennial Report (2000).
- 16 Galabana, Justinian; Developments and Issues regarding Universal Primary Education in Tanzania. ADEA Biennial meeting. http://www.adeanet.org/biennial/papers/en_arusha_galabawa.pdf (2001) 7 accessed on 29.05.2007
- 17 In Kenya for example, presidential decrees have been issued in an attempt to expedite universal access. In 1971 a presidential decree abolished tuition fees for districts with unfavourable geographic conditions. Another decree followed in 1973 providing free education for classes 1- 4. The 1978 decree made primary education free. Tanzania has consistently relied on national planning whose impact is analysed in three phases. As noted by Galabana, *Supra* note 16 (2001), Phase 1 of 1967 to 1980 is associated with socialism and self reliance. There was phenomenal growth in education albeit the minimal external support. Phase II of 1980 to 1990s were marked with new economic thoughts that ushered in liberal ideas of market oriented schooling as exemplified in SAPs. School expansion declined. 1995 onwards has collective thoughts on poverty eradication that has seen abolition of school fees.
- 18 Tanzania and Uganda primary education plans operate as education policies as opposed to the Kenyan FPE drive is not embedded in policy.
- 19 Under the free education schemes, governments provide funds to schools, calculated on the basis of pupil enrolment. The amounts per child are similar across East Africa; in Ksh. 1020, Ush.-----and Tsh.-----
- 20 Source: TSC and Education Statistics Section, (MoEST Nairobi); Education Statistical Abstracts (MoES Education Planning Department, Uganda); Ministry of Education and Vocational Training. Basic Education Statistics in Tanzania (BEST) 2006 Regional Data (2006) 25-26.
- 21 GOU; Progress on the implementation of the BPFA and the Commonwealth Plan of Action on Gender and Development (1995) and its update (2000-2005) (2003).
- 22 UNICEF/GOU; *Supra* Note 14 (2005).
- 23 Others programmes that are officially recognised but are run by private organisations with varying degrees of government MoES collaboration include; Alternative Basic Education for the Karamoja (ABEK), Basic Education for the Urban Poor Areas (BEUPA), Child Centred Alternative Non-Formal Community Based Education (CHANCE) and Non Formal Education in Mubende.
- 24 United Republic of Tanzania, Ministry of Education and Vocational training. *Basic Education Statistics in Tanzania (BEST)* 2006 Regional Data (2006) 44.
- 25 Source: World Bank Summary Education Profiles; Kenya, Uganda, Tanzania <http://devdata.worldbank.org/edstats/SummaryEducationProfiles/CountryData> accessed on 28.05.2007.
- 26 For unity, international available statistics have been used. There is however a huge variation in some figures when compared with locally available statistics. For example,

- the Central Bureau of Statistics; *Economic Survey* Government Printers (Nairobi) (2006)
24 calculates secondary GER at 29.1% in 2004 though the World Bank sources indicate
48%.
- 27 Other contributing factors include prohibitive costs of secondary schooling, lack of
space, low valuation of education.
- 28 GoK/MoE, 2006; “Education Sector Report” (Unpublished) 32.
- 29 Sumra, R, 2006; “Access to Education: Climbing the ladder in Tanzania. Final report”
Partnership pipeline Study for East Africa (Unpublished)
- 30 Source: Rajani Rakesh; The Education Pipeline in East Africa. A Research Report and
Synthesis of Consultations in Kenya, Tanzania and Uganda. (The Ford Foundation)
(2003) 1.
- 31 In Kenya for example, 10% of the Constituency Development Fund (CDF) must be used
to support formal education.
- 32 Central Bureau of Statistics (CBS); *Economic Survey* (Government Printers Nairobi)
(2006) 45 & (2007) 51
- 33 Government of Uganda/United nations Economic Commission for Africa (GOU/
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- 34 Kasente, Deborah, 2006; “Report on the Selection process by Makerere University. Final
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- 35 Sumra; *Supra* note 29 (2006).
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- 39 CBS; *Supra* note 32 (2007) 264.
- 40 ICAE; A gender analysis of adult learning. International council for adult education and
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- 45 FAWE/UNESCO; *Gender analysis for educational policy making*. (FAWE/UNESCO
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- 46 Today, the group is formally known as the Women Educational Researchers of Kenya
(WERK).
- 47 GOU/UNECA; *Supra* note 33 (1999).
- 48 *Ibid*.
- 49 Chege F & Sifuna D; *Supra* note 41 (2006).
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- 52 Oxfam GB; *UPE: Myth or Reality*. A review of experiences, challenges and lessons from
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- 53 World Bank Education statistics. Accessed 25.05.2007.
- 54 United Republic of Tanzania; *Supra* note 24 (2006) 100.
- 55 Examples of grants supported studies on Girls in science education and technology; barriers to success of women in higher education; incorporating student voices in higher education reform; and assessing the impact of tuition fees on access, quality and equity
- 56 International Fellowship programme (IFP) is the largest single programme ever supported by the FORD Foundation. It was started in 2000 and operates in 22 countries, 10 of which are in Africa. Source, Lizzie Changoti, Programme Officer, IFP Nairobi (April 2006).
- 57 Rajani; *Supra* note 30 (2003) 1.
- 58 GOU/UNICEF; Child friendly basic education and learning programme plan of operations. UNICEF Uganda (2001).
- 59 Interview with Gumbonzvanda, Nyaradzai, UNIFEM Regional Representative Eastern Africa (May 2006).
- 60 UNICEF/GOU, 2005 Situation Analysis (Draft) The Right to Education (Unpublished on file in UNICEF-Uganda) 57.
- 61 MoEST/GOK; Medium Term Expenditure Framework 2005/6-2007/8. Delivering the Economic Recovery Strategic Priorities (2004) 95.
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CHAPTER 5

Engendering Environmental Management for Sustainable Livelihoods

By Patricia Kameri-Mbote

Abstract

This paper looks at gender and environmental management arguing that the gender movement and the environment movement have grown up in the same era but moved along parallel tracks. It avers that despite increasing recognition of women's roles in environmental management at international and regional environmental, human and women's rights, legal and policy initiatives, there are no concrete and synergized action plans at the national levels. Most significantly, women's participation in environmental decision-making is minimal despite women being the managers of environmental resources on the ground. The paper calls for development of tools for mainstreaming gender into environmental management and expertise in gender and environment issues. In the author's view, gender justice is unlikely to be achieved across the board if women's access to land and environmental resources is not secured since these provide the means of livelihood as well economic prosperity.

Introduction

Women perform many tasks associated with environmental management and play a major role in the agricultural sector, which forms the economic mainstay of many African countries. Feminist critiques of development have identified the marginalization of women from the means of production as a critical factor in the subordination of women.¹ The context within which access to land and environmental resources occurs is nuanced by diverse factors. *First*, the conceptualization of gender as a social construct where roles and realms of operation of men and women are set and translated into power relationships where masculinity and femininity denote differentiated entitlements to resources. Women are under-represented in institutions that deal with land and environmental resources, their rights under communal ownerships and ranches are not defined and this allows men to dispose of family land freely. Few women have land registered in their names. Similarly, state control of environmental resources has not resulted in equitable access to the resources for all. In instances where resources such as grazing areas and forests are vested in communities, equal access for all

members of the community is not always guaranteed. *Second*, there are different legal orders used to allocate resources. Law can empower or disempower its subjects in the quest for access to resources. Legal equality may result in substantive inequality where the prevailing situation of legal subjects is not taken into account. It is noteworthy that gender-neutral laws on land and environmental resources have not resulted in more women owning these resources because of structural barriers such as access to credit and the prevalence of the myth that women cannot own land.

Third, the patriarchal social ordering of many societies in African countries makes access to resources tilted in favour of male members of society. In this regard, laws intended to grant equal access for men and women yield very different outcomes upon application in a gendered context.² Access may be limited by the owner or controller of land and environmental resources. This is critical because these resources constitute an essential validation of social and political autonomy. For women, it is a means of moving from reproductive roles to production.³

Fourth, globalization and technological development impact on access, ownership and control of land and resources. For instance, as new technologies are adopted, women's ways of managing resources such as saving seed are sidelined even as the technologies are not made readily available to women.⁴ The net effect is the alienation of environmental managers from the environmental resources.⁵ This impacts on both food security and sustainable environmental management.

Christopher Stone in his seminal article written in 1970 titled; *Should Trees Have Standing*, analogised the quest for the rights of trees to that of women's rights and the resistance that such quests elicit from the entities that have the power to bestow rights. He explained the resistance from the point of view that 'until the rightless thing receives its rights, we cannot see it as anything but a thing for the use of us. It is hard to see it and value it for itself until we can bring ourselves to give it rights.'⁶ Considering this striking similarity, it is surprising that the environmental movement and the women's rights movement have evolved on parallel tracks. This is not to say that there is no mention of gendered encounters with environmental resources at local and national levels. However, there is a common perception that environmental issues are elite issues and not women's issues in the way that political participation and the right to health, work and education are. On the environment side, there is also the perception that environmental concerns are human concerns and not women's concerns. Yet, herein lies the paradox because the state of the environmental resources impacts on women's work, health and education and the gendered social ordering of society mitigates human encounters with the environment. Constrained access to resources, lack of ownership rights and the vesting of control of land and resources on men has implications for women's performance of their duties. In similar vein, marginalization, outlawing or demeaning of women's ways of managing environmental resources (saving seed, shifting cultivation and slash and burn agriculture) as well as the introduction of technologies that obliterate women's roles impacts on women's work and their political leverage as they become more dependent on new forms of knowledge that are owned and controlled by others.⁷

Indeed, as Seager and Hartmann aver, gender *mediates* environmental encounter, use, knowledge, and assessment; and gender roles, responsibilities, expectations, norms, and the division of labour shape all forms of human relationships to the environment.⁸ They further explain that these principles are manifested in environmental relations and interactions such as:

- the unequal relationships in the family and community which mediate women's access to resources
- livelihood strategies rooted in particular uses of the environment
- knowledge of the environment, knowledge of specific resources, and knowledge of environmental problems
- responsibilities for managing, owning, or stewarding resources, and in rights to resources
- perceptions of the environment and of the nature and severity of environmental problems
- accountability, stewardship, and action for the environment.

Both the Nairobi Forward Looking Strategies and the Beijing Platform for Action identify the need to upscale women's participation in environmental decision-making as a strategic action in the improvement of the overall status of women. This paper looks at the link between gender and environmental management underscoring the extent to which environmental policies and interventions have taken onboard the strategic interventions identified in the Nairobi Forward Looking Strategies (NFLS) and the Beijing Platform for Action (BPFA) in relation to the environment. Part II lays out the conceptual and analytical framework for the discussion on women and the environment while Part III highlights the priorities set out in the NFLS and the BPFA in relation to the environment. Part IV assesses the extent to which legal and policy initiatives have taken the NFLS and BPFA priorities into account in framing environmental entitlements and environmental management initiatives at the international, regional and national levels. Part V addresses the gains that have been made and the gaps that are evident. It also highlights key emerging issues that need to inform the process of engendering sustainable development initiatives. This leads to Part VI which comprises the conclusion.

Conceptual Framework

The focus on women's role in development also acknowledged women's productive and reproductive tasks and questioned the existing power structures leading to oppression. Since the early 1980s, various theories explaining underdevelopment emerged developing approaches to understand the roles and status of women in the development process. The first was the Women in Development (WID) approach which assumed that women would automatically benefit from the development process. It did not integrate women into the development process and assumed that the law in place, though designed by men, served both men and women equally. The Women and Development (WAD) approach was developed to address problems emerging from the WID perspective, and also to critique it.⁹ The WAD framework added a women's perspective to economic dependence theory, and designed an analysis of the role, class and gender relations. The conceptualization of work in this perspective mainly focuses on work that is done by women with and outside households. These approaches were perceived as anthropocentric (human centred) with little regard for the environment and sustainability. This is how the Women, Environment and Development (WED) came to scrutinize the correlation between the oppression of women and the oppression of the environment.¹⁰ Apart from characterizing women as the main victims of environmental degradation, WED emphasizes

the special bond that exists between women and the environment: women are seen as the privileged bearers of a special knowledge imported to them by nature. According to this view, women are assumed to be caring, nurturing and selfless beings committed to both future generations and the environment.¹³

The link between women and environmental resources has been well documented. There is, for instance, a growing body of literature on ecofeminism which seeks to combine different feminist theories and relate them to environmental issues. Ecofeminists explore gender oppression and environmental degradation, mainly caused by men, and hold that women have a responsibility to stop this male domination over both. It was borne out of disillusionment with prevailing discourses on the environment which lacked a feminist analysis.¹¹ Ecofeminists are at the forefront of developing a deeper analysis of the woman/nature dynamic and challenges all kinds of subjugation which leads to environmental degradation.

Elaborating on the woman/nature relationship, Bina Agarwal¹² describes four overlying precepts in ecofeminism. *First*, gender oppression and environmental degradation are mainly caused by male western dominance. *Second*, men are more related to culture and women are related to the environment. Culture is seen as superior to the environment and hence both women and the environment have been subjugated by men and share a common inferior position. *Third*, oppression of women and the oppression of nature have occurred simultaneously and thus women have a responsibility to cease male domination over both. *Fourth*, ecofeminism seeks to combine feminism and ecological thought, as they both work towards egalitarian, non-hierarchical structures. Ecofeminists argue that both women and nature could be liberated together.

Ecofeminism has not informed women's quest for access and control of natural resources in Africa. There is a school of thought that holds that the framing of the ecofeminist debate is so abstract that it ceases to be the grassroots movement that it ought to be.¹³ In the book titled; *African Women as Environmental Managers* edited by Shanyisa Khasiani in 1990, an attempt was made to look at the different ways in which women were engaged in environmental management in Kenya.¹⁴ It laid out the different ways in which Kenyan women articulated with the environment. This study has been complemented by similar studies by Dianne Rocheleau and Barbara Thomas-Slayter looking at the roles of women in relation to the environment in Kenya.¹⁵ There has however not been any national studies looking at the implementation of the NFLS and the BPFA strategic objective to involve women actively in environmental decision-making at all levels. There is urgent need for such studies given the plethora of environmental laws that have been promulgated between 1990 and 2007.¹⁶ This is notwithstanding the fact that the development of environmental laws and policies has taken onboard legal provisions on procedural rights which are critical in relation to the role of women in environmental management. These procedural rights include the rights of access to information, participation in decision making, freedom of association and access to justice.¹⁷

Environmental laws, policies and interventions that fail to factor in the gender dynamic contribute to environmental degradation while accentuating women's poverty and increasing their workload where they depend on environmental resources as fuels and food. In similar vein, tenurial arrangements that favour men over women also impact on reforestation and afforestation if women are not accorded rights to the trees they plant on account of their not owning the land they plant them on.¹⁸

The priorities identified by Nairobi Forward Looking Strategies (NFLS), the Beijing Platform for Action and the Millennium Development Goals (MDGs)

The role of women in environmental management is now widely recognized, especially in developing countries where obtaining food and medicines, gathering water and fuel wood and making clothing and shelter are women's chores. Both the NFLS and the BPFA put women at the centre of the quest for sustainable environmental management while underscoring the importance of these resources for women's empowerment.

The Nairobi Forward Looking Strategies

The themes of the Nairobi meeting, 'Equality, Peace and Development' have nuances that relate to environmental resources. Equality in access to and participation in environmental resources is critical for women's emancipation.¹⁹ As pointed out above, women's role in development is also widely recognised as is the need to ensure that development takes into account the needs of women. Paragraph 12 of the NFLS underscores the need for a holistic approach to development taking into account all aspects of human life including material resources and the physical environment. It is interesting to note that this paragraph points to the need to have environmentally sustainable technology responsive to the needs and rights of the individual. It seems to implicitly affirm the nature-women connection promoted by ecofeminists.

With regard to peace, there is growing literature on the environment as a cause of conflict on the one hand and as a pathway to peace on the other. Changes in the environment have implications for peace at different levels. In places where environmental resources provide both a subsistence and economic lifeline like in east Africa, such changes impact directly on gender relations. In many parts of the world, there is a growing appreciation among conflict policy makers of the environmental origins of conflict. Conflicts in Africa for instance, though often linked to political and communal differences are now understood to have potentially important linkages with environmental factors. Given the roles that women play in relation to environmental resources, they are in a position to contribute to peace-building initiatives.²⁰ Gender sensitive root causes of insecurity include political equality, economic equality and social equality²¹

A number of specific paragraphs of the NFLS stand out in bringing out the role of women in environmental management.²² On science and technology, the requirement at paragraph 200 of full and effective participation of women in decision-making, priority setting for research and development, choice and application of technologies would avoid instances where technology adversely impacts on women's performance of their tasks or leads to their marginalisation. This is very relevant in the realm of genetic engineering where new varieties of food may be developed and promoted without taking into account the time and fuel required to cook the food. While the new food variety may be high yielding, it may lead to more demands on the women's time.

On energy, women's participation in energy needs assessment, technology and energy conservation management and maintenance will ensure that women's energy needs are taken

into consideration in planning.²³ Additionally the initiation of farm woodlot development involving men and women, proposed at paragraph 222, would balance the needs of women for fuel wood on the one hand and sustainable development on the other. Paragraphs 224-227 deal explicitly with the interface between environmental management and women's empowerment.²⁴

It is clear from the above that environmental issues cut across a number of areas addressed in the NFLS. The measures identified are broad and encompass key gender concerns in the environmental realm. Considering that the NFLS predates the major international policy pronouncements that are contained in multilateral environmental agreements, there is no doubt that the realisation that women's empowerment is predicated on sustainable management of environmental resources has informed the quest for women's rights for a long time.

The Beijing Platform for Action

In preparation for the 1995 Beijing conference, the United Nations Environment Programme (UNEP) hosted an International Seminar on Gender and Environment at which it was urged to encompass gender equality and empowerment in environmental policies and programmes as a means to achieve a sustainable environment and development. This has been followed by calls to foster and encourage the ability of women to contribute to effective environmental management in line with the strategies announced at the Fourth World Conference on Women in Beijing in 1995. In seeking to engender environmental work, UNEP has worked with the Women's Environment and Development Organization (WEDO) in convening meetings of women environmental activists and scholars.

The BPFA clearly articulates the linkage between women's empowerment and sustainable environmental management. It reiterates the principle that human beings are at the centre of concerns for sustainable development.²⁵ More specifically, the BPFA points out that:

- Women's empowerment is being sought against the background of resource depletion, natural resource degradation and pollution of the environment by dangerous substances. These conditions are displacing communities, especially women, from productive activities (Paragraph 246);
- Women have a role to play in sustainable development as consumers, producers, caretakers of families, educators for current and future generations and there is commitment by governments to integrate environmental sustainability with gender equality and justice (Paragraph 248);
- Environmental degradation has specific impacts on women (Paragraph 247);
- Poverty eradication and peace are integral to sustainable development (Paragraph 247);
- Women's work related to natural resources is often neither recognized nor remunerated (Paragraph 247);
- Women remain largely absent at all levels of policy formulation and decision-making in natural resource and environmental management, conservation, protection and rehabilitation and their experience and skill in advocacy for and monitoring of proper natural resource management are marginalised in policymaking and decision-making bodies, educational institutions and environment-related agencies (Paragraph 249);

- Women are rarely trained as natural resource managers and even where trained, they are underrepresented in formal institutions with policy-making capacities at the national, regional and international levels (Paragraph 249);
- Women's non-governmental organisations have weak links with national environment management institutions (Paragraph 249); and
- Women play leadership roles in environmental conservation and management; are well placed to influence sustainable consumption decisions; are involved in grass-roots campaigns to protect the environment; have (especially indigenous women particular knowledge of ecological linkages and fragile ecosystem management (Paragraph 250).

The BPF recognises that there is need for a holistic, inter-sectoral approach to environmental management. It is also imperative that men and women are involved in sustainable development policies (Paragraph 251). It calls for the need to mainstream gender in all policies and programmes and an analysis of the gender differentiated impacts of such policies and actions before decisions are taken (Paragraph 252).

Three strategic objectives are identified for action by governments, regional and international organisations and non-governmental organisations²⁶:

The need to involve women actively in environmental decision-making at all levels through:

- Granting them opportunities as managers, designers, planners, implementers and evaluators of environmental projects;
- Availing requisite information and education;
- Protecting their knowledge, innovations and practices especially for indigenous women and local communities and promoting its wider application with the involvement and approval of the knowledge holders;
- Protecting the intellectual property rights of women relating to traditional knowledge;
- Encouraging and ensuring fair and equitable sharing of benefits arising from the utilisation of women's traditional and indigenous knowledge, innovations and practices;
- Reducing environmental hazards within and outside the home;
- Application of clean technologies;
- Integrating a gender perspective in the design and implementation of environmentally sound and sustainable resources management mechanisms;
- Promoting participation of local communities particularly women in the identification of urban and rural environmental needs;
- Empowering women to take effective environmental actions at home, within the communities and at the workplace;
- Integrating gender into the work of international environmental organisations; planning projects funded by the global Environment Facility (GEF); and

- Facilitating advocacy for environmental issues of concern to women and access to environmentally sound technologies

Integrate gender concerns and perspectives in policies and programmes for sustainable development through:

- Integrating a gender perspective in all national and international environmental initiatives and facilitating capacity building for women in resource management.
- Evaluating the environmental impacts of programmes and policies on women's access to and use of natural resources;
- Research on impacts of environmental hazards on women;
- Integrating women's traditional knowledge and practices of sustainable resource use and management in environmental management programmes;
- Eliminating obstacles to women's full and equal participation in sustainable development;
- Involve female professionals and scientists in environmental management;
- Ensure clean water is accessible and plans are in place to restore polluted water systems and rebuild damaged watersheds;

Strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environment policies on women through:

- a. Providing technical assistance to women involved in agriculture, fisheries and small enterprises;
- b. Developing gender sensitive databases, information and monitoring systems and participatory action-oriented research on: women's knowledge and experience on environmental management and conservation; the impact of environmental degradation on women; the structural links between gender relations, environment and development; and gender mainstreaming in development and monitoring of programmes;
- c. Ensuring full compliance with international obligations under multilateral environmental agreements; and
- d. Coordination within and among institutions implementing BPFA and Agenda 21.

These proposed interventions proceed from the premise that women have been excluded from available opportunities and that such exclusion impacts negatively not just on women but on society and resources. To deal with this problem, gender mainstreaming is needed at different levels. First, there is need for gender mainstreaming in the normative legal and policy frameworks governing these resources. The aim here is to include women's concerns in the laws and policies of their countries. Second, women need to be involved in the institutions

charged with shepherding these norms. An effective mainstreaming strategy, according to Seager and Hartman²⁷ seeks to bring women into positions where they can take part on an equitable basis with men in determining the institution's values, directions and the allocation of resources. It also seeks to ensure that women have the same access as men to resources within the institution. Effective gender mainstreaming facilitates participation of women as well as men to influence the entire agenda and priorities and culture of the institutions.

It is important to look at international, regional and national legal developments with a view to identifying ways in which the strategies identified in the NFLS and BPFA have informed these policies and laws.

The Millennium Development Goals

The Millennium Development Goals (MDGs) embody the multidimensionality of development and the policy agenda they cover is broad and multi-sectoral. While the attainment of the goals requires enhanced economic growth, the policies also necessitate the enhancement of the capabilities of the poor and marginalised to participate in growth through improved access to education and health services as well as policies to improve environmental outcomes. The empowerment of the poor, including women through increased access to resources fosters social inclusion and promotes economic growth. The goals seek to free men, women and children from the abject and dehumanising conditions of extreme poverty. This cannot be achieved without taking on board the gender dimension especially in Africa where most countries' economic mainstay is natural resource-based. Making access to land and environmental resources equitable is therefore one way to achieve development.

If one looks at development as a process of social transformation at the local, national and international levels, then the interface between MDGs and gender become clearer. Indeed, development occurs within a context in which the East African countries exhibits the following characteristics: low levels of economic development; trans-generational equity issues; conflict and insecurity; over-dependence on agriculture and environmental resources; environmental degradation; constrained context for access to economic, political and environmental resources; poor governance; high disease burden and food insecurity.

Gender is indeed a cross-cutting issue and to that extent, all MDGs have a gender nuance. For instance, Goal 1 seeks to eradicate extreme poverty. As pointed out above, poverty has a gender dimension when one looks at the skewed mechanisms for access, control and ownership of resources such as land and environmental resources that are critical for livelihoods. Goal 3 which seeks to promote gender equality and empower women and Goal 7 on ensuring environmental sustainability also have pronounced gender dimensions. Gender issues are indeed very relevant to achieving all the Millennium Development Goals, be it protecting the environment, achieving sustainable development or enabling universal access to health care. Because the MDGs are mutually reinforcing, progress towards one goal affects progress towards the others. Success in many of the goals will have positive impacts on gender equality, just as progress toward gender equality will help further other goals.²⁸ There is however concern that the MDG indicators cannot adequately track the situation of women because of the level at which they are framed.

The place of Women in Legal Initiatives for Sustainable Environmental Management

International Environmental Law

International environmental agreements have implications for land and resource tenure at local, national and international levels. The multilateral environmental agreements concluded in the last two decades seek to establish a legal framework for environmental resources' management and also to create a favourable environment for sustainable and equitable development. Most of these agreements, to a greater or lesser degree, deal with or affect the subject of land and resource rights vis-à-vis national and regional processes. They are particularly of central importance as regards resource rights, namely access, control and ownership of land and other resources. They have implications on poverty reduction and food security. Access to land and natural resources is important in ensuring that the citizenry contributes to and benefits from economic growth. Poverty reduction in East Africa, for example, is largely predicated on land productivity in addition to access to basic services, markets, education and health care. Furthermore, secure rights to land and other resources underpin secure livelihoods and shelter by reducing vulnerability to shocks, guaranteeing a level of self-provisioning and supplementary incomes from basic food stuffs and enabling easier access to basic infrastructure, employment, markets and financial services. Moreover, insecure land and resource rights can result in societal unrest, which would greatly impinge on both long term and, short-term development policies. Direct access to environmental resources by all people including women is therefore critical in ensuring economic growth, which is environmentally sustainable. Subscription to international treaties without political liberalization within nation states affects the enjoyment of land and resource rights at national levels. Land and resource rights in the international legal framework can be broadly categorised as vesting in three different entities; the state, the individual and the community of states. The emphasis on state and individual rights has led to the exclusion of communities as holders of rights to environmental resources with the state owning major environmental resources and playing a key role in the management of the resources. Individuals owning land have some measure of autonomy in the management of environmental resources but communities and women have largely been left out.

International instruments such as Agenda 21 outline the role of women in environmental management.²⁹ It identifies the following actions as critical to sustainable development:

- Full, equal and beneficial integration of women in all development activities including national ecosystem management and control of environmental degradation;
- Increase in the proportion of women decision-makers, planners and technical advisers, managers, extension workers in the environment and development fields;
- Elimination of constitutional, legal, administrative, cultural, behavioural, social and economic obstacles to women's participation in sustainable development;
- Passing relevant knowledge to women through curricula in formal and non-formal education;
- Valuation of roles of women; and
- Ensuring women's access to property rights and agricultural inputs

The Convention on Biological Diversity also recognises the role that women play in the management of biological resources and calls for facilitation of women in the performance of those critical roles.³⁰ Similarly, Principle 20 of the Rio Declaration³¹ states that;

Women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development

The World Summit on Sustainable Development (WSSD) Plan of Action, 1992 also identified women as key to the attainment of sustainable development.³² It explicitly states that women need to be provided with access to agricultural resources and that land tenure arrangements should recognize and protect indigenous and common property resource management systems. This is in recognition of the critical role that agriculture plays in addressing the needs of a growing global population, its inextricable link to poverty eradication, especially in developing countries and the realisation that enhancing the role of women at all levels and in all aspects of rural development, agriculture, nutrition and food security is imperative.³³

Paragraph 38 (i) points to the need to

Adopt policies and implement laws that guarantee well defined and enforceable land and water use rights, and promote legal security of tenure, recognizing the existence of different national laws and/or systems of land access and tenure, and provide technical and financial assistance to developing countries as well as countries with economies in transition that are undertaking land tenure reform in order to enhance sustainable livelihoods;

Paragraph 38 (f) identifies the need to enhance the participation of women in all aspects and at all levels relating to sustainable agriculture and food security. With regard to women's knowledge on environmental conservation and natural resource management, paragraph (g) and (h) are relevant. They point to the need to;

Integrate existing information systems on land-use practices by strengthening national research and extension services and farmer organizations to trigger farmer-to-farmer exchange on good practices, such as those related to environmentally sound, low-cost technologies, with the assistance of relevant international organizations; and

Enact appropriate measures that protect indigenous resource management systems and support the contribution of all appropriate stakeholders, men and women alike, in rural planning and development.

Regional Instruments

The Optional Protocol to the African Charter on Human and People Rights on the Rights of Women in Africa pays particular attention to the rights of women to land and environmental resources. At Article 15, the right to land is linked to food security while Article 19 dealing with sustainable development exhorts states' parties to promote 'women's access to and control over productive resources such as land and guarantee their right to property'. Similarly, the Action Plan of the Environment Initiative of the New Partnership for Africa's Development (NEPAD), underscores the role of women in environment management and the need to ensure their active participation in decision-making.

However, it is noteworthy that regional environmental agreements in Africa such as the revised African Convention on the Conservation of nature and Natural Resources adopted by the African Union in July 2003³⁴ and the Lusaka Agreement on Wildlife do not have any provisions on women's participation in environmental management. They are largely gender neutral. While this is to be expected on account of the fact that international law guides states on measures to put in place at the municipal levels, the failure to guide states on the need to involve women as critical actors in the quest for sustainable development is a grave omission.

Like the international agreements, these regional instruments overemphasize the role of the states in sustainable development initiatives assuming that states will devolve rights to their citizenry including women. The East African Community which has a Protocol on the Environment is also gender neutral and does not isolate interventions that have gendered impacts.³⁵

National

The Constitutions

It is in the bill of rights, Chapter III of Tanzania's constitution, that one finds some environmental rights. Article 14 provides for the right to life and its protection by the society. The High Court of Tanzania on two occasions has ruled that the said right includes the right to live in clean and healthy environment. In the case of *Joseph Kessy & Ors v. Dar es Salaam City Council*³⁶ and in the case of *Festo Balegele and 794 Ors v. Dar es Salaam City Council*³⁷. Justice Kahwa Lugakingira in *Joseph Kessy's case* lambasted the application of the Dar es Salaam City Council for the stay of execution of the High Court decision stopping the City Council from dumping wastes in Tabata area, a suburb in the City of Dar es Salaam. These cases show that the right to a clean environment though not explicitly enshrined in the country's constitution, it has been found to exist in Article 14 Tanzania's Constitution by the judiciary.

In Uganda, the constitution as the supreme law enshrines basic principles and rights upon which public involvement in environmental decision-making is premised. Most of these principles are contained in the National Objectives and Directive Principles of State Policy. Some constitutional scholars and analysts have argued that this part of the constitution does not create enforceable rights and obligations. While this remains mainly of academic interest, the enshrining of these provisions in the constitution provides a constitutional basis for future policy development and juridical interpretation of the more substantive constitutional and legislative commitments to public involvement. In addition to the declaratory principles, the constitution also enshrines more substantive provisions that provide a legal basis for public involvement in environmental decision-making. These include the right to a clean and healthy environment: Article 39 of the constitution provides that "every Ugandan has the right to a clean and healthy environment." Additionally, the Constitution of Uganda provides that the state holds the natural resources as trustee for the people of Uganda.

In Kenya, the current constitution³⁸ does not have direct environmental provisions. It does, however, place importance on the right to life and experts argue that this right to life encompasses the right to a clean and healthy environment.³⁹ The Proposed National Constitution of Kenya that was rejected in a referendum in November 2005 contained explicit provisions on the right to a healthy environment.

It is important to point that whether the right to a healthy environment is provided for implicitly (Kenya and Tanzania) or explicitly (Uganda), the provision is gender neutral. There is no provision in any of the constitutions pointing to the right of women to environmental resources.

Land Laws

Land law in the three countries has been undergoing changes. The constitutions of the three countries are gender neutral with regard to property rights including land rights. They accord both men and women the same status. Objective XV of the National Objectives and Directive Principles of State Policy of the Constitution of the Republic of Uganda, 1995 recognise the significant role women play in society. This Constitution guarantees the rights of all to own property without bias as to gender or marital status.⁴⁰ In view of this constitutional right, whatever provision is made under the 1995 Constitution should not be seen to deprive the proprietor or owner of land in whatever manner of his/her interest in the said property. The rights of spouses to matrimonial property are also safeguarded. Furthermore, the national gender policy addresses gender concerns which need to be incorporated into national development process. The land sector strategic plan recognizes the vulnerability in relation to security of tenure of women. One of its strategies is to mainstream gender in all land sector activities. The Land Act tackles practices of customary tenure that do not observe the constitution. The Act provides that no person shall sell, mortgage or give away land which she /he ordinarily resides with his/her spouse and from which they derive sustenance except with the prior written consent of the spouse. Ugandan communities are however patrilineal and most women gain access to land through marriage. Despite the progressive land and inheritance laws, widows are frequently evicted and children disinherited by family members.

While the role of women is recognised in agriculture and efforts have been made to ensure that women own land in Kenya for instance, the practical implementation of this laudable goal remains to be attained. Land has been and continues to be the most significant form of property in rural Kenya and is a critical determinant of economic well-being, social status and political power. Since Kenya's independence in 1963, the government has pursued programmes to transform customary land tenure to statutory freehold tenure through land adjudication and registration. The problem is that the titled land is being transferred almost exclusively to male individuals, thereby leaving no provision on how women's access rights are to be defined. Land title deeds do not only increase men's control over distribution of land, but also create dependency of women on men since the former now do not have legal access to the land.⁴¹

The rejected proposed national constitution contained provisions for the state to define and keep under review a National Land Policy ensuring equitable access to land and associated resources; and elimination of gender discrimination in regulations, customs and practices related to land and property in land.⁴² It had also included the principle of equality and equity among women and men as a fundamental human right for all citizens stating that 'women and men have equal right to inherit, have access to and manage property' and that 'any law, culture, customs or tradition that undermines the dignity, welfare and interest or status of women or men is prohibited'. The draft National Land Policy also requires that mechanisms be put in place to ensure gender equity in land allocation and ownership. One of its core issues is to address insecure land tenure, in particular of the urban and rural poor and for women

as a vulnerable group. This remains a draft and in light of the rejection of the *impasse* on constitutional review, it is doubtful that the policy's goals of ensuring gender equity in land ownership and management will have firm grounding.

With the rejection of the draft constitution in the November 2005 referendum, the issue of women's ownership of land has become a contested issue. The situation therefore remains that though land law is gender neutral and allows for both men and women to own land in Kenya, the patrilineal nature of the society mediates the application of the law and dictates that men are the main owners and controllers of land. In the circumstances, women access land through male fiduciaries (husbands, fathers, sons and other male relatives).

The National Policy on Gender and Development was approved by the Cabinet in 2000 and is now at the Sessional Paper Stage awaiting Cabinet Approval before it is operationalised. The overall objective of the policy is "to facilitate the mainstreaming of the needs and concerns of men and women in all areas in the development process in the country". Among the critical areas identified in the policy is the economy, poverty, law, education and training, health and population, the media and political participation. The environment is not identified as a critical area.

In Tanzania, the Land Act seeks to embed gender equality. In reality however, they have been criticised as discriminating against women in access/ownership of land, participation in decision making and with regard to inheritance and divorce.⁴³ Non-governmental organizations such as Hakiardhi, National Land Forum (NALAF) also known as UHAI (Ulingo wa kutetea haki za ardhi) and the Land Tenure Study Group (LTG) working on land recommended that the administration of land should involve full and effective participation of women; the dispute settlement machinery should fully entrench women's rights to own and control land without harassment and insecurity and that ownership certificates of family land should include the names of both spouses and land should not be transferred without the consent of both of them. The patrilineal ordering of societies in Tanzania however, militates against the attainment of these objectives.

Framework Environmental Laws and Sectoral Environmental Laws

The framework environmental laws of Kenya, Uganda and Tanzania are gender neutral. The sectoral environmental laws (water, fisheries, wildlife and forest) legislations are also gender neutral. Environmental laws do not recognize the roles of women and facilitate their performance thereof. Indeed, wildlife, forest, water and agriculture laws are gender neutral. The only innovation that has recently been introduced in a bid to decentralize natural resource management is the involvement of communities in resource management.⁴⁴ This however does not guarantee women either access to environmental resources or involvement in their management. Moreover, women are not engaged in environmental decision-making at the national levels and it is not clear whether and to what extent their interests inform the operations of national, regional and local environmental institutions within the three countries. In Kenya for instance, there is no requirement that women be included among the members of the board of the National Environment Management Authorities and other institutions established under the Environment Management and Coordination Act. Similarly, Tanzania's Water Act 1974, Uganda's Water Act 1995 and Kenya's Water Act 2002 do not concede to gendered access to water and the gender division of labour which makes women most affected

by water sector reforms that impact on domestic supply of water. The ongoing privatisation of water resources and the formalisation of water entitlements in East African countries will make women's access more tenuous since one, entitlements to water are linked to land and land tenure laws and legal systems show major gender disparities in ownership; two, women's under-representation in national environmental decision-making institutions is likely to be replicated in the water sector; and three the gender division of labour is unlikely to be a determinant in allocating water rights.

Similar trends are discernible in the forest sector where legislation does not take into account gendered tree tenure. In most communities, women's rights to plant trees are limited because of their tenuous rights to land.⁴⁵ These examples affirm feminist critiques of development that have identified the marginalization of women from the means of production and livelihood as a critical factor in the subordination of women.⁴⁶

Gains, gaps and emerging issues

Gains

A number of gains have been made towards engendering natural resource management in east Africa. These include:

- Documentation of the different ways in which women participate in environmental management and reference to the importance of women's roles and gender equality in protecting the environment and promoting sustainable development in international environmental laws;
- Constitutions are engaging patriarchal rules and norms that are inimical to women's engagement in sustainable development

Gaps

Despite the NFLS and BPFA and related attempts to integrate gender concerns and perspectives in sustainable development programmes and policies, there remain some gaps:

- Lack of understanding of the links between gender and environment
 - There remains a gap between the gender and sustainable environmental management discourses with the perception in mainstream women's rights movements that the latter is not a concern for women. It is also not unusual for environmentalists to consider that attention to gender diverts energy and time away from pressing issues;
- Lack of appropriate gender disaggregated indicators and gender sensitive data of environmental integrity, vulnerability and sustainable trends;
- Low priority of environmental and social issues in institutions, policies and actions;
- Women's participation in environmental decision-making has been nominal and often upholds traditional women's domains reinforcing gender stereotypes;
 - Need to move from tokenism in women's engagement
 - Indigenous women, women in rural areas, and urban slum dwellers are the most deprived in decision-making processes, in spite of their important roles

in safeguarding the environment, community and family

- Women's *de jure* and *de facto* rights of access to land and other natural resources have been hindered because of many customary practices
 - Environment management chores that women perform are not secured through rights to environmental resources. Women access and manage environmental resources like they access land - through fiduciary relationships to men
- Lack of capacity in gender and environment studies to enable interrogation of gender-neutral data through gendered lenses and to engender environmental management laws initiatives and institutions.

Emerging Issues

There are some emerging issues that must be taken into account in engendering sustainable environmental management. These issues require further research and need to be taken on board in engendering sustainable development:

- Globalisation and its impacts on women's access to environmental resources – the interconnectedness between different countries economically, politically and socially entails complex inter-linkages between local domains and international markets. The impacts of these are likely to impact on women as environmental managers at the local level⁴⁷;
- Privatisation of natural resources and the movement of control of public goods from state to private actors largely excluding women. This is happening rapidly in the area of water and needs to be studied closely to ensure that women's performance of their daily tasks is not made more onerous by policies that are gender blind⁴⁸;
- New technologies such as genetic modification and their impacts on women's management of resources. Considering that the acreage of land under biotechnology crops has increased exponentially since the 1990s as more countries invest in biotechnology and that African countries have joined the fray, the benefits and risks of the new technologies needs to be looked at through a gender lens. In so far as gender is concerned, the intimate engagement of women in environmental management and their use of GMO products in the form of food that they cook requires their participation in decision-making processes.⁴⁹
- Gender asymmetries in access to empowering information and training caused by changes in information management and dissemination through information and communication technologies; and
- Conflicts and their impacts on the environment and women's lives.

Conclusion

There is growing recognition of women's roles in environmental management and attempts are being made to include women in sustainable development initiatives. However, turning the NFLS and BPFA strategies into concrete action plans at the national levels continues to be a slow and challenging process. Gender neutral statutory law on land and environment and

their interplay with customary, religious and other social norms have impacted significantly on women's rights to access land and environmental resources. Similarly, women's participation in environmental decision-making continues to be minimal. This calls for other interventions. It is important to develop tools for mainstreaming gender into environmental management and to develop expertise in gender and environment issues. Such expertise should relate to knowledge and understanding of the issue and validation of women's role in sustainable development; women's rights to environmental goods and services; ways of promoting full participation of women at all levels, particularly in decision-making and identifying the impact of the macro-context on women and their participation in sustainable environmental management.

Engendering sustainable development calls for actions across the board as well as enlistment of diverse partners – governments; the United Nations and international organisations dealing with women's issues and the environment; development partners and civil society groups. Gender justice in East Africa is unlikely to be achieved across the board if women's access to land and environmental resources is not secured since these provide the means of livelihood as well economic prosperity. Land as the host of the environmental resources also provides the means for women to move from the reproductive to the productive realm. Environmental justice is a useful tool in addressing women's environmental entitlements, human vulnerability and environmental management.⁵⁰ This is based on the entitlement to everyone to a clean, safe and healthy environment and to manage their own resources; and ensuring that the most vulnerable people in society, the poorest in particular, should not suffer the disproportionate, negative effects of environmental omissions, actions, policies or laws.

Notes

- 1 Patricia Kameri-Mbote, Associate Professor of Law and Chair, Department of Private Law, School of Law, University of Nairobi.
- 2 Maria Mies, *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labour*, London: Zed Books (2003).
- 3 Tove Stang Dahl, *Women's law: An Introduction to Feminist Jurisprudence* / transl. by Ronald L. Craig, Oslo: Norwegian Univ. Press (1987). See also Catharine Mackinnon, *Women's Lives, Men's Laws*, Cambridge Massachusetts, and London: Harvard University Press (2005).
- 4 Mies, *supra* note 2 Maria (2003).
- 5 Vandana Shiva, *Staying Alive: Women, Ecology and Development*. London: New Jersey: Zed Books (1989).
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- 7 45 South California Law Review (1972) 450
- 8 Sandy Thomas, "Gender and Biotechnology", Nuffield Foundation, UKA Paper for the Gender Advisory Board, United Nations Commission on Science and Technology for Development, July 2003
- 9 Joni Seager & Betsy Hartmann, *Mainstreaming Gender in Environmental Assessment and Early Warning*, UNEP/DEWA. Nairobi (2005).
- 10 See Shahrashoub Razai and Carol Miller, *From WID to GAD: Conceptual Shifts in the Women and Development Discourse*, United Nations Research Institute for Social Development (UNRISD), Geneva, Switzerland, Occasional Paper No.1 February 1995

- & Hazel Reeves and Sally Baden, *Gender and Development: Concepts and Definitions*, BRIDGE Report No. 55, Institute of Development Studies, University of Sussex, Brighton, February 2000 for a general discussion on WID and WAD,
- 11 See Ruth S Meinzen-Dick et al, "Gender, Property Rights and Natural Resources", in *World Development Vol 25 No. 8* Elsevier Science Ltd, 1997, pp 1303-1315.
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- 14 Monday Businge (2005), *The Legal Aspects of Ecofeminism as a Vehicle for Implementing Sustainable Development in Kenya*, Unpublished Master's thesis submitted to the Faculty of Law University of Nairobi (On file with the author).
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- 16 Barbara Thomas Slayter & Dianne Rocheleau, "Gender, Resources, and Local Institutions: New Identities for Kenya's Rural Women", in B. P. Thomas-Slayter & D. Rocheleau (Eds.) *Gender, Environment and Development in Kenya - A Grassroots Perspective* Lynne Rienner Boulder (1995) 7.
- 17 For instance the National Environment Statute of Uganda (1995); the Environment Management and Coordination Act in Kenya (1999); and the Environment Management Act in Tanzania (2004).
- 18 These normative principles are contained in Principle 10 of the 1992 Rio Declaration and in Agenda 21. Kenya subscribes to this Declaration. For a discussion of these principles in the context of environmental litigation in Kenya see Kameri-Mbote, P. (2000) "Recent and ongoing cases in the environmental field: Pursuing sustainable environmentally sound development" Paper presented at the ELAW Meeting, July 2000, Arusha, Tanzania.
- 19 Dianne Rocheleau & David Edmunds, "Women, Men and Trees: Gender, Power and Property in Forest and Agrarian Landscapes", *World Development*, Vol. 25. No. 8 (1997) 1356
- 20 Paragraph 11.
- 21 J. Gardam & M. Jarvis, *Women, Armed Conflict & International Law*, Kluwer Law International, The Hague, 2001 and Joshua Goldstein, *War and Gender: How gender shapes the war system and vice versa*, Cambridge University Press, Cambridge, 2001.
- 22 Patricia Kameri-Mbote, 'Gender, Conflict and Regional Security' in Makumi Mwangiru ed., *African Regional Security in the Age of Globalisation*, Heinrich Boell Foundation, Nairobi (2004).
- 23 Paragraph 62 specifically points out that: agrarian reform measures have not always ensured women's rights even in countries where women predominate in the agricultural labour force. Such reforms should guarantee women's constitutional and legal rights in terms of access to land and other means of production and should ensure that women will control the products of their labour and their income as well as benefits from agricultural inputs, research, training, credits and other infrastructural facilities; Paragraph 74 requires that all women, particularly married women be vested with the right to own, administer, sell or buy property independently as an aspect of their equality and freedom under the law. This provision has implications for ownership, control, access and management of environmental resources by women: Paragraphs 174-188 dealing with food, water and

agriculture underscore the need to recognise and reward women for their performance of tasks hereunder; to equip them with resources necessary to perform the tasks; and ensure that they actively participate in planning, decision-making and implementation of programmes. Paragraph 182 specifically requires that rural women's rights to land be secured to ensure that they have access to land, capital, technology, know-how and other productive resources that they need. This action is critical for women's access to environmental resources; Paragraph 188 requires governments to pay greater attention to the preservation and the maintenance free from pollution of any kind of sources of water supply for irrigation and domestic consumption, applying special remedial measures to relieve the burden placed on women by the task of fetching water...they should construct wells, bore-holes, dams and locally made water catchment devices sufficient for all irrigation and domestic consumption...Women should be included by governments and agencies in all policy planning, implementation and administration of water supply projects...

24

Para. 220.

25

Paragraph 224 recognises that "deprivation of traditional means of livelihood is most often a result of environmental degradation resulting from such natural and man-made disasters as droughts, floods, hurricanes, erosion, desertification, deforestation and inappropriate land use...Most seriously affected are women...These women need options for alternative means of livelihood. Women must have the same opportunity as men to participate in ... irrigation and tree-planting..." Other issues addressed include improvements in sanitary conditions and drinking water and the home and work environment. Paragraph 226 points to the need for "Awareness by individual women and all types of women's organisations of environmental issues and the capacity of men and women to manage their environment and sustain productive resources...All sources of information dissemination should be mobilised to increase the self-help potential of women in conserving and improving their environment. National and international emphasis on ecosystem management and the control of environmental degradation should be strengthened and women should be recognised as recognised as active and equal participants in this process; and Paragraph 227 requires environmental impact assessment of policies, programmes and projects on women's health and activities.

26

Sustainable development is defined as development that meets the needs of current generations without compromising those of future generations. See WCED, *Our Common Future*, Oxford University Press, Oxford and New York (1987) 8.

27

Paragraphs 253-256.

28

Seager and Hartman, *supra* note 9.

29

World Bank, Gender and Development Group, *Gender Equality and the Millennium Development* (2003)

30

United Nations Conference on Environment and Development: Agenda 21 Adopted at Rio de Janeiro, 1992. *See also* United Nations Conference on Environment and Development: Convention on Biological Diversity - Done at Rio de Janeiro, June 5, 1992, reprinted in 31 I.L.M. 818 (1992) Preamble, Art 8j & 10c and United Nations Conference on Environment and Development: Rio Declaration on Environment and Development, Adopted at Rio de Janeiro, June 14, 1992 - Principle 20 also outline the role of women in environmental management.

31

See United Nations Conference on Environment and Development: Convention on Biological Diversity - Done at Rio de Janeiro, June 5, 1992, reprinted in 31 I.L.M. 818 (1992) Preamble, Art 8j & 10c

- 32 and United Nations Conference on Environment and Development: Rio Declaration on
Environment and Development, Adopted at Rio de Janeiro, June 14, 1992 - Principle 20
also outline the role of women in environmental management.
- 33 World Summit for Sustainable Development, Plan of Action (2002).
- 34 *Ibid.* at Paragraph 38
- 35 See African Convention on the Conservation of Nature and Natural Resources adopted
at Maputo, July 2003. Article III on Principles includes both the right to a satisfactory
environment favourable to development, the duty of states to ensure the enjoyment
of the right to development and the duty of states to ensure that developmental and
environmental needs are met in a sustainable, fair and equitable manner.
- 36 The Treaty for the Establishment of the East African Community signed in Arusha,
Tanzania on November, 30th 1999(hereinafter referred to as the EAC Treaty)
- 37 Civil case No. 299 of 1989 High Court of Tanzania at Dar es Salaam (Unreported)
- 38 Misc. Civil Case No. 91 of 1991 High Court of Tanzania at Dar es Salaam
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- 39 Act No. 5 of 1969 last amended in 1992 and revised in 1998.
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- 41 Article 21(2)
- 42 Akinyi Nzioki, *Land Policies in Sub-Saharan Africa*, CLEAR, Nairobi, (2006).
- 43 Government of Kenya, *Draft Constitution of Kenya*, Section 75 (a) and (f), Kenya
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- 44 Issa G. Shivji, “Critiques of the Report II: Gender & Land”, in Issa G. Shivji, *Not Yet
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- 45 Government of Kenya, *The Forests Act* (2005)
- 46 Goretie Nsubuga Nabanoga, *Transgressing Spaces, Species, and Indigenous Forest
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- 47 Maria Mies, *supra* note 2.
- 48 See generally Mies, *supra* note 2
- 49 See e.g. Patricia Kameri-Mbote, Gender Issues in the Management of Water: An Analysis
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on Legal Aspects of Water Sector Reforms, Geneva, International Environment House
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CHAPTER 6

Developments in Sexual and Reproductive Health and Rights for Women

By Sarah Mukasa

Abstract

This chapter explores the growth and accompanying tensions in addressing the sexual and reproductive health rights of women. It shows how the international focus has shifted from preoccupation with women's fertility and promotion of population control mechanisms to addressing sexuality in a more holistic manner. The chapter uses the Case of Uganda to discuss the implementation of internationally agreed principles and policies at country level. The resultant discussion confirms the persistence of a gap; one that is exacerbated by self restrictions of limiting the space for discussing sexuality as well as boundaries imposed by patriarchy, norms and religious fundamentalism.

Introduction

Sexual and reproductive health has traditionally been defined within the context of population control.¹ More often than not, clinical services targeted women, who were viewed purely in terms of their reproductive roles (and even then, limited to the biological function of reproduction). Identified as the problem, women and women's bodies became the battleground of international development policy, the state, the community and the family as instruments of population control policies. Services were provided with little or no consideration of women's needs, their wishes, or their circumstances. Not surprisingly, women's rights activists took issue with these policies.²

The global women's movement has worked hard, over the years, to bring issues related to Sexual and Reproductive Health and Rights (SRHR) of women to the forefront of public debate and policy. SRHR concerns and include high maternal and infant mortality; increasing rates of sexually transmitted infections (STIs), including HIV/AIDS; limited access by many women to appropriate reproductive and sexual health services; and the escalating levels of violence against women and girls. These have prompted governments, civil society and other actors across Africa to adopt remedial measures as a matter of priority.

This chapter reviews key developments in SRHR since the 1985 Nairobi Forward Looking Strategies (NFLS) Conference, to date. It answers four key questions in relation to the advancement of women's SRHR:

1. What have been the main developments in the area of SRHR since the NFLS?
2. What have been the key priorities set in this sector by key players such as civil society (and in particular women's organisations), governments and donors³ over the past 21 years and to what extent have these developments been influenced by the NFLS and the 1995 Beijing Platform For Action (BPFA)?
3. Using Uganda as a case study, what have been the main achievements in this sector in terms of implementing the SRHR policies?
4. Based on Uganda's experience, what are the main gaps and challenges, and what are the options for the way forward?

The review focuses on areas of policy development, implementation and expenditure on SRHR for the past 21 years. It assesses three key stakeholders: government (using the government of Uganda as case study), donors, and women's rights activists and NGOs. Further, it entails reviewing key documents from the NFLS and the BPFA as well as other key international and regional agreements to determine the key outcomes and priorities related to SRHR. It also involves interviews with key players in the sector from government, academia, NGOs and international donors based in Uganda.

Conceptual Framework

Feminist activists and scholars have been at the forefront of advancing a much broader and multi-faceted understanding of the concept of sexual and reproductive health. They saw rapid population growth as a symptom rather than a root cause of underdevelopment.⁴ They called for greater recognition for women's empowerment, respect for rights and the improvement of health services to meet the needs of women regarding reproductive health. They also argued that policies for population control should adopt a more holistic understanding of the context and the circumstances of women in the South.

Feminists have long interrogated patriarchal constructs of women's sexuality and sexual identity where women's sexuality is portrayed as suspect and stereotyped so by culture, tradition, religion, statutory law, the media and education.⁵ They have carved out a new understanding of the notions of sexuality that support and empower women to have autonomy and choice. Thus, a feminist understanding of SRHR can be seen broadly as encompassing three critical areas: *health* – the complete, mental, physical and spiritual well being; *sexuality* – sexual orientation and sexual pleasure and the extent to which one can enjoy both without fear, guilt or shame; and *rights* – the extent to which one can exercise choice on all matters of sexual and reproductive life and well-being.⁶ Integral to this concept of SRHR is the understanding that rights are interrelated and interdependent. Thus, enjoyment of one's full SRHR requires political, social and economic autonomy.

This chapter adopts this concept as it provides a useful framework for analysing developments in SRHR since the NFLS. Central to the concept is the recognition, respect for and protection of the woman's individual right to autonomy and bodily integrity, which is ultimately the goal of feminist activism and scholarship.

Policy Developments in the realm of SRHR

The NFLS and SRHR

The NFLS addresses SRHR under four main areas. First, it reaffirms the principle set out in the International Conference in Mexico in 1984 which gives women the right to control their fertility.⁷ Second, it calls for the establishment of maternal, child health and family planning services that are readily accessible, acceptable and affordable.⁸ Third, it focuses on the reduction of maternal mortality,⁹ and highlights the adverse effects of early pregnancy on infant and maternal morbidity and mortality among young women and adolescents. Fourth, it stresses the need for access to family planning information and education to enable women and men make informed reproductive choices.¹⁰

The NFLS were framed within prevailing development paradigms that sought to integrate women into existing societal arrangements rather than challenge the fundamental pillars on which they were based. The Strategies were framed within the Women in Development (WID) approach, which whilst recognising women's right to equality, did very little to address the structural barriers which compounded their subordination. This is certainly the case with respect to SRHR. The accepted population control framework which isolated women as the problem and sought to control their fertility, though criticised in the discussions leading to the NFLS, was not captured in the Strategies. The NFLS thus addressed reproductive health purely as a population and health issue with limited reference to the socio-economic dimensions underlying women's subordination. Women are referred to in their reproductive roles, as mothers and nurturers, hence the emphasis on family planning and maternal and child health to the exclusion of other considerations such as sexual health, women's vulnerability to sexually transmitted infections (STIs), freedom from violence, and negative cultural practices such as female genital mutilation (FGM). The extent to which women can make free reproductive choices in these circumstances continues to be debated. Women's increasing poverty levels linked to social mores and traditions which are patriarchal in nature all conspire to deny them the rights and control over their bodies, sexuality and reproductive health.

Despite this limitation, the NFLS did bring women's issues into the public arena through, for instance, the development of institutional mechanisms in the form of Women in Development Ministries and departments and advisory bodies and departments within institutions such as the United Nations System.¹¹ There was increased activity by governments and non-governmental organisations and increased aid flow to support women and development issues. While these were criticised as being largely inadequate and disproportionately low,¹² the NFLS provided a solid platform on which to develop and build future endeavours.

Shifts in Feminist Organising

Towards the end of the 1980s, many feminists called for a rethinking of the strategies on women's rights; they viewed the prevailing thinking as merely addressing the symptoms of women's oppression rather than its underlying causes.¹³ For feminist voices from the South, the struggle for women's rights was rooted within the South's historical experience of slavery, colonialism and neo-colonialism.¹⁴ Patriarchy, and the complex gendered relations of power and structural inequalities that it created, was recognized to be multi-layered and dynamic and

needed to be dismantled to achieve a true and meaningful equality for women.¹⁵ This marked a significant shift in focus, analysis and practice for feminist activism. Feminists increasingly engaging in activism that challenged women's subordinate status through programmes aimed at attaining, for example, constitutional and legal rights, ending violence against women, and according women full autonomy and control over their bodies.

Two key world conferences influenced this shift: the 1993 World Conference on Human Rights in Vienna and the 1994 International Conference on Population and Development (ICPD) in Cairo. The Vienna conference was significant in that it affirmed that women's rights are human rights. Consequently, gender-specific forms of violence such as domestic violence and rape which had hitherto been excluded from the human rights frameworks are now accepted as an integral part.

The International Conference on Population and Development (ICPD), 1994

The ICPD was hailed as a historical moment for feminist advocacy and agency. In spite of extremely powerful conservative lobbies, women's rights activists were able to influence the agenda to reflect key feminist concerns. The conference emphasised the centrality of women's empowerment to population and development and recognised women's rights as a key determinant for sustainable development.¹⁶ The girl-child was identified as being especially vulnerable to violence, sexual exploitation and abuse.¹⁷ Other identified vulnerable groups included women with disability, displaced women and children, and women migrants.

The conference recognised the need for targeted work with men to take responsibility for their sexual and reproductive health and that of their families.¹⁸ It challenged the patriarchal paradigm of the gendered division of labour by calling on governments to promote the equal participation of men and women in family and household responsibilities.¹⁹ It also established the rights-based approach to sexual and reproductive rights, which in the context of health provision, emphasises the need for the development of health services that support women's reproductive choices throughout their life cycle.²⁰ These rights were related to the autonomy to make, without coercion or violence, all decisions relating to reproduction, and the establishment of services that support these choices.

The ICPD further made reference to HIV/AIDS and its socio-economic dimensions as well as its health implications. It recognised that as a result of their subordinate status, women are more vulnerable to STIs and HIV infection. It made connections between gender-based violence and women's increased risk of HIV infection. It proposed preventive action in the form of reproductive health care, training for health professionals on STIs and HIV, information and education to raise awareness, supplying and distributing condoms, and behavioural change programmes. The donor community was tasked with the responsibility of mobilizing resources targeted towards finding a vaccine and also the development of women-controlled prevention technologies such as vaginal microbicides. Governments were called upon to institute measures to protect those living with HIV/AIDS as well as support mechanisms for those caring for them.

Unsafe abortion was recognized as a public health concern as well but full rights to safe abortion were not granted. Instead, the conference sought to reduce the need for abortion

through improved family planning services and education. The right to abortion was left to the discretion of the national and local processes and where it was legal it was stipulated that it must be safe. It was further noted that women with post-abortion complications had the right to quality health care services. There were also concerns about the high maternal mortality rate; the conference set targets for its reduction and for the mobilisation of resources to achieve those targets at national and international levels. In addition, it called for partnerships with various other players, such as the private sector, that could be instrumental to the achievement of set targets.

Thus, with the ICPD, issues of SRHR were taken out of the health straitjacket and analysed in relation to the social, political and economic factors that contributed to the subordination of women thereby impeding the attainment of the overall goals of sustainable development.

The Fourth World Conference on Women, Beijing, 1995

The Beijing conference adopted SRHR principles articulated by the ICPD. Of paramount importance was the safeguarding of the achievements made in Cairo, particularly protecting women's rights to bodily integrity and autonomy, and the rights-based approach to reproductive and sexual health services. The conference's recommendations for actions to be taken became the Beijing Platform For Action (BPFA). The BPFA reiterated the concern about the HIV/AIDS pandemic and its impact on poor and young women. It called for:

- Targeted work with young women and men on sexual health awareness, including HIV/AIDS;
- Development of multi-sectoral programmes to end women's subordinate socio-economic status;
- Measures to address the needs of women living with HIV/AIDS, for instance, the development of policies to protect their rights and stem stigmatisation; and
- Involvement of women living with HIV/AIDS in the development of policy and programmes on HIV/AIDS as well as their implementation and evaluation. There was, however, no specific mention of guaranteed access to treatment for those living with HIV/AIDS, support for their reproductive choices, or the prevention of parent-to-child transmission of HIV.

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

This protocol, commonly referred to as the Women's Rights Protocol, came into force in November 2005. It is the only regionally-based protocol that provides protective mechanism for the rights of women in the continent in line with international policy frameworks. It outlines a set of measures aimed at eliminating women's subordination in all spheres of life. It re-affirms the SRHR principles set by previous conferences mainly on maternal health, family planning, health care services, and HIV/AIDS prevention. In addition, the protocol recognises women's rights to abortion in specified circumstances such as rape, incest, sexual violence, and where women's lives are endangered as a result of continued pregnancy. It recognizes that as a result

of gender-based violence, many women might not become pregnant out of choice. Denying them the right to abortion in these circumstances therefore adds considerable burden to the victim. Article 4 of the protocol further compels state-governments to put in place appropriate measures aimed at eliminating all forms of violence including those of sexual nature (Article 4.2 (a)). Other related measures include the elimination of (Female Genital Mutilation) FGM and other harmful practices injurious to women's health. It reinforces women's right to dignity, integrity, respect and security.

The protocol has been hailed as another landmark for feminist advocacy in the continent. Notably, it is the first legally binding human rights instrument to recognize women's reproductive rights as human rights²¹. The encompassing provision on violence also brings to the fore, for the first time, the recognition of marital rape as a violation of women's rights.

Key Outcomes of the Policy Developments in Relation to SRHR

The international policy developments outlined above indicate that SRHR has evolved from being a purely health issue to one addressing a complex set of interrelated and mutually reinforcing social, economic and political practices that subordinate women. A combination of activism and empirical evidence highlighted the need for urgent action in the form of political intervention and resource allocation in order to achieve the desired results. The developments can be summarised as follows:

- (a) Health – Specific emphasis was on the need: (i) to address the high maternal and infant mortality rates, and (ii) for family planning services that are safe, accessible, affordable and acceptable. It later included sexual health services and the treatment of reproductive tract infections, STIs and HIV/AIDS, and the need for protective technologies against these infections.
- (b) Education and information – The purpose was to empower both women and men to make informed and responsible choices regarding their sexual and reproductive health and behaviour. It included targeted information and education for children, young people and adults consisting mainly of sex education, HIV/AIDS awareness, and sexual and reproductive health (including family planning).
- (c) Research – Research into new technologies for HIV/AIDS treatment, prevention (especially prevention technologies controlled by women such as vaginal microbicides), and vaccines.
- (d) Socio-economic factors affecting women's SRHR – This sought to address the underlying factors that impede women's abilities to protect themselves from reproductive and sexual ill health, and to attain full autonomy and bodily integrity. It involves a broad set of actions aimed at transforming gender power relations and achieving equality and equity for women in all spheres of political, social and economic life.
- (e) Resource mobilisation and allocation – Intergovernmental agencies, donors, governments and the private sector were tasked with responsibilities to mobilise and allocate resources to support the efforts to meet commitments that were made.

These developments do, however, have a number of shortcomings. First, whereas they uphold the principles of rights, autonomy and freedom of choice, they reinforce the hetero-normative biases and constructs of sexuality and sexual identity and thus exclude the rights of those discriminated against on the basis of their sexual orientation²². Second, the right to abortion is restricted to very limited circumstances despite the fact that unsafe abortion and complications constitute a major public health concern. Third, the involvement of the private sector, although welcomed as partners in development, has posed serious problems for women in that it has widened the gap in access to health services between the poor and the rich.

It therefore remains questionable whether the ICPD target of universal access to health care by 2015 can be achieved under the current health care structures in Africa. It is also evident that the macro-economic policies compound women's subordination (particularly poor women), leaving them saddled with disproportionate share of undesired socio-economic consequences resulting from the withdrawal of state support for and provision of basic welfare services. This puts to doubt the goals for women's empowerment, which has been identified as a prerequisite for sustainable development.

Implementation: Uganda Case Study

This section uses Uganda as a case study to examine how the SRHR policies, set at international conferences, are implemented at country level. It assesses to what extent the country's programmes have been shaped by such policies and in the process identifies the achievements and gaps. It particularly examines the Beijing +5 and 10, and ICPD + 10 Uganda country reports amongst other reports.

Beijing +5 and 10 and ICPD + 10 Uganda Country Reports

The government of Uganda operationalised the international policies through the development of the Poverty Eradication Action Plans (PEAP). In 1997, a National Action Plan on Women (NAPW) was drawn to move the PEAP forward. The NAPW identified ten strategic objectives of which those relating to SRHR included: (i) improving health services to address women's reproductive health needs; (ii) improving safe motherhood; (iii) community education on women's reproductive rights and HIV/AIDS prevention; and (iv) eliminating negative cultural practices and addressing the needs of those who are victims of violence. Under NAPW, priority was given to access to affordable health care services and HIV/AIDS control programmes - these were implemented by Non-Governmental Organizations (NGOs) and line ministries. The NAPW was revised during the period 1999-2004 and reproductive health rights were included as a key priority area. Two new key objectives were also added: appropriate services for disabled women, and addressing the needs of victims of violence. Through the Ministry of Health, the National Health Sector Strategic Plan adopted the principles of gender equality in the delivery of health services.

Another major area of concern for the government was the high fertility rate in the country. The ICPD + 10 report noted that Uganda's population had increased from 4.7 million in 1948 to 24.7 million in 2002 with 47 per cent of the population aged below 15. A key response to the rapid population growth was to make family planning technologies widely available. Under the National Population Policy, the government developed a number of initiatives aimed at addressing the reproductive health needs of young people through peer education

programmes. It also undertook the construction and refurbishment of health units in each of the 976 sub-counties and 4000 parishes in the country, though it is not clear how many of these offered services related to SRHR. In addition, training and upgrading of nurses as well as the abolishment of user fees led to an increase in out-patient visits. This saw the number of women using family planning services increase from 15 per cent in 1995 to 23 per cent in 2001. However, the ICPD + 10 report noted that the government did not meet the shortfall in funds brought about by the abolishment of user fees.

The government has embarked on a five-year project in partnership with the United Nations Fund for Population Activities (UNFPA) in 10 districts in Uganda with three main components: Reproductive Health, Population and Development, and Gender Mainstreaming.²³ The gender mainstreaming component entails capacity building for local government staff, CSOs, traditional leaders and other key stakeholders in gender and reproductive health. It also involves:

- The review of the NAPW,
- Disseminating results of studies in reproductive health and population development,
- Strengthening partnerships within the districts to address sexual and gender-based violence (SGBV) through establishment of quick response mechanisms at community levels as well as information and education programmes. A major strategy of the programme is to strengthen the legal framework for addressing SGBV through the drafting of SGBV laws and training of judicial and law enforcement officials, legislators and policy makers. The Ministry of Gender, Labour and Social Development is responsible for the gender mainstreaming component of the project while the Ministry of Health for the reproductive health and population components.

Despite these endeavours, no specific attention is given to the provision of SRH services for disabled women even though this was identified in the NAPW as a key objective. The government has not made links between violence against women and SRHR as was stipulated in the NAPW. It, however, recognises that women are vulnerable to violence because of their subordination, which is exacerbated in situations of conflict. The need for legal redress is recognised. The Sexual Offences Bill which seeks to protect women from all forms of sexual offences has been drafted. Nonetheless, this bill is yet to be tabled before parliament.

SRHR and HIV/AIDS

Uganda's HIV prevalence reduced from 15 per cent in 1993 to 6 per cent in 2005.²⁴ The country has over the years been hailed internationally as a model of good practice in addressing HIV/AIDS. The controversial ABC (Abstinence, Be faithful, wear a Condom) model for HIV/AIDS prevention embraced in Uganda has been praised by some.²⁵ However, it is the national action propelled by the government that is recognised as the genesis of positive response to HIV/AIDS. The ICPD + 10 country report summarizes the government response to the pandemic, beginning with the National Committee for the Prevention of AIDS in 1985 to the establishment of the Uganda AIDS Commission (UAC) through an Act of Parliament in 1992 with the responsibility of coordinating the National Operational Plan within all the key sectors of government. In 1998, the Strategic Framework for HIV/AIDS was also drawn.

Both the Plan and Strategic Framework involved activities on education and information, prevention (including other STIs and parent-to-child transmission of HIV/AIDS), care and treatment as well as research. Under these initiatives, voluntary testing services were set up at the community level, training of counsellors was increased, and prevention education was stepped up. In 2003, the government embarked on the Presidential Initiative on AIDS Strategy for Communication to Youth (PIASCY), a comprehensive communication tool developed to inform young people about HIV/AIDS. Compulsory HIV/AIDS awareness information was included in primary and secondary schools curricula.

Collective action by the government and civil society has culminated in a significant reduction in HIV/AIDS prevalence. Nonetheless, infection rates among young women especially in the conflict-prone Northern Uganda remains high. Maternal mortality rates (at 505 deaths per 100,000 live births) are also unacceptable. In addition, the government reported that deaths due to AIDS had not only resulted in many households being run by orphans but had also overstretched the health services. Home-based care schemes had been established but these too were inadequate with the burden of care mostly falling on women and girls (the high school drop-out rate for girls was partly attributed to this). There was also a consistent reduction in the number of women accessing safe motherhood services.

Government programmes aimed at addressing the health needs of women in relation to SRHR have been concerned with tackling the high maternal and infant mortality (through improved access to services) and the high fertility rate (through the dissemination of family planning and birth control technology). Whilst the government recognizes the interconnectedness of SRHR and other social, legal, economic and political rights of women, there has been a tendency to treat them as mutually exclusive. SRHR has been seen largely as a matter of improved health service. Nevertheless, the rising cases of SGBV have prompted the government to examine the legal regime with a view to creating a legislative framework that accords women the autonomy to protect their SRHR. Increased levels of poverty amongst women and girls have also placed them at greater levels of vulnerability to STIs. Cross-generational sex (in which older men have sex with much younger girls) and transactional sex (in which women trade sex for survival, such as food, shelter and protection in conflict areas) have become major concerns in which collective action is required.

Women's Rights Activists and NGOs²⁶

Women rights groups have a social mandate to champion the course of women. Interviews held with Women rights group representatives revealed SRHR as one of the most difficult and least understood aspects of women's rights. Nowhere has there been so much disagreement and contention amongst women's rights advocates in Uganda than on the issue of SRHR. Those who have advocated for it have been met with a barrage of attacks and accusations such as being traitors to the women's cause, spreading western immorality, or unrepresentative of the women's movement²⁷. In 2005, four organisations attempted to stage the Eve Ensler play, *The Vagina Monologues*, to raise funds for women's support initiatives against gender-based violence in Northern Uganda²⁸. The campaign caused controversy, not least within the women's movement. There was the view that women's sexuality is not an issue for African women and that the play was an imposition of 'western radical feminism' with its African agents promoting 'lesbianism, abortion, pornography and other forms of immorality'²⁹. The controversy marked

a major milestone in the growth of the women's rights movement, and culminated in a retreat for a strategic thinking session on the way forward for the movement.³⁰

The concept of SRHR is very little understood amongst women's rights activists.³¹ There is controversy surrounding it both socially and politically.³² It was noted that the controversy stems from societal norms and values on sex, which in modern day Uganda are mired in taboo, secrecy, shame and guilt. Women's sexuality in particular is regarded with suspicion. The State appears to uphold these attitudes through paternalistic and patriarchal laws that police and control sexuality and sexual freedoms terming them matters of morality. The penal codes also criminalise sexual diversity. It is difficult to talk openly about sex because it is confined to certain spaces and contexts such as the initiation rites into womanhood through the traditional institution of *senga* amongst the Baganda.³³ It becomes difficult to discuss women's sexuality in public precisely because it is meant to be secret and private.

Although there is agreement that work needs to be done in this area, there is disagreement on the approaches that should be taken. Some of the interviewees felt that the push to address sexuality publicly is a western approach with western liberal attitudes to sex and sexuality. Others felt that the agenda is being forced upon them.³⁴ Yet, others pointed out that an examination of power and morality needs to be done³⁵ while others were unwilling to address the issue directly.³⁶ In spite of this, there does appear to be more effort geared toward addressing SRHR with some organisations introducing a number of innovative projects to achieve this. These include: community outreach programmes to tackle domestic violence, leadership capacity building (through training and mentoring) for young girls of school-leaving age, research and training on feminist principles on bodily integrity and autonomy, and advocacy particularly in the context of HIV/AIDS.

Young Women and SRHR

Women in the age group 18-30 viewed SRHR as broader than the physical act of sex. For some, it was about who they are as women while for others it was about how they view their bodies and how the society views them as young women. They all considered SRHR a major health and social concern. The general view was that there is very little useful information to help them understand their bodies. They felt that current approaches are confusing and that available information is not sufficient for them to make informed and responsible decisions about their sexual and reproductive health. One young woman who worked with a USAID-funded programme for the youth which promotes abstinence-only messages felt that this approach is inadequate and impractical as many of her clients were sexually active. Another pointed out that the abstinence-only messages were limiting open discussion about sexual and reproductive health and that young people were engaging in unprotected sex because condom use was becoming increasingly stigmatized by these messages.

Many of the interviewees felt that there was need for open and honest discussion on sex, sexuality and reproductive health (including sexual pleasure) through education and information.³⁷ However, some were concerned that this might encourage young people to be sexually active at very young ages and called for age-specific information targeting different age groups. Furthermore, the depiction of women's sexuality by the media and popular culture were a major source of concern for the young women.³⁸ They therefore wanted to see greater engagement with the media in order to change its portrayal of women's sexuality. Similarly,

religious and cultural conservatism around sex and sexuality were viewed as seeking to control women by creating fear rather than respect for women's bodies; this often leads to violence that is justified on the grounds that it controls women. A significant number of interviewees within the conservative faith systems noted that more needs to be done within those institutions to promote the rights of women. Others felt that there is need for greater understanding and discussion of sexual diversity though others feared that an open discussion of sexual orientation might influence young people to adopt these lifestyles.

The other concern was abortion. Some of the interviewees felt that since unsafe abortion is a major cause of mortality amongst young women, full rights to safe abortion must be recognized. Others wanted it to be restricted to certain contexts such as sexual violence, incest and health risk for the mother, while others felt that abortion should be addressed through improving access to family planning support services.

Gaps and Challenges in Uganda

Health versus Rights

Health is a fundamental human right, and the right to health is one that has been and continues to be a major struggle especially in the context of poor women from the South. It is therefore imperative that any analysis, particularly of sexual and reproductive rights, should not undermine this important component. Policy norms and implementation are heavily skewed towards health service delivery compared to issues such as women's socio-economic subordination. This has resulted in the rights' component being left out of the equation. Rights issues have been left to women's rights organisations whose knowledge and resources limit their capacity to make a significant impact. In Uganda, the government notes (at least at the level of rhetoric) that it is important to address the subordination of women. However, rarely are substantive provisions made to ensure that this is done.

The other concern is that the expanding health services maintain a limited conception of reproductive health as addressing only safe motherhood and family planning. This view does not reflect the international policies in their entirety, which calls for reproductive health services for women throughout their life cycle. The human rights movement and women's rights activists in Uganda are equally uncomfortable with addressing women's sexuality as human rights. They view it as trivial, un-African, and a matter requiring personal solutions rather than political engagement.

The Institutional Weaknesses of Women's Rights Organisations

The institutional capacity of women's rights organisations to withstand external pressures is debatable. Religious fundamentalism has crept into the women's movement in the last few years, with activists unwilling to take on those women's rights issues which they see as running counter to their faith. This has exposed the movement to influences that are actually hostile to women's empowerment. Moreover, the vast majority of women's rights organisations have very limited institutional capacities in terms of financial resources, personnel and infrastructure. Burn-out and the exodus of expertise from this sector to other 'greener and safer pastures,' are

some of the serious challenges that need to be addressed. These have serious implications on the ability to grow, develop autonomously and engage proactively especially on issues that are seen to be controversial such as SRHR.

The Concept of Sexuality

The concept of sexuality is loaded with many meanings. Most of all, it is a threat to the prevailing male dominance. It is fiercely fought and its supporters are subjected to public and political derision, abuse and vilification. Much is still to be learned and unpacked from years of activism. Yet, there is little room for engagement of this kind. The environment for raising consciousness and linking scholarship with practice has not been conducive. Thus, cutting-edge work on SRHR is still very much on the periphery and scantily understood by a key section of the constituencies that should be driving it forward. This calls for the development of new strategies to scale up activism on SRHR.

Strategy in a Hostile Environment

Addressing SRHR in the context of SGBV and HIV/AIDS provides a useful, albeit limited, starting point for mainstreaming SRHR issues. SGBV must, however, be approached with caution and extreme care since the society appears to be insensitive to these violations. There are reports of the occurrence of acts of sexual violence such as incest, defilement, and rape in the media almost on a daily basis. Yet, this has resulted in very little change in public attitudes. Calls for legislative reform and the strengthening of protective mechanisms have not yielded fruit. Popular culture and music frequently beam messages which glorify violence against women. Given all this, the question becomes what strategy can work in such an environment. For some, it calls for unequivocal and uncompromising advocacy while for others; it highlights the need for more diplomatic approaches.

The Interface between Culture and Rights

Closely connected to the question of strategy is the relationship between feminist activism and culture. Many feminists in the South are beginning to question the whole premise of women's rights and its interface with culture.³⁹ The debate on culture and women's rights has become extremely polarised, with the latter often writing off the former as having nothing to offer. Aside from challenging this notion, feminists in the South argue that this approach alienates many women especially those from rural and other marginalised areas. They suggest a more nuanced interface with culture involving a robust examination to understand what it provides for the protection of women's rights. For example, there is evidence that many pre-colonial African cultures had a very progressive view of women's sexuality and provided some form of protection against the excesses of patriarchy.⁴⁰ Other activists also call for a careful framing of the language used in the rights discourse in order to make it widely accessible and acceptable to the majority of women, most of whom are not literate.

Diversity amongst Women

The policies are largely geared towards addressing the needs of women in their reproductive years. As such, they do not take into account the difference amongst and between women.

For example, young women are largely referred to in very instrumentalist and paternalistic ways with little or no regard for what they think or their abilities to address their own needs. Consequently, while they have been the targets of much information and education, it is clear that this information has largely not been adequate. The same applies to other categories of women such as the disabled, refugees and migrants, as well as the elderly. Lesbians have been ignored by the policies altogether.

Recommendations

The following recommendations can be viewed as a brainstorming exercise on what might be done to influence the centres of power so that they are truly democratised, liberated and accountable to the women in whose names decisions are being made, but for whom very little benefit is accrued.

Women's Rights Organisations

Women's rights organisations are at the fringes of the human rights movement in Uganda. Their positions are very tenuous and they operate with very little institutional infrastructure and resources. They are expected to address a whole gamut of needs, but are often ill-equipped to do so. Since women's rights advocates also need strong, autonomous institutional bases from which to propel their issues forward, there is need to put in place these bases. It is no longer realistic to suppose that institutional development will somehow take care of itself. Without these institutions, women's rights activism will continue to be piecemeal, overwhelmed and overburdened and as a result, underachieving.

Those Crazy Ideas and People – How We Mobilise Communities Matters

‘Everybody thought those people going around the country demonstrating in public how to put on condoms were mad, completely crazy. But where would we be without them today?’⁴¹

In addition to institutional support, there is need for a flexible approach to support ‘those people with crazy ideas’ who are outside the box. They may not have institutional support, may not be well-known in the activist world, and may have no previous record of institutional management, but they have passion and ideas. There are examples around the world of individuals who have mobilised vast numbers of people and galvanised their sense of outrage to become agents for change. Eve Ensler was called crazy everywhere she went because of her play, *The Vagina Monologues*. But this play has helped mobilise millions of dollars to support initiatives on violence against women - the world over. It has also raised the consciousness of many young women and men in particular to become strong advocates of women's rights. Perhaps it is time to “get crazy” and stop apologising for what we stand for by capitulating to every form of ideologically-based attack (as opposed to constructive criticism). Perhaps it is time to once again take risks and back those ‘crazy’ ideas that people generate; the ones that provoke a gut reaction.

Safety and Security

SRHR are a highly vexed set of rights to advocate for. To many feminist activists in Uganda, they hit at the very core of patriarchy and therefore will be resisted most vociferously by their detractors.⁴² Is there a need to think about strategies to support human rights' defenders?⁴³ Are there any quick response mechanisms that can be developed? Of course it is understood that absolute safety cannot be guaranteed and that those who engage in activism should be fully cognisant of the dangers. Nevertheless, some thought on what is possible in terms of support is required.

South – South Learning Exchange

It is important to learn from contexts similar to our own that have somehow managed to move the agenda on SRHR forward. The women's movement in much of Latin America, the Indian sub-continent and Southern Africa have to some extent greatly influenced and shaped policy to be more responsive to women's SRHR. It would be useful to promote systems of learning from those contexts. Currently, the vast majority of traffic leaves the South to learn from the North. Useful though this is, there is additional value to be gained from the experiences of women in societies with similar struggles and considerations.

Other Recommendations

Other observations and recommendations suggested by the interviewees to this chapter or highlighted in selected texts include:

- Greater community awareness on the impact of violence, including sexual violence against children and greater protective measures to address it⁴⁴
- The development of resource materials to enable parents to discuss sexual and reproductive health with their children
- Mainstreaming sexual and reproductive health in schools from primary levels
- More targeted work with young women and men on SRHR
- Law reform through test cases to force the State to address double standards in penal codes
- Mainstreaming HIV/AIDS and SRHR in the work of all human rights organizations as disjointed approaches result in a somewhat narrow focus, and the links and opportunities for scaling up are missed.

Notes

- 1 R. Dixon-Mueller, *Population Policy and Women's Rights?: Transforming Reproductive Choice*, Praeger, Westport, Connecticut, London (1993).
- 2 T. K. S. Ravindran, "Health Sector Reform and Sexual and Reproductive Health", in T. K. S. Ravindran and H. de Pinho (Eds.) *The Right Reforms? Health Sector Reforms and Sexual and Reproductive Health*. Women's Health Project, School of Public Health, University of Witwatersrand, South Africa (2005).

- 3 Donors and partners include international NGOs as well as bilateral and multilateral donors, especially Hivos, USAID, and the World Bank.
- 4 B. Hartmann, *Reproductive Rights and Wrongs: The Global Politics of Population Control*, South End Press, Massachusetts (1995).
- 5 Sylvia Tamale, "Eroticism, Sensuality and Women's Secrets' Amongst the Baganda: A Critical Analysis", Issue 5 (2005) *Feminist Africa*.
- 6 Patricia McFadden, "Sexual Health and Rights for African Women", in B. Madunagu (Ed.) *For Gender and Social Justice: An Anthology*: DAWN Publications; Calabar, Nigeria, (2003) 8.
- 7 Paragraph 29 7a states: The issues of fertility rates and population growth should be treated in a context that permits women to exercise their rights in matters pertaining to population concerns, including the basic right to control their own fertility which forms an important basis for the enjoyment of other rights, as stated in the report of the International Population Conference at Mexico City in 1984. Elsewhere (paragraph 156 10/g) it re-affirms the assertion of the Mexico conference that 'all couples and individuals have the basic human right to decide freely and informedly the number and spacing of their children.....'
- 8 See Paragraphs 155, 156 10g/ 157 10g/. and 159 11a/ (mostly re-affirming the Mexico conference).
- 9 This was reflected as an aim and also as a major cause of concern (Paragraph 155).
- 10 The information was to include 'medically approved and appropriate' methods of family planning.
- 11 C. N. Moser, *Gender Planning and Development Theory, Practice and Training*, Routledge, London (1993).
- 12 K. Staudt, "Gender Politics in Bureaucracy: Theoretical Issues in Comparative Perspective," in K. Staudt (Ed.) *Women, Power and Policy*. Pergamon. New York (1990).
- 13 Sarah Longwe, "Organising for Women's Empowerment: The Implications of NGO Structure and Management", in O. Adeleye-Fayemi (Ed.) *Moving From Accommodation To Transformation: New Horizons For African Women Into The 21st Century. Report of the Second African Women's Leadership Institute*. Akina Mama wa Afrika. London (1998).
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- 15 S. Msimang , "Caution! Women Moving Strategies For Organising Feminist Visions of the Future'" in Kerr et al (Eds.) *The Future of Women's Rights: Global Visions and Strategies*, Zed books. London (2004) & J. T. Wood Ethics, "Justice and the 'Private Sphere'", *Women's Studies In Communication*, Vol 21(1998)
- 16 Its programme of action called for the full and equal participation of women in all aspects of decision-making, and an end to all discriminatory practices as well as violence against women. Chapter 1V also identified the need for support measures to ease the burden of women's domestic responsibilities.
- 17 ICPD, *supra* note **Error! Bookmark not defined.** Chapter IV (b) called for measures to end negative cultural practices which normalize violence against girls, such as forced marriage, family and community preference for and investment in boys, which result in

- lower levels of education, health care and nutrition for girls. In particular, governments were urged to prohibit FGM, infanticide, trafficking in girls, and the use of girls in prostitution and pornography.
- 18 *Ibid* at Chapter 1V (c)).
 - 19 Sylvia Tamale, “Out of the Closet: Unveiling Sexual Discourses In Uganda”, *Feminist Africa*. Issue 2. (2003).
 - 20 Reproductive health was defined as a ‘state of complete physical, mental and social well being and not merely the absence of disease or morbidity in all matters relating to the reproductive system and to its functions and processes’ (Chapter V11A (7.2)). Within that ambit the Programme of Action 4 key components were identified - reproductive choice, information and access to safe and appropriate family planning, access to health care and sexual health. The ICPD set a target of universal access to reproductive health by 2015.
 - 21 *The Protocol on The Rights of Women in Africa: An Instrument for Advancing Reproductive and Sexual Rights*. Briefing Paper, February 2006. Centre for Reproductive Rights. (page 6) www.reproductiverights.org
 - 22 The term heteronormativity is used to describe the way in which patriarchy and patriarchal culture sets heterosexuality as the norm of human sexual relationships. Alternative forms of sexual expression and enjoyment are ‘othered’ as deviant and unnatural. See conference report on Heteronormativity – A Fruitful Concept? June 2-4 2005. Norwegian University of Science and Technology. <http://www.hf.ntnu.no/itk/heteronormativity-2005>.
 - 23 The districts are: Arua, Busia, Gulu, Hoima, Kapchorwa, Kanungu, Kigoba, Lira, Mukono and Tororo
 - 24 R. Ploem AIDS Controversies in Uganda Further Analysed: Report of the Mission to Uganda From 5 until 16 December 2005, Royal Tropical Institute, The Hague (2006).
 - 25 This model, which has been standardised for HIV/AIDS prevention, has been criticised by feminist activists as being gender blind. It is argued that the model does not take into consideration women’s very limited ability to adopt these measures as a result of their subordination to men.
 - 26 Interviews were done with a total of 10 women’s and one international organisations. Some said that advocating for women’s rights in the country is hard and that when one talks of sexual rights of women, he/she is really taking people to the wire.
 - 27 See D. Lewis, Editorial, *Feminist Africa*. Issue 2(2003) & Tamale *supra* note 19.
 - 28 The organisations were ActionAid International, Uganda, Akina Mama wa Afrika, Isis-WICCE and Uganda Women’s Network.
 - 29 See Catherine Guma Kanabahita, “This is What I Saw In The Vagina Monologues” *New Vision*. Thursday February 17, 2005; Lydia Tusiime, “Are we Ready for Radical Feminism?” *New Vision*. Thursday March 15, 2005, and Beatrice Bisangwa, “Women Steer Clear of That Western Madness” *New Vision*. Friday April 22, 2005.
 - 30 See J. Ahikire) *Mapping The Women’s Movement in Uganda: Present Relations and Future Directions*. (2005) (Unpublished paper).
 - 31 As one interviewee put it, ‘For some it is about sex, for others it is sexual orientation, both of which are highly problematic. Yet it is about so many other things from the way we think about ourselves to the way we respond sexually. But there is little understanding what it means in general.’
 - 32 For example, one interviewee noted that: ‘Our work either by commission or omission sidesteps SRHR because it is considered too controversial. It addresses issues such as

sexual orientation which as we know is taboo in this country. We have not sat down as the women's rights movement to discuss this. There is no joint position. We just work within a patriarchal framework which excludes considerations such as the right to abortion.'

- 33 The term *senga* is given to the paternal aunt, who from the onset of puberty through to marriage, is responsible for initiating her niece into womanhood by providing sex education. The nature of the education is not structured and varies, but generally includes, feminine hygiene, sexual techniques, social etiquette and how to conduct oneself in marriage. For detailed, feminist analysis of the institution of *senga* amongst the Baganda, see Tamale, *supra* note 5.
- 34 One interviewee noted: 'We now have to say that it is okay to be gay, to have oral sex, to masturbate and do whatever. Yet for some of us, rights have to be shaped within the context of morals. Do I have the right not to support those aspects I do not agree with? We are being forced to support things we don't believe.' Another noted: 'I believe in and stand for women's rights. But I am a born again Christian. There are some issues I feel I cannot support because one day my God will ask me to account. I cannot support such things as lesbianism. On that I choose to remain silent.'
- 35 One study participant asked: 'Who defines what is moral and what isn't? You will find that it is usually those with power. Those who control decision-making usually have the say on what is moral, and in our patriarchal contexts, it is usually men. Heterosexuality is it. If you do not conform even within heterosexual norms you are in trouble. And as we know, heterosexuality in many cases is problematic for us as women.'
- 36 For instance, one interviewee observed that: 'On the issue of sexual rights, we have to make strategic decisions about how far we are going to take on these issues. How far do we go and will it not divert us through the obvious backlash it will cause?' Another noted: 'Most NGOs will not campaign for safe abortion for example because it is largely a class issue. Women leading NGOs have access to safe abortion because they can afford it. It is poor young, women who are affected the most by the status quo. It is they who are dying from unsafe abortions in such large numbers. And we have rendered them expendable by our cavalier responses to this reality'
- 37 As one study participant noted: 'There is need for us to start talking about sexuality and reproduction in more positive terms, encompassing pleasure, equality and individual empowerment, linked to broader health and well being.'
- 38 One noted: 'The media portrays women especially young women as highly sexualized yet powerless, and as the property of men.'
- 39 See Sylvia Tamale, *The Right to Culture and The Culture of Rights: A Critical Perspective on Women's Sexual Rights in Africa*. Paper presented at a Conference Under the theme, "Up Against the Nation-States of Feminist Theory" June 30 - July 1, AHRC Research Centre for Law, Gender & Sexuality, University of Kent, UK (2006).
- 40 (ibid)
- 41 Comment made by an interviewee on the early community mobilisation drives to raise awareness of HIV/AIDS in Uganda.
- 42 See Tamale, *supra* note 5.
- 43 See S. Long and S. T. Fried (Eds.), *Written Out: How Sexuality is Used to Attack Women's Organising*, Report of the International Gay and Lesbian Human Rights Commission and Center for Women's Global Leadership (2005).

- 44 See D. Naker, *Violence Against Children: The Voices of Ugandan Children and Adults*. Raising Voices and Save the Children. Kampala (2005). The research sought to map out the extent of violence against children. In the study of 1406 children between the ages of 8-18 conducted in 5 districts, 1 in 4 girls and 1 in 8 boys reported having forced sex while 1 in 4 girls became pregnant before adulthood as a result of violence. The children also reported sexual harassment in the form of physical violation such as touching their breasts and buttocks, or verbal taunts and threats.



CHAPTER 7

Women in the Arts in Kenya

*By Grace M. Musila and
Binyavanga Wainaina*

Abstract

This chapter examines developments in women's involvement in the arts in Kenya, 21 years after the Nairobi Conference. Using literature, film, popular music, fine arts and the informal arts industry, the chapter reflects on the state of women's involvement as artists, in administrative roles, and the images of women in these art forms. The chapter finds that there has been commendable progress in these art forms with regards to these three concerns, even though a number of challenges continue to hamper the achievement of the immense possibilities that lie in the arts as a vehicle for social change.

Introduction

Two decades after the first international women's conference in Africa, there has been much debate on the progress made and the challenges arising. A recent issue of the journal for women's empowerment *Agenda* argues that it is important to reflect on the Forward-Looking Strategies developed at the conference, and the extent to which these have translated to practice¹. Given the primacy of the arts and cultural productions in reinforcing, transforming, and challenging social values, - including gender attitudes - it is important to reflect on the question of women in the arts, 21 years after Nairobi. This is the focus of this chapter.

The chapter broadly categorises the arts into what I loosely describe as "formal" and "informal" artistic productions. This categorisation is admittedly hierarchical, and would seem to re-enact a dangerous binary loaded with value judgements that are implicitly elitist and limiting. Yet it is precisely for these reasons that I find this categorisation useful for this chapter's purposes, as, in some senses, it mirrors the gendered value system which makes women's labour in the domestic space invisible, overshadowed by formal(ly) remunerated employment. In adopting these categories, the chapter seeks to both foreground and interrogate these gendered hierarchies which replicate themselves in the arts, where certain artistic practices remain invisible and unvalidated due to lack of formal recognition and patronage, coupled with exclusionary norms of defining art, despite the important contribution they make both to women's lives and national development as a whole.

Under the “formal” category, the paper examines literature, film, popular music and fine arts, while in the ‘informal’ category; we explore the informal arts and crafts industry, focusing on curios. These selected art-forms do not exhaust the full range of artistic activities in Kenya in which women are involved both as producers and subjects; neither do they particularly stand out from other artistic forms. Indeed, forms such as theatre, dance, sculpture, fashion, ceramics, weaving and interior design, are equally rich in insights on women’s involvement in the arts over the last two decades. However, the chapter’s focus on the selected art-forms was guided by their accessibility to the writers. It is hoped that the selected art-forms can give an indicator of developments in the arts in Kenya since 1985.

The chapter is structured around women’s involvement as producers of art, in the administration of the selected arts industries and images of women in the selected art forms. These three concerns are of interest to us as they bring out three important questions which have dominated feminist debates for decades, and which lay at the core of the Nairobi Forward Looking Strategies’ focus on equality, development and peace. These are: women’s participation in various social spheres, the levels at which women are involved and the images of women circulated. Given the earlier-mentioned power of artistic media in reinforcing, transforming, and challenging social values, these questions become crucial to our reflection on developments in women’s involvement in the arts, two decades after the Nairobi Conference. The three concerns are usefully multi-dimensional, thus enabling us to identify and celebrate any successes during this period, and while gaining insights into aspects that call for interventions.

The first section of the paper briefly outlines the issues arising from the Nairobi conference and the ways in which these speak to the question of women’s involvement and representation in the arts. The second part of the paper is divided into two subsections. The first subsection is an exploration of women in the ‘formal’ arts, including literature, popular music, film, and fine arts. Each of these is discussed in terms of the three identified concerns - participation, involvement at administrative levels and images of women – as at 1985, and developments in the last 21 years. The second subsection explores the ‘informal arts’, as a field that has shown rapid developments in the last two decades, and which has an interesting relationship with the ‘formal’ arts, and gender politics in Kenya. The third and concluding section of the paper briefly reflects on the current challenges facing women’s involvement and representation in the arts and possible ways of engaging with these.

The Nairobi Forward Looking Strategies and the Question of Women in the Arts

The 1985 Nairobi Forward Looking Strategies (NFLS) were structured around three interrelated and mutually reinforcing objectives namely equality, development and peace. Equality for women was seen to mean the ‘the realization of rights that have been denied as a result of cultural, institutional, behavioural and attitudinal discrimination’ (UN Report Paragraph 11), while the pursuit of development was based on the realisation that ‘the increasingly successful participation of each woman in societal activities as a legally independent agent will contribute to further recognition in practice of her right to equality from its results’.² Lastly, the report argued that women’s rights could only be successfully promoted and achieved under conditions of peace and security, both in local and international relationships. In the report, peace was taken to be not only the absence of war, violence and hostilities, but also

the prevention of the use or threat of the use of force and aggression, and the elimination of domination, discrimination, exploitation and oppression, as well as violations of human rights and fundamental freedoms.³

The Final Report of the Nairobi Women's Conference did not directly comment on the question of women in the arts. However, the media was extensively discussed, with particular interest in the ways in which media representations tend(ed) to portray and reinforce stereotypical images of women. The conference called for the "elimination of exploitative discrimination against women through stereotyped portrayal of women in the media and in various forms of advertising" while simultaneously recognizing the media's potential as a space for mobilization around women's struggles⁴. Other aspects of the Forward-Looking Strategies⁵, which indirectly relate to media and the arts include recommendations that

- Opportunities for self-supporting employment should be made available to women as economic independence is necessary for self-reliance and equity
- Employment legislation should ensure equity and provide benefits for women working in both the formal and informal sectors. In addition, women's informal and invisible self-employment should be granted greater recognition and reflected in national economic statistics
- A comprehensive and sustained public campaign should be launched by all stakeholders including governments, Non-Governmental institutions, women's groups and educational institutions to abolish all discriminatory perceptions, attitudes and practices
- Obstacles to women's effective participation in development as intellectuals, decision-makers, planners and contributors should be removed

In many ways, the issues raised on the media are applicable to the arts broadly. Indeed, the arts are forms of public media which use creative expression to engage with social, cultural, economic and political issues in society. The arts have also continued to provide an important forum for reflecting on women's participation and contribution as active role-players, decision-makers and their involvement in managerial roles. As Ugandan gender activist Hope Chigudu observes, 'more women are using the power of creative expression to (de)construct the collective consciousness of identities, notions of her/history, self-worth, social norms, values, myths, roles and one's place in society. Chigudu further argues that:

There is a more conscious and strategic use of art and literature in feminist discourse and pedagogy; such as art and literature as a source of positive role-modelling and transformative norms and values, [and] feminist popular culture as a site of struggle⁶.

In many ways, Chigudu's views capture the core interests of this chapter, namely women's involvement and representation in the arts in Kenya over the last two decades after the Nairobi Conference on women.

Writing Women: Women in Kenyan Literature

Literature has been an active site for the construction, reinforcement and interrogation of patriarchal structures and practices across the world. Given our interest in representation and the broader question of power relations - of which both literature and history are sites of fierce contestation - perhaps literature's most appealing quality remains its ability to scale both the 'fictive' landscapes of the imagination and the 'factual' terrains of history. Despite the relationship between literature and history being fraught with contestations, the two are wedded by their shared use of narrative. Additionally, beyond historical occurrences often forming the subject matter of literature, history's reliance on narrative to render the past accessible to/in the present means that history acquires its slant from the narratorial perspective, which determines what details are foregrounded and what recedes to the background, and ultimately, what truths a given rendering of the past witnesses to. The relevance of these issues for our purposes lies not only in the fact that mainstream history is often a monolithic 'his-story' which erases women's experiences and contributions; but also in the centrality of the auto/biography as a literary genre which confronts this muting of 'her-story' and the accompanying exclusionary gate-keeping practices of mainstream history.⁷

Literature remains one of the better established artistic forms in Kenya. Although renowned writer and critic Ngugi wa Thiong'o continues to be the icon of Kenyan literature on the international stage, by 1985 a number of important Kenyan women writers were already debating a range of issues surrounding women's experiences. These women writers included Micere Mugo, Miriam Khamadi Were, Muthoni Likimani and Rebeka Njau among others⁸. Rebeka Njau's *Ripples in the Pool*⁹ for instance, is a powerful critique of patriarchy that is considered radical, even by today's seemingly liberal standards. Similarly, Grace Ogot's work has consistently sought to voice the various shapes women's oppression takes. Another notable voice is that of Marjorie Oludhe Macgoye, whose works include the layered novels *Present Moment* (1986) and *Coming to Birth* (1987). In the latter novel, a rural woman's journey towards self-determination and independence from an abusive marriage in which female self-worth is defined by motherhood is juxtaposed with Kenya's journey towards independence. All these writers' works braved the phallogocentric literary scene of post-independence Kenya¹⁰ by presenting alternative portraits of women's experiences which challenged the ubiquitous prostitute-figure whose body was repeatedly spread out on the pages of Kenyan literature, in the service of an assortment of male voyeuristic gazes, ranging from the borderline-pornography of David Maillu and Charles Mangua, to the more 'refined' Marxist-leaning works of Ngugi wa Thiong'o and Meja Mwangi. While these works could arguably be said to have been reflecting the realities of women's experiences in the fast-urbanizing Kenya of the time, what remains problematic is the representation of the urban woman through tropes of moral degeneration, conniving exploitation of men and sex symbols; or in Ngugi's case, reducing women's violation to what Florence Stratton has described as a metaphoric 'index of the state of nation', thus simultaneously muting and hijacking women's pain for the 'greater good' of class struggles¹¹.

In the last 21 years, both women's voices and women's experiences have gained greater prominence and visibility in Kenyan literature, with writers such as Margaret Ogola and Yvonne Aduor winning international awards for their works, *The River and the Source* (1994) and *Weight of Whispers* (2003) respectively¹². Other women writers who have emerged in

the last two decades include Muthoni Garland, Corney Gichuki, Carolyne Adalla and Monica Genya. These women's works have engaged with a diverse range of themes, both of inter/national and socio-political import, while often foregrounding the gendered dimensions of these concerns. Adalla's *Confessions of an Aids Victim* examines the feminisation of HIV/AIDS, and the manner in which patriarchal structures frame sexual relationships, compounding women's vulnerability; while Ogola's *The River and the Source* is a powerful tribute to women's struggles, the successes they celebrate and the failures they learn from. In their work, these authors reflect on women's encounters with experiences as varied as violence, HIV/AIDS, higher education and romantic love, thus following the footsteps of the earlier generation of Kenyan women writers, even as they grapple with contemporary challenges such as HIV/AIDS.

One notable catalyst in the increasing involvement of women in the Kenyan literary scene has been the emergence of e-publishing. With the launch of the literary magazine, *Kwani?* slang for 'so?', - available both in print and electronic format - there has emerged a new crop of writers experimenting with genres. Despite increasing access, both e-publishing and *Kwani?* are still to a certain extent exclusionary. E-publishing is dependent on access to computers and the internet, both of which - despite the mushrooming of cybercafés across the country - remain beyond the reach of aspiring women writers in lower socio-economic brackets and those in rural areas. Similarly, while *Kwani?* has undoubtedly promoted women writers' works, as illustrated by the large number of women writers published in the magazine, its reach remains primarily limited to Nairobi both in terms of the writers published and the narratives told. The challenge for the magazine remains how to transcend the 'Nairobi/urban hegemony' which is often nationalised as 'Kenyan'; a concern that mirrors the privileging of urban and elite women's voices and reinforcing their access to resources.

One important literary genre in voicing Kenyan women over the last 21 years has been the autobiography. The autobiography is a much celebrated medium in feminist struggles, chiefly because it affords space for voicing and reflection on women's experiences. In Kenya, a number of prominent women who have contributed to women's struggles have published their life stories. Two such women - Wambui Otieno and Muthoni Likimani - are worthy of mention, chiefly because of the range of issues their biographies raise. Wambui Otieno's autobiography documents her involvement in the Mau Mau movement, and the use of gendered violence, including rape, as a weapon against Kenyan women in colonial Kenya¹³. Rape of Kenyan women in colonial Kenya remains a muted experience, both in Kenyan and settler-authored Mau Mau historiography; in a way underscoring the power of the auto/biographical mode in exploding the silences of history. Muthoni Likimani's autobiography equally traces women's struggles and their modest successes in both colonial and post-independent Kenya.

Apart from autobiographies, historical biographies have enabled women's 're-entry' into history, and interrogated male-dominance in Kenya's mainstream history. This has, interestingly, been in the form of a series of historical biographies targeted at a young readership, the *Sasa Sema* series. Although initially the series was predictably patriarchal in its choice of historical figures - focusing on figures such as First president Jomo Kenyatta, current president, Mwai Kibaki, *dini ya msambwa* religious leader Elijah Masinde and Mau Mau struggle hero Dedan Kimathi among others - it soon paid tribute to the contribution of women such as Mekatilili wa Menza, who led the Giriama community in resistance against the British and Mau Mau heroine Field Marshall Muthoni wa Kirima. That the series is targeted at a young readership

makes one hopeful that it would contribute to the transformation of an inherently patriarchal national history, that had relegated women to mere service providers in the liberation struggles, providing nourishment – both physical and sexual – to the heroic ‘sons of the soil’ or staying at home, waiting for their sons and husbands to return from detention or the bush, as Ngugi wa Thiong’o’s, *A Grain of Wheat* suggests¹⁴.

The autobiographical mode raises its own set of difficult questions, in so far as it remains the preserve of privileged women – and would seem to enact a certain ‘individuation’ process, that, while worth celebrating in voicing women’s experiences, nonetheless underlines the cleavages of power inequalities among women as many women’s life stories, inspiring or rich as they may be, do not make it to the printed paper¹⁵.

The remarkable progress in literary forms by women, in creating space for women in the narration of Kenya’s national history, has not quite been reflected in the country’s memorialising of national history. Indeed, this remains a male domain, as powerfully suggested by the recent unveiling of the state-commissioned statue of the freedom fighter Dedan Kimathi, and the fact that the next statue, expected to be launched soon is that of Koitalel arap Samoei, who led the Nandi resistance. Seemingly, the national project which seeks to archive national history in public memory through such statues remains patriarchal, with the shadow of the Kimathis and Koitalels continuing to loom large over the until-recently-muted contributions of women such as Muthoni wa Kirima and Wambui Otieno.

Administratively, before 1985, the publishing industry was monopolised by big multinationals, including Longman, Oxford University Press and Heinemann publishers; and the local East African Educational Publishers and Jomo Kenyatta Foundation, all of which were mainly male-run. The last 21 years, have seen the emergence of a host of local publishers, a development which challenged the earlier-mentioned monopoly that easily lends itself to gate-keeping and the exclusion of new women writers. Further, although a good number of these new publishers are still male-run, as is the case with *Mvule* Publishers and Africawide networks – a few publishing companies are run by women, including Focus, Pauline’s and *Sasa Sema* publications all of which have published a number of women writers including the award winning Margaret Ogola.

Screen(ing) Women: Women in film in Kenya

Given its popularity as an entertainment genre which transcends the limitations of literacy, film is an important art form with immense possibilities for feminist politics; but also, with equal potential to reverse women’s struggles. In this vein, it becomes important to reflect on the Kenyan film industry and women’s involvement in film production – both as actresses, directors and producers, among other key roles - ; their representation as subjects in film; and the extent to which film in Kenya has contributed to advancing affirmative gender politics.

Pre-1985, the Kenyan film industry was dominated by what Gurgler (2003:3) terms ‘settler romances’; a genre that narrated expatriate and the settler community’s experiences in Kenya. These films continued a colonial gaze on the country, largely figuring emblematic tourist attractions such as the scenic landscape, wild animals, and the iconic Maasai people, while the rest of the Kenyan people – mainly men - were relegated to minor servant-roles in the service of these master-narratives. Classic examples of this genre include *Out of Africa* (1975), based on the memoirs of the Baroness Karen Blixen experiences in Kenya, and *White Mischief*

(1987) which explores the mysterious murder of Lord Eroll and the adventures of the so-called 'Happy Valley set', whose epicurean taste for alcohol, drugs and sex remain legendary in Kenyan settler historiography. Kenyan women are completely absent in these settler romances. This absence speaks to our earlier observation that the choice of what narratives to tell is always linked to power relations and control of resources. Further, it raises the question of transnational relationships in the arts industries, which, in some ways evoke the NFLS concern with the need to challenge exploitative trans-national relationships that impede the promotion of peace, equality and development.

The last 21 years have seen the replacement of these settler and expatriate narratives with local narratives, which explore Kenyan wo/men's experiences. Thus, the Happy Valley set's escapades in Muthaiga Club have been replaced by the love triangle of Murags, Kui and Rose at Njuguna's, in the film *Dangerous Affair* (2002) and Naliaka's gradual socio-economic empowerment in *Naliaka is Going* (2003). Despite this, settler romances continue to be produced in Kenya, which unfortunately continue the patronising gaze on the local population. Among these are films such as *Nowhere in Africa* (2001) and *White Maasai* (2005), contemporary versions of Blixen's adventure in Kenya. A new genre also seems to be emerging in the shape of 'humanitarian' films on Africa, which includes *The Constant Gardener* (2005) on HIV/AIDS in Kenya¹⁶.

The Constant Gardener is interesting in its representation of Kenyan women and the insights it gives – inadvertently – into the place of women in the arts in East Africa. In *The Constant Gardener*, the gender discourse is thoroughly raced. While presenting a proactive female heroine – Tessa Quayle – who is committed to social justice, the film simultaneously reiterates the ubiquitous African-women-as-victims trope not only in scripting Kenyan women as the face of poverty and disease; but also in completely rendering them passive and dependent on the messianic intervention of Tessa Quayle, who literally dies for them. While it raises important questions about the feminised nature of both poverty and HIV/AIDS in Kenya and Africa at large, the film undoes the gains of this by reinforcing this victimhood and failing to acknowledge women's active engagement with these issues through a range of strategies in Kenya. The off-screen interactions too confirm this imbalanced and further victimization of the Kenyan women. An interview with ten-year old Lokatukoi Moru, the little girl who played Abuk in the film reveals that she was paid a mere pittance for her role in the film¹⁷, which went on to win an Oscar – even as she was used to represent 'the African child', the recognisable shorthand for African victimhood. Beyond perpetuating negative images of women, the film further highlights the exploitative relationship between the international film industry and Kenyan actors/actresses, which in many ways mirrors the exploitative international economic relationships, that came up for discussion at the Nairobi conference.

The Kenyan film industry displays a rapid movement towards the achievement of the NFLS objectives, especially with regards to women's involvement, though the images of women in these films and the overall gender politics remain admittedly mixed. Women have registered a strong presence in management and production positions in the local film industry, as directors, writers and producers of films. This field braved by the likes of Albert Wandago is, with the exception of Bob Nyanja and the 'Riverwood' crew, a female domain; with the current generation of female film-makers achieving the greatest success. Such women include Wanjiru Kinyanjui (*The Battle of the Sacred Tree* 1995), Anne Mungai (*Saikati* 1992, *Saikati the Enkabaani* 1998), Njeri Karago (*Dangerous Affair* 2002) and Jane Murago-Munene

(*Price of a Daughter* 2002 and *Behind Closed Doors* 2003) among others. These women's success in the industry is partly based on their ability to manipulate new techniques, work with small budgets and draw in new audiences – itself a remarkable feat, in a field saturated with Hollywood and Nollywood films, with the former having a long-standing monopoly over audiences.

These women's films explore the challenges facing women in contemporary Kenya, while celebrating their resilient spirit. In addition a number of these films – such as *Dangerous Affair* and *Project Daddy* (2004) - subvert the earlier mentioned posture of perpetual victimhood of African women, by replacing the long-suffering, abused/poor/sick/starving African woman with women in key positions in the socio-economic spaces, with an appreciable degree of socio-economic independence. These are women who have been missing in many arts in Kenya, despite the fact that the country boasts a small but significant percentage of women achievers across its social, political, economic and academic landscapes. Yet, despite working within the romance genre – a form chiefly geared towards entertainment - these films resist the temptation of idealizing women's lives by exploring everyday challenges in women's lives and enabling viewers to reflect on ways of handling issues ranging from unfaithfulness, unfulfilling marriages, and domestic violence to female friendships and HIV/AIDS.

Despite their outlined interventions though, some of these female-directed and produced films remain problematic in their often cosmetic confrontation of patriarchal stereotypes, as they retain a subterranean undercurrent of stereotypical assumptions. *Dangerous Affair* for instance, plugs into popular discourses around female sexual purity and its accompanying moralizing discourse on female sexuality, in Kui's self-representation as a virgin, to fit Murags's notion of the ideal wife. Similarly, Wanjiru Kinyanjui's *The Battle of the Sacred Tree*, while subverting popular stereotypes about divorcees and barmaids, simultaneously reinforces ideas of women as gossips and their own enemies, thus foregoing an excellent opportunity to articulate the under-explored question of female bonding and its possibilities for gender struggles. *Project Daddy* too enacts a ceremonial challenge of patriarchy, in Mumbi's refusal to give in to pressure from her father, to marry into her tribe, and her decision to go on a hunt for a 'sperm-donor' to father her child. The film holds out to Mumbi and the audience the possibility of transgressing mainstream assumptions about marriage and single- motherhood. However, in dooming the 'daddy project', the film betrays this possibility and reinstates the same ideas it seems to challenge, implicitly warning Mumbi and the audience that any attempt to defy patriarchy's dictates is futile and doomed to fail.

A number of factors may account for these ideological miscarriages in these female film-makers' work interventions. The most obvious would appear to be these films' slant towards entertainment coupled with an uncritical adoption of the Hollywood romance template, which is already steeped in a male-centered lens of representation. Related to this is the absence of sustained critical reflection by the film-makers on the political implications of their work on gender discourses. A third and overarching issue is poorly-developed film-scripts, which may be traced back to limited resources, given the cost-intensive nature of the industry.

Film has also provided a powerful vehicle for articulating gender-based development. The key stakeholders in these debates in Kenya include privately funded film-makers, the church and Non-Governmental Organisations, with significant involvement of women directors and producers. For instance, Jane Murago-Munene's *Price of a Daughter* (2002), and *Behind Closed Doors* (2003) and Anne Mungai's *Saikati* and *Saikati the Enkabaani* (1998), explore

cultural obstacles to women's development, including female circumcision, early and forced marriages, denial of education for the girl-child and domestic violence. This genre of what one might term 'developmental film', attests to the power of film as a medium that transcends the limitations of literacy. These films highlight women's victimisation by gender-discriminatory practices, challenge notions of passive victimhood by imagining proactive women whose resilience enables them to confront and transcend their circumstances. However, questions of access remain for developmental films, especially in the case of both the rural and urban poor who are unable to access these audio-visual products.

A key concern in these development films is that they often reflect the positions of the funding entities on a given development issue, which often undo the benefits accruable from using the medium. Thus, for instance, the church-funded films HIV/AIDS often reflect a moralising didacticism, which reinforces the stigma associated with virus as punishment for the victims for permissive sexual practices¹⁸. Similarly, the use of the morality-tale genre in addressing issues such as unplanned pregnancy and abortion, although useful in promoting abstinence, forecloses constructive debate on punitive policies and structures in Kenya, which often push young women into dangerous methods of terminating pregnancies to escape this moralising censure and exclusion from educational institutions.

Indisputably, there is need for as many voices and stakeholders as possible in debates on gender and development. Through this, the arts provide a powerful and flexible forum for addressing these concerns and sparking much-needed debate on gender politics in society. However, it is important to promote a culture of constant self-interrogation and critical engagement with the politics implicit in a given production's engagement with socio-political issues.

Women in Kenyan Popular Music

Popular music in Kenya – and the world over – represents one of the most powerful sites of social commentary. Like film, music is able to transcend limitations of literacy and access which face other arts. In the Kenyan scene, the last 21 years have witnessed a new energy in the music industry, not only in terms of greater participation and increased production, but also, increased interest in Kenyan music by the local population. To this end, it is important to examine the involvement of women as musicians, producers, and their representation in the Kenyan music scene – both in the lyrics and the music videos.

Before the Nairobi conference in 1985, women's involvement in the music industry both as artists and producers was close to nil, with the barely audible token voices of women such as Selina Kamaru who sang with the now-famous Joseph Kamaru. Selina's early exit from the scene, as Kamaru stayed on to become a powerful presence in the Kenyan music industry, is perhaps suggestive of the gendered constraints of the industry that appear to have favoured men. Early songstresses such as the Kalenjin Sisters, and Musically Speaking trio of Suzzanne Kibukosya, Joy Mboya and Susan Matiba, too have stories to tell about braving a male forte in the 1980s. The composition of these groups and other contemporary ones like Tatuu reveal the dominance of a gendered cultural economy in which women remain in fairly passive roles while men occupy the significant space of managing the terms and conditions of production. In an era when music production is proving to be a viable commercial sector, there are still no women equalling Tedd Josiah, Homeboyz, Tabu Osusa or Ogopa DJs. The only notable female producer in the commercial sense in the industry is Suzzanne Kibukosya of the Samawati Productions.

The representations of women in Kenyan music of pre-1985 were largely stereotypical, alternately representing women as sex symbols, treacherous, or nurturers, reminiscent of the 'mother Africa' trope in literature. Kamaru's songs such as *Nuu ucio*, *Ke-Ngwetekerie* and *Wedo wa Cebe Cebe* bemoan the deceitful woman, while John Ndichu's *Cucu wa Gakunga* stood out for its praise of woman as a nurturing figure. Similarly, Daudi Kabaka's *Msichana wa elimu* derides the educated woman and mocks her as 'unmarriageable'. In addition, the male musicians of this period often appropriated women's voices and experiences in songs that ostensibly voiced critiques of women's oppression. Cases in point include Orchestra Marquis' *Karubandika* and Daudi Kabaka's *Pole Musa*, with the later speaking out against domestic violence, in a woman's voice.

By contrast, the millennium saw the celebration of the urban woman in songs such as Deux Vultures' *Mona Lisa* (2000) and Necessary Noize's *Kenyan Boy*, *Kenyan Girl*, even though a fair number of songs continue to portray women as materialistic/deceitful, heartless and sex objects, as seen in songs such as Abedi's *Dot com lady* (2002), Chameleon's *Mama Mia* (2001) and Circuit's *Manyake*. Indeed, there still remains in contemporary Kenyan music an often-voiced desire for the passive woman, who yields to every whim of her man, as suggested by Nonini's track *Mtoto Mzuri* (2005), which lists the attributes of a 'good woman', as including among others, perpetual sexual availability and limited expectations. Similarly, the Kenyan music videos continue to be marketed through the use of the female body and its promise of sexual gratification for the male gaze.

Despite all this, there are a number of celebrated female musicians including Kora Award winners such as Achieng Abura and Henrie Mutuku. Other key voices include Princess Julie, Iddi Achieng, Esther Wahome, Nazizi, Wahu, Mercy Myra and Nyota Ndogo. These women, like the women writers, explore a broad range of thematic issues, ranging from the spirituality, in the gospel music of Henrie Mutuku and Esther Wahome, to questions of romantic love in Nazizi and Wahu's music, all the way to the social commentary of Suzzana Owiyo and Nyota Ndogo. Romantic relationships remain a key thematic concern in these women's music, like other secular music available across the world. Yet, far from being a banal or idle concern, the romantic genre remains a powerful medium for personal development in the ways it dramatises dilemmas and problems in these relationships, and imaginatively explores ways of dealing with them. Given that the domestic space, and specifically, personal relationships between men and women form the experiential site for concerns such as domestic violence, negotiating condom use, date rape and marital rape, to name a few – all of which are linked to the tripartite NFLS objectives of equality, development and peace –; the personal, and seemingly banal become political.

Women musicians have also been involved in development work and raising awareness around a range of gender issues. Cases in point include Princess Julie, one of the first Kenyan musicians to use music in raising awareness about HIV/AIDS through her popular track *Dunia Mbaya*. Suzzana Owiyo on her part addresses the question of child labour and the abuse of the girl child for domestic labour in her track *Sandore* (2002). But perhaps the most commendable project is the Divas of the Nile Foundation, which features the four women musicians, Mercy Myra, Suzzana Owiyo, Achieng Abura and Princess Julie. The group's mission is to use music to raise awareness about the plight of the girl child, and raise funds to educate girls from disadvantaged backgrounds, among other goals.

These women's work gestures at the possibilities of music and broadly popular culture as vehicles of social change. This nonetheless calls for deeper reflection on women's involvement in such projects. An important question on women artists involvement in development work across the arts remains, who sets the development agenda? Are these women artists articulating heartfelt concerns or are they merely being used by male players in the development and donor fields to push their politically-correct agendas? The question of the degree of women artists' participation in development agenda-setting is an important one given that, in a country where the arts lack sustainable economic currency, donor patronage through development work is even more attractive, a need that often limits artists' bargaining power with regards to the development issues they articulate.

Envisioning Gender: Women in Art

The Nairobi Conference in 1985 showcased the work of women artists from all over the world working in various media, including textile designs, ceramics, photography and beadwork. Among these was Kenyan Magdalene Odundo who since went on to become an internationally recognized ceramic artist. Since then, a number of women artists have emerged in Kenya, including Wangeci Mutu, Tabitha Waithera and Mary Ogembo. These three artists are particularly interesting in their visualizing of female subjects in their work, and the manner in which they work towards re-scripting the female body, and its interactions with various powers and structures in its environment. Waithera's piece, "Free" for instance evokes the Gikuyu legend of Wangu wa Makeri in its subversion of gender hierarchies that underline



Tabitha Waithera

Free.

Oil on Canvas 2002.

male dominance. In this sense, the piece is ambivalent, appearing to be paying homage to this subversion, while simultaneously raising questions about the sustainability of gender politics that aspire towards mere inversion of existing power structures, and, in Kenyan parlance

‘making women sit on men’. This play on multiple meanings is further compounded by the title of the piece ‘Free’.

On her part, Mary Ogembo’s art seeks to, in her words ‘celebrate lives and times of ordinary African women’¹⁹. Ogembo’s work has been described as being marked by motifs which ‘portray the beauty, struggles and duties of African women with eye-catching finesse, in the hope of bringing out their aspirations to life.’ (Ibid).

One interesting motif in Kenyan artists’ – both male and female - portrayal of women is the fascination with traditional women and the rural woman. The former is often represented in cultural dress, - with the beaded Maasai, Turkana and Nandi women as the favourite images in this category - while the latter is represented in the rural environment, often performing one or the other domestic chore. These trends could partly be explained by the predominantly foreign target market for these artworks, with a taste for the ‘exotic’ in African art. Notably, the modern urban woman remains under-represented in Kenyan art, though she occasionally features. Wangeci Mutu’s piece ‘Pin-up’, is one such case, which breaks from the traditional or rural woman images.



Pin-up
Wangeci Mutu

This piece, like Waithera’s defies a fixed meaning, in putting together seemingly conflicting ideas. Thus, the woman’s beautified body – a long weave of hair extensions, eye shadow,

lipstick, artificial nails and high heeled shoes - sharply contrasts the malnourished body of the child beside her. The piece lies between a satirisation of the modern Kenyan woman's embrace of Eurocentric aesthetics which fail to complement her features - note the grotesque painted lips and the blue talons - and a sober reflection on women's relationships with their bodies and the ambivalences that mark this relationship. For instance, whose gaze is privileged in this quest for beauty and self-construction? Does it inadvertently reinforce women's self-identification as objects, constructed in the popular imaginary along the trope of physical attraction? Or can the woman be seen to be taking ownership of her body as a space of self-representation, and re-inscribing it with a critique of the taboo of female nudity which mediates the policing of the female body using notions of 'decency' and 'respectability', that are often the conservative under-belly of the objectification of the female body? These are some of the questions this piece seems to raise.

Beyond this though, art in Kenya is faced by a number of challenges. A central one for arts administrator, Joy Mboya, is the lack of validation and recognition of art as a viable economic activity, which translates to under-valuing of artworks. For Mboya, this situation has to do with the fact that the arts are a relatively new career in Kenya. As she argues,

In established fields it is easier to take up roles in already established fields like media houses or AD agencies....places where the predecessors have been male, but positions are well-defined. It is easier there for women. The credentials have already been established. Things are very different in the arts. There is less to hold on to.²⁰

Apart from validation of arts, there are also questions around the role of formal spaces and institutions such as art galleries in facilitating, regulating and controlling exposure of the work produced by women artists. As a discipline, that involves processes such as curating, exhibitions and archiving of the productions, arts in this sense have an in-built set of gatekeepers who determine the visibility of women's work and ultimately their access to audiences and markets. In this respect, donor intervention has been invaluable in creating and sustaining some such spaces as platforms that promote local arts, especially women's art. Such spaces include Kuona Trust and The GoDown Arts Centre.

A key constraint though, remains arts' inherent exclusiveness, which limits the reach of their messages, and their actual circulation to a small minority with the cultural capital to access its aesthetic grammars and the economic capital to invest in it, a factor that contributes to what Mboya sees as the under-valuing of arts in Kenya.

From the above discussion, it is evident that the 'formal' arts have experienced significant development in the last two decades since the Nairobi conference, both in terms of women's involvement as actors and in the representations of women in these arts. A further development in the art scene in Kenya has been the growth and increasing visibility of what we have termed 'informal' arts. This forms the focus of the next section.

The Gendered *Jua Kali*: Women and 'Informal' Arts

In Nairobi, the more formal arts – often showcased at up-market galleries such as Gallery Watatu, Kuona Trust and The GoDown Arts centre – are complemented by a parallel arts

economy; the informal arts and crafts market, with the largest of these being Nairobi's *Maasai* Market. In many senses, women's involvement in the informal arts sector fits in feminist calls for opening up spaces for women's active participation in all spheres of life, including the arts. Most significantly, although the arts provide an income-generating option for women – despite their low economic currency in Kenya, nowhere is this more inclusive than in the informal arts sector. This is chiefly because the 'formal' arts – including the afore-discussed film, literature and music – are more exclusionary in their capital intensiveness, their demand for certain basic aesthetic literacies attainable through significant formal education and other gate-keeping structures which limit access for women in the lower socio-economic brackets. Against this background, informal arts sector becomes a highly viable option with potential for increased participation for women artists.

This sector showcases a range of arts and crafts ranging from soapstone carvings, wooden sculptures, innovative designs of the *Kiondo* [sisal baskets] to beadwork, leatherwork, batik, *Kikoi* printed cloths and banana fibre wall hangings. Women artists are involved in this industry both as producers and in management capacities – albeit informal – as they manage the businesses, and make important decisions on the range of items to produce, dealing with competition and pricing for their artworks.



Given its rapid development in the last two decades, this handicraft industry has grown into a large market and an important form of self-employment, which can be seen to be furthering the NFLS call for increasing women's options for income-generation. In this sense, these 'informal' arts represent a creative intervention in challenging feminised urban poverty.

Interestingly, the informal sector's visual arts display the same traditional images of women - produced by both men and women as the ones discussed above in the formal arts as suggested by the two examples below.

These two pieces are typical examples of the visual representations on women in much of these curios and handicrafts, across the media. The earlier discussed targeting of a foreign

– and in this case tourist – market, is likely to account for this trend in informal arts too, as the artists appeal to tourist tastes for the exotic, of which the traditional woman in cultural dress is the quintessential icon.

A constraint for women artists in this sector is lack of access to capital, networks and markets, all of which tend to flow along fairly rigid and often formal structures, which exclude the under classes. Further, donor funding is often conceived of along equally rigid structures, - understandably so, due to the need for accountability, monitoring and evaluation – but these structures are often far removed from the realities of small-scale women artists in the informal sector, whose operational structures defy these requirements. This call for creative interventions by all development stakeholders in breaking out of these institutional constraints which prevent them from fully nurturing this vibrant arts industry whose potential contribution to the NFLS objectives remain under-explored.

Conclusion

The central concerns of the NFLS were the promotion of equality, development and peace. As discussed, public media – including the arts – were seen to possess the potential to contribute to these objectives, not only through the eradication of negative representations of women, but also through the promotion of women’s participation in decision-making roles, and the promotion of forms of self-employment, alongside formal employment.

Our discussion above reveals that there have been significant strides both in increasing women’s involvement as active participants in the arts in Kenya, and eliminating negative representations of women in these arts. However, a number of challenges remain, especially in further increasing women’s involvement in managerial and production capacities in the various arts, and making the arts spaces of affirmation of positive gender politics and representations.

With respect to positive gender images, the one predominant issue across the arts is the representation of the female body, and the uses to which it is put. This calls for further reflection on the gender – sex dyed in feminist discourses and the manner in which feminist interventions are always framed around gender as the social construct, and therefore transformable, while the body is seen as rigid and not lending itself to interventions. Our discussion above seems to challenge this accepted wisdom by exploring the possibility of the body granting women a medium with which to create a strong sense of self and re-imagining the body as a ‘flexible’ artistic site, a space for ‘re-writing’ oneself, and attempting to govern the ‘Other’s reading and interpretation of the self. The question here then becomes: can the body be reclaimed as a possible medium for inscribing self-affirming relationships with the self and simultaneously redeeming it from the patriarchal gaze and equally patriarchal modes of representation? There are no direct answers to this question, but it prompts us to develop a culture of interrogating our positioning, and the political implications of our activities, however seemingly ‘un-political’.

There is also need to create interactive channels of communication and exchange between intellectuals, researchers and critics on one hand; and the producers and management in the arts so as to promote progressive representations of women and mobilise greater usage of the arts as a site of debate and interventions in catalyzing change in the society.

In response to the call to promote women’s self-employment, the arts present a range of viable income-generating opportunities, although these remain under-explored, largely due to lack

of official and popular validation of the arts in Kenya, which translates to an ever-dropping economic value attached to artistic products. There is also need to validate and promote the informal arts, which hold significant aesthetic and commercial value. Part of the challenge here relates to transcending narrow conceptions of art, and finding innovative ways to develop informal arts.

Some art forms, especially film, are faced with funding constraints as the prohibitive cost of film stock, coupled with the lack of government support for the industry has affected the quality of films emerging from Kenya. Standards are compromised in the struggle to work within small budgets. In essence, there is little doubt about the value and power of the arts in contributing to the transformation of gender politics in Kenya and indeed, much of this potential remains untapped.

Notes

- 1 *Agenda: Nairobi +21*. Vol. 69 (2006) 1.
- 2 (UN Report Paragraph 12).
- 3 (UN Report Paragraph 13).
- 4 Okello-Orlale, Rosemary. 'Looking Back and Ahead: The Media and the Struggle for Gender Equality after the Nairobi UN Women's Conference'. *Agenda: Nairobi +21*. Vol. 69 (2006): 48 – 58.
- 5 See Hilka Pietila and Jeanne Vickers' *Making Women Matter: The Role of the United Nations* (1990), for a critical discussion of the Nairobi Forward Looking Strategies.
- 6 Chigudu, Hope. 'Reflections on the Strategies used by Women's Organizations since the 1985 Nairobi Conference'. *Agenda: Nairobi +21*. Vol. 69 (2006): 48 – 58
- 7 [We return to this issue in greater detail shortly].
- 8 See Adeola James's *In their own Voices: African Women Writers Talk* (2003) and Mike Kuria's *Talking Gender: Conversations with Kenyan Women Writers* (2003) for in-depth interviews in which these writers reflect on their experiences and challenges in a male-dominated African literary canon.
- 9 . Rebeke Njau's *Ripples in the Pool* (1975)
- 10 Pre-independence, much of Kenyan – and indeed African literature – was mainly written by colonial administrators, settlers and expatriates, whose narratives were distinctly about, and for, white settler communities and a European and American readership.
- 11 See Florence Stratton's *Contemporary African Literature and the Politics of Gender* (1994) for a discussion of this appropriation of women's struggles to articulate class politics in Ngugi's fiction.
- 12 Ogola's novel won 1995 Commonwealth Prize for the Best First Book and the Jomo Kenyatta Prize for Literature in the same year while Awuor's short story won the prestigious Caine Prize for African writing in 2003.
- 13 See Elsie Cloete's thesis, 'Re-telling Kenya: Wambui Waiyaki Otieno and *Mau Mau's Daughter*' (2002) for a detailed study of Wambui Otieno's autobiography, and the Kenyan popular imaginary's troubled relationship with her relentless battle of Kenyan patriarchy.
- 14 A further tribute to Muthoni wa Kirima's contribution to the struggle is Micere Mugo's, *Muthoni wa Kirima, Mau Mau Woman Field Marshall: Interrogation of Silencing*,

Erasure and Manipulation of Female Combatants' Texts (2004). The title of the text fittingly challenges the muting of women's contributions to the making of national history in Kenya.

- 15 There are attempts to democratize the autobiographical mode, through the life-story genre. Helena Halperin's edited volume, *I Laugh so I Won't Cry: Kenya's Women Tell the Stories of their Lives* represents one such case
- 16 Other films in the category include *The Interpreter* (2005), *Hotel Rwanda* (2004) and *Shooting Dogs* (2005) on the Rwandese Genocide and *Blood Diamond* (2006) on the civil war in Sierra Leone, all of which zoom in on African 'crises' ostensibly with a humanitarian objective.
- 17 Lokatukoi Moru's illiterate mother was paid Ksh. 3750.00, with which she bought Lokatukoi a dress, and spent the rest on family needs. (See Dominic Wabala's article 'Only a Dress to Show for Award-winning movie role'. *Daily Nation*, 19th November 2006.
- 18 A case in point is St Paul Communications film *Be Afraid.... Be Very Afraid* (2002) whose very title spells fear and the accompanying stigma associated with HIV/AIDS.
- 19 Quoted in Emmanuel Mwendwa 'African Women Celebrated in Art'. www.africancolours.net. Retrieved 25th April 2007.
- 20 Joy Mboya, interview with Binyavanga Wainaina, Nairobi, 2007.



CHAPTER 8

Gender and the Media in East and Southern Africa¹

By Colleen Lowe-Morna²

Abstract

This chapter argues that the media has not satisfactorily played its roles in advancing gender equality. Despite the huge potential it has, mainstream media often under represents or portrays women in a narrow range of roles. The situation is exacerbated by the fact that most international commitments are either silent or not comprehensive on the centrality of the media in the quest for gender equality. The Beijing Platform for Action is perhaps the exception as it endeavours to coherently spell out specific actions for gender and the media. The paper documents approaches that have been used to address issues of gender and the media. The varied strategies, such as activist research, training, advocacy for policy review, exploiting information technology, have helped put gender on the media agenda. The challenges that obstruct more sustained achievements are discussed. The chapter concludes by revisiting key recommendations from the regional reading of the Global Media Monitoring Project.

Introduction

The media-the tenth critical area of concern in the Beijing Platform for Action- is an important area of work for advancing gender equality. As “formal” or legislated discrimination against women falls away, the key challenge confronting the media is how to change mindsets hardened by centuries of socialisation and cemented by custom, culture and religion. Potentially, having a huge role to play in this “liberation of the mind”, the media has more often than not been part of the problem rather than the solution. Across the globe, women are both under represented in, and portrayed in a narrow range of roles in the mainstream media: most often either as victims of violence or as sex objects. While governments have some leverage over the public or state-owned media, the private media guards its independence jealously. Sexist stereotypes are said to be essential to the industry’s bottom line. Audiences, to the extent they have ever been studied, have been assumed to be largely male, and overwhelmingly passive. The media has been content to argue that to the extent society is male dominated that is the reality it will convey.

There has been little willingness to grapple with what is meant by freedom of expression when half the population is virtually mute; nor the more philosophical question of the role of the media in a democracy. While the media has set itself up as the watchdog of the rest of society, it generally does not take kindly to being “watched”. The result has been an unfortunate antagonistic relationship between gender activists and the mainstream media. Lately, however, there has been a surge of gender and media activism in East and Southern Africa that promises to bring the issue more centre stage than has ever been the case in the past.

This paper assesses progress made since the Nairobi Forward looking Strategies (NFLS) in 1985 and the Beijing Platform for Action (BPFA) in 1995 in the two sub-regions. Southern Africa has been included because of recent research driven by Gender Links (GL) and the Media Institute of Southern Africa (MISA) and the activism that led to the Gender and Media Summit in 2004 and launching of the Gender and Media Southern Africa (GEMSA) network. The two regions share a country (Tanzania) that has a strong GEMSA chapter. Close ties have been forged through the African Gender and Media (GEM) Initiative launched in 2000 by Inter Press Service, the African Women and Child Feature Service (AWC) and GL as well as the work of networks like FEMNET which have membership in both regions. East and Southern Africa also have a history of collaboration in this area through women’s media federations that have been strong in East Africa, represented by groups such as the Tanzania Media Women’s Association (TAMWA) and the Uganda Media Women’s Association (UMWA).

The paper begins by reviewing the provisions of the NFLS and the BPFA, as well as other international provisions on gender and the media. It then gives a brief overview of the sector; summarises the achievements and challenges; assesses donor responses and ends with conclusions and recommendations.

Review of the NFLS, BPFA and other documents

The dilemmas over how to approach gender and media concerns are reflected in the fact that in all the provisions for promoting gender equality in the regional and international commitments, those on the media are weak (see a table analysing these provisions at **Annex A**).

The NFLS mentions gender and media in a cursory way, with little analysis as to why this is an important site of struggle for gender equality. The Millennium Development Goals (MDGs) that are commanding centre stage in global debates make no reference at all to the media. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is also silent on this critical area for advancing gender equality.

Section J of the BPFA provides the most detailed analysis and action points. Although careful to state that such measures should be consistent with freedom of expression, the BPFA raises the need for the following key actions:

- Promoting balanced and non-stereotyped portrayal of women in the media.
- Creating and disseminating more content on gender issues.
- Taking measures to control pornography and degrading content on women.
- Supporting research into all aspects of women and the media.
- Encouraging gender sensitivity training for media professionals, including owners and managers.

- The importance of monitoring editorial content: both internally and externally.
- Setting targets for gender balance in the media, including advisory, regulatory and monitoring bodies, and building the capacity of women to participate in all areas and at all levels of the media.
- Encouraging and supporting through training women's effective participation in the information society, including using these technologies to advance gender equality.
- Encouraging, recognising and supporting women's media networks including electronic networks for the dissemination of information and exchange of views.

Main Achievements

Different approaches have been used to address the issue of gender and the media. These include:

- Empowering women journalists (the route taken by media women's associations that have been especially strong in East Africa).
- Creating alternative media for women's voices to be heard, especially with the advent of IT that reduces costs and creates multiplier effects.
- Organising consumer protests and boycotts, especially against offensive advertising.
- Seeking to bring about gender balance in the institution of the media as well as in its editorial content (as adopted by GL, a Southern African NGO that promotes gender equality in and through the media to ensure that mainstream media reflects and promotes gender equality).

The result is that the last decade has witnessed an unprecedented wave of gender and media activism in the region. These initiatives may be summarised as:

Activist Research

Media monitoring is one of the most powerful tools for holding the media accountable. In the run up to the Beijing conference in 1995, women's organisations around the world joined hands in the Global Media Monitoring Project coordinated by the World Association of Christian Communicators (WACC). This showed that women constituted a mere 17 percent of news sources. Five years after the conference, the same study showed that women sources had increased by a mere one percent.

In Southern Africa, GL and MISA sought to bring research like this home through the Gender and Media Baseline Study (GMBS) - the most extensive study on gender in the media ever to be undertaken anywhere in the world. Covering 25,000 news items in 13 countries over one month in 2002, the GMBS showed that on average, women comprised 17 percent of news sources in the region; that women are under represented in all topic categories except gender equality; that subtle and blatant stereotypes abound and that the only occupational category of the media in which women predominate is as TV presenters.

During national action planning workshops that took place in all Southern African countries that participated in the GMBS in 2003, media practitioners, decision-makers, analysts and activists devised a range of strategies for addressing these gender gaps. The workshops culminated in a Gender and Media Summit in 2004 that served as an accountability forum for each country to come back and report on what measures have been taken. The summit also led to the formation of GEMSA, the only regional network anywhere in the world established to promote gender equality in and through the media. Several East African organisations, including UMWA, TAMWA and ACW participated in the summit as observers.

The GEM Summit featured the first ever Gender and Media Awards. Criteria for gender aware reporting included: Gender balance of sources (voices); gender neutral language; awareness of differential impact; no double standards; no moralising; no open prejudice; no ridicule; no placing of blame and challenging stereotypes. Examples of items that received awards included a story from Mauritius on a day care centre run by men; a documentary on virginity testing in the era of HIV and AIDS; women mine workers in South Africa and the revival of a practise of father's "selling" their daughters in a remote part of Malawi in the wake of a devastating drought and mounting poverty. The awards served to make the point that gender aware reporting is primarily about good, thorough, thought provoking and investigative journalism.

There are many other examples of cutting edge research and monitoring that provide an essential mirror to the media and are a powerful advocacy tool. The AWC, for example, has undertaken research on the coverage of reproductive health in the Kenyan media. Its concerted coverage of sexual and reproductive rights with the support of the Ford Foundation has led to a marked improvement in the quality and quantity of coverage on this topic.

As a sequel to the GMBS, GL and MISA have undertaken the Gender and Media Audience Study research in the same 13 countries to determine how women and men respond to the news. The research shows that across the board, women and men found the sexual images in the news uncomfortable and degrading of women. The respondents stated that they would like to see women depicted in more diverse roles. Research such as this begins to debunk the commercial arguments for sexist coverage. It also opens an important new area of work with media consumers and media literacy. These in turn are key to deepening democracy whose success depends on an informed and responsive citizenry.

Policy

The Beijing Platform for Action (BPFA) recognises the importance of "reviewing existing media policies with a view to integrating a gender perspective."³ As discussed in the section on challenges, gender is only just beginning to feature among media policy makers and regulators. But consumer activism in some countries is forcing the pace. For example, in Mauritius, the Media Watch Organisation has given new meaning to the provisions of the Independent Broadcasting Authority Act on "indecent" and "offensive" broadcasting by taking up complaints against and having twelve sexist adverts removed.

There is also movement within the media industry to regulate itself. In 2002, MISA- the regional body promoting freedom of expression- led the way when it adopted a gender policy

that states explicitly that gender is intrinsic to freedom of expression. Excerpts contained in this policy such as calls for “pluralistic press”; “reflecting the widest possible range of opinion within the community”; “the fulfilment of human aspirations”; “freedom of the press” and “freedom of association”⁴ as espoused in the Windhoek Declaration on Promoting an Independent and Pluralistic African Press (1991)⁵ seek to promote an inclusive and democratic media. As a membership organisation with chapters in twelve Southern African countries, MISA plays a key leadership role in promoting progressive policies and practices in the media. Some public broadcasters have chosen to interpret their mandate to specifically include gender balance and sensitivity. A case in point is the SABC. Although the SABC does not have a stand alone gender policy, the SABC’s editorial policies state that:

The SABC is committed to reflecting and portraying women in their positive societal roles – as independent, intellectual beings; as leaders, decision –makers, academics, agents for change – and to avoid representation of men in roles that bolster ascendancy and stereotypes. Gender balance should be sought – positively and actively – in programmes, such as those requiring a range of opinions on issues of public importance⁶.

The SABC also commits to ensure that its programming, “when judged within context”⁷, does not: promote violence against women; depict women as passive victims of violence and abuse; degrade women and undermine their role and position in society; promote sexism and gender inequality nor reinforce gender oppression and stereotypes.

In 2004, media NGOs in Southern Africa joined forces with the Southern African Editor’s Forum to launch the Media Action Plan on HIV and AIDS and Gender. An audit undertaken by GL as part of MAO showed that out of 350 media houses surveyed, only 10 per cent had HIV/AIDS policies and 8 per cent gender policies. These mostly related to work place issues rather than editorial content. Among the objectives of MAP are to ensure that 80 per cent of media institutions have workplace based policies and programmes on HIV/AIDS and Gender, by the end 2008 in accordance with SADC and ILO Codes of Conduct. This leg of the MAP work is led by GL, MISA and GEMSA who developed a handbook on HIV/AIDS and gender policies in newsrooms in preparation for the concerted roll out of such policies that started in 2006.

Training

The BPFA recognises the importance of “encouraging gender-sensitive training for media professionals, including media owners and managers, to encourage the creation and use of non-stereotyped, balanced and diverse images of women in the media.”⁸

From institution based media instruction to on-the-job training for journalists already in the field, there have been a variety of strategies for “mainstreaming” gender into media education. Working with GL the Polytechnic of Namibia undertook a three year gender mainstreaming project in which gender was integrated at every point of entry level journalism and tested in a student news agency for the 2005 Namibia elections. The student’s sensitivity to diversity resulted in high quality issue-based coverage.

Building Bridges between Gender Activists and the media

An added strategy for achieving greater gender balance and sensitivity in the media is building relationships between gender activists and media practitioners, as well as engaging media practitioners in gender activist campaigns. TAMWA in Tanzania are pioneers of the “bang journalism” approach in which media women run concerted media coverage of a particular issue relating to women’s rights. TAMWA’s FGM campaign has been especially well documented. Another example is the Sixteen Days of Activism on Violence against Women campaign (see also subsequent section on IT) which has gained in momentum each year. These examples demonstrate how when media and activists work together, it results in a marked improvement in both the quality and quantity of coverage on women’s rights.

The GEM summit highlighted some of the practical ways in which bridges are being built between media practitioners and gender activists. The GEM Opinion and Commentary Service is an innovative strategy to increase the gender content on opinion pages through 15 opinion articles a month, written by gender and media activists from across the region which are published in mainstream media. AWC runs a similar service in East Africa.

In response to the oft heard argument by the media that “there are no women sources” Media Watch Organisation in Mauritius took the initiative to profile 218 women - along with their contact information –who are experts in their own fields and who can talk and intervene on a wide range of issues, which include culture, economics, finance and business, education, environment, health, human rights, media, politics, corruption, crime and violence. The directory is a practical example of bridge building between the media and activists.

Information technology

Chapter J of the Beijing Platform for Action states that: “during the past decade, advances in information technology have facilitated a global communications network that transcends national boundaries and has an impact on public policy, private attitudes and behaviour, especially of children and young adults.” One of the strategic objectives is to “increase the participation and access of women to expression and decision making in and through the media and new technologies of communication.”⁹

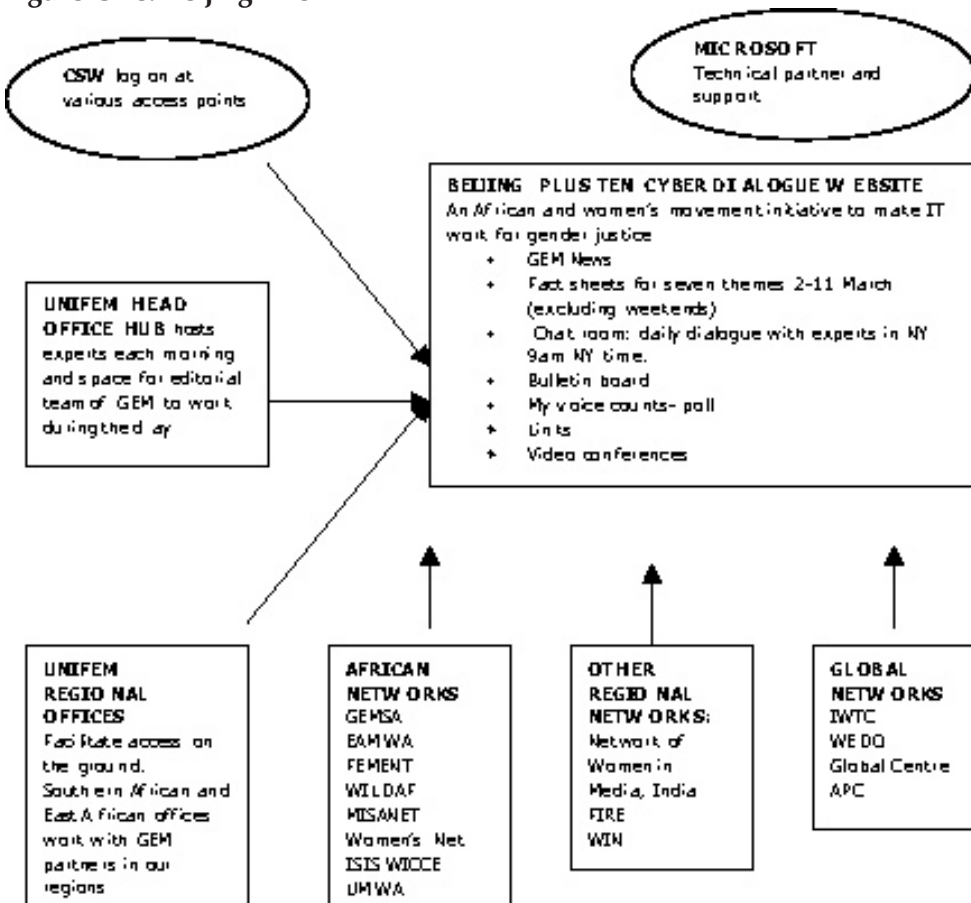
Preliminary findings of the GEMSA gender audit of media¹⁰ and information laws in the region suggest that the several ICT policies that are emerging as countries clamour to become part of the new information and communication society are gender blind. Nevertheless, women’s organisations in the region have been active in promoting gender aware approaches to policy development; access, capacity building and to using the internet as a tool for advancing gender equality.

In 2000, the Africa chapter of the Association of Progressive Communicators (APC) commissioned the study “Net Gains: African Women and Information Technology”. This led to a gender and IT policy checklist that has been used by activists in the region to lobby for gender aware ICT policies. The APC learning tool for change and empowerment, known as Gender Evaluation Methodology (GEM) is an on-line guide for conducting gender evaluations of initiatives that use Information and Communication Technologies (ICTs) for social change.

There are a number of examples of civil society organisations using the Internet to mount campaigns in support of women’s rights. For example in Zambia, when 39 women and men were arrested when they staged a peaceful protest against the rape and strangling to death of four young girls in 2000, women NGOs immediately posted emails letting people know about the arrests, asking for information to be circulated widely and saying where e-mails of support could be sent. Messages of solidarity began to pour in until those arrested were released. The Internet has also been successfully used to lobby for the ratification of the African Charter on the Rights of Women and Children. The case study below concerns a civil society initiative led by African women to use ICTs for advocacy and debate during the Ten Year Review of the Beijing Platform for Action.

In 2005, three African NGOs - GL, GEMSA, and AWC- joined forces with Microsoft and Internet Solutions and UNIFEM to run cyber dialogues across the globe during Beijing Plus Ten. Under the banner “Making IT Work for Gender Justice” the discussions focused on themes taken from the Beijing Platform for Action and Millennium Development Goals. The cyber dialogues were an integral part of a multi-media and IT strategy to ensure that discussions and debates from the CSW were taken outside of the conference halls to people all over the world. The three pronged approach included online chats; the production of a daily conference newspaper in hard copy and an online version and three video conferences. The structure of the Beijing Plus Ten cyber dialogues is illustrated in the diagram below:

Figure One: Beijing @Ten



As a result of this initiative, 333 users logged into the chat room during the 7 cyber dialogues, 28 expert panelists from 18 countries participated in the dialogues, 262 respondents from 26 countries responded to the poll questions (see annex three for list of countries), 7 editions of the newspaper were published, 1500 hard copies of each edition were distributed and 1500 people across the globe received each online edition of the newspaper via list serves. This example confirms the power of ICT in bridging distances and enabling an international discussion of common issues.

Networking

The BPFA emphasises the need “to recognise women’s media networks, including electronic networks and other new technologies of communication as a means of the dissemination of information and exchange of views... and support women’s groups active in all media work and systems of communications to that end.”¹¹

Professional women’s associations have long formed an important part of the struggle for gender equality. Across the globe media women have been organising and challenging the glass ceilings within their own institutions. They have conducted research and provided leadership training for women. The East African Federation of Media Women and the Federation of African Media Women- Southern Africa serve as umbrellas for bringing together various media women’s associations across the sub-region. GEMSA for example consists of:

- The Media Institute of Southern Africa and its country chapters;
- Gender Links and affiliated gender and media networks in eight countries;
- The Federation of African Media Women and country affiliates;
- Editors forums;
- Media training institutions;
- Media NGOs including the media monitoring projects in the region;
- NGOs that promote gender justice and
- Media practitioners.

This coalescing of organisations and individuals committed to promoting gender equality in and through the media is one of the most hopeful signs with regard to the sustainability of gender and media work in the region. The essence of having such unity of purpose was well articulated by the former Mauritian Minister of Women’s Rights Arianne Navarre in her opening remarks at the 2004 GEM summit:

“No single country or organisation present here can claim to succeed on its own in this struggle. Networking among organisations which share common visions, missions and values has always proved to be very effective when it comes to the formulation and implementation of policies, programs and projects independent of the field chosen. Grouped together, your voice becomes more powerful and is more likely to be heard.”¹²

Challenges

Gender is now firmly on the media agenda. But several challenges still lie ahead. These may be summarised as:

Legislation and regulation

Freedom of expression is guaranteed in the Constitutions of all East and Southern African countries. However, none of these specify that freedom of expression includes the right of men *and* women. Many Constitutions in the region still use non inclusive language. The Bill of Rights of Constitution of Malawi states: “*Subject to any Act of Parliament, every **person** shall have the right to access to all information held by the State or any of its organs at any level of Government in so far as such information is required for the exercise of **his** rights*” – S37¹³. The use of the word **person** includes everyone regardless of sex, colour or creed. But words like “**his**” within the same breath imply exclusion and necessitate the engendering of not only the Constitution but any other policy documents on media and communication.

Most countries have a regulatory body for the media and or broadcasting. Examples are the Media Council in Tanzania, the Botswana Press Council and the Independent Communications Authority of South Africa. South Africa and Mauritius have independent broadcasting authorities and advertising standards authorities. South Africa also has a Media Diversity and Development Agency that is established through an act of parliament. Various avenues exist for the public to express their views on media content, such as the Broadcasting Complaints Commission of South Africa and the Press Ombudsman. Regulatory authorities have a responsibility not only to incorporate gender considerations into ethical standards, but also to monitor that they are complied with. For example, the Canadian regulatory authority for broadcasting decreed in 1986 that it expects the public broadcaster to show leadership in providing a more equal representation and a more diverse portrayal of women in the media. The Canadian Broadcasting Authority is required to submit an annual report to the Commission on efforts to eliminate sex role stereotyping both on and off air, with the knowledge that these reports will be put on a public file.

A gender audit of media laws and regulatory frameworks in the SADC region by GEMSA country chapters suggests that media regulatory authorities have made little effort to transform themselves, let alone to transform society. In Zimbabwe for example, of the seven commissions in the MIC, only one (or 14 per cent) is a woman. There are no campaigns to encourage gender-related complaints by the MIC. While the Advertising Media Association would investigate any complaints it receives from the public about particular advertisements, few gender related complaints have been raised or investigated. Zambia has one media regulatory body - the Media Ethics Council of Zambia. Media organisations in Zambia are encouraged rather than required to have gender policies. In both Zambia and Malawi, the regulatory authorities do not require, through licensing conditions, that media houses demonstrate or set targets for achieving diversity in ownership, employment and content consistent with the demographics of the country. However, for the electronic media, the licensing in Malawi (through the Third Schedule of the Communications Act 1998, *See Appendix 4*) does spell out the obligations for fairness, objectivity and extra care in order to accommodate various sensitivities in the

audience. However, there is no explicit mention of gender criteria. The Media Council of Tanzania is a non statutory, independent and voluntary body comprising 13 members (seven media representatives and five public representatives). There are no gender specifications with regard to representation and currently only three out of the 13 members are women. The code of ethics mentions social responsibility; the need not to discriminate against anyone on the basis of sex and not to name victims of sexual assault but says nothing else about the representation and portrayal of women in the media.

The media has not been easily persuaded to take up issues of gender equality. Unlike governments that can be made to sign international conventions and then made to account, activists feel a sense of powerlessness over the media. At best, when confronted with all the arguments about the glaring gender gaps in the institutional make up and in the editorial content of the media, the predominantly male media decision-makers have taken the simple route out, by creating a page or a programme for women's issues. To address this challenge, in July 2006, GEMSA hosted a round table with media legislators who now form a sub-group within the Network. These regulators have agreed to work towards the development of model gender policies for statutory and self regulatory media bodies. This is a major challenge for the future.

Gender imbalance in the news

Table 1 provides some key indices for measuring progress towards gender equality in the media itself and in its editorial content. The data is drawn from the third GMMP coordinated by WACC in 2005 during the 10th anniversary of the Beijing conference. All 13 Southern African and 3 East African countries (Kenya, Rwanda and Tanzania) participated in the one day "snap" monitoring on February 16 2005. The first set of data, on editorial content concerns gender as a topic in the news, women as sources of news, as well as the extent to which women are quoted on different topics. The next set of data is on women as media practitioners, as seen through the articles monitored.

Women in news content

The results show that with a few exceptions likely to be accounted for by the fact that the study captured just one day of news, gender as a topic comprised 2-5 per cent of coverage. The percentage of women as sources of news in East and Southern Africa averaged 19 per cent compared to the global average of 21 per cent. Rwanda, at 29 per cent led the way, followed by South Africa (26 per cent) then Namibia (25 per cent). Kenya, with 9 per cent women sources tailed the list. Women's voices predominated only in the gender equality topic. There were even more male than female voices in the topic code on gender violence. Women constituted less than ten percent of news sources in the economics, politics and sport categories.

Using the example of sports, the one day results revealed how news reporting systematically sidelines women. The annual awards of the Confederation on African Football (CAF) are an important event in the African sports calendar. One of the awards is for the Woman Footballer of the Year. In 2005 this went to Perpetua Nkwocha of Nigeria. At least eight television channels that were monitored – in Botswana, Ghana, Nigeria and South Africa- covered the awards. Only three of them even referred to the Woman Footballer Award. Only one Nigerian channel showed footage of Nkwocha in action on the field. In South Africa where the award ceremony

took place, coverage ignored Nkwocha. One channel, eTV showed her in a single brief shot (without a name caption) while a voice over noted that she was “the only player present to receive the award.” The story then cut to a reporter who concluded: “the glittering gala will unfortunately be remembered for those recipients who won awards, but never showed up.” In other words only the absence of men is noticed. Women are peripheral and their presence is no consequence. This is an apt explanation of why sports coverage gives so little space to women (GMMP 2005: 37)¹⁴

Women are still not heard in proportion to their strengths in any one of the professions. For example, women in the two regions comprise an average of 20 per cent of parliamentarians, but only 14 per cent of the female politicians quoted. In other words, women are *absent even when present*. In all instances (except Kenya, by a small margin) women politicians are not quoted in the same strengths as their representation in parliament.

Gender Links b) Sources of news content

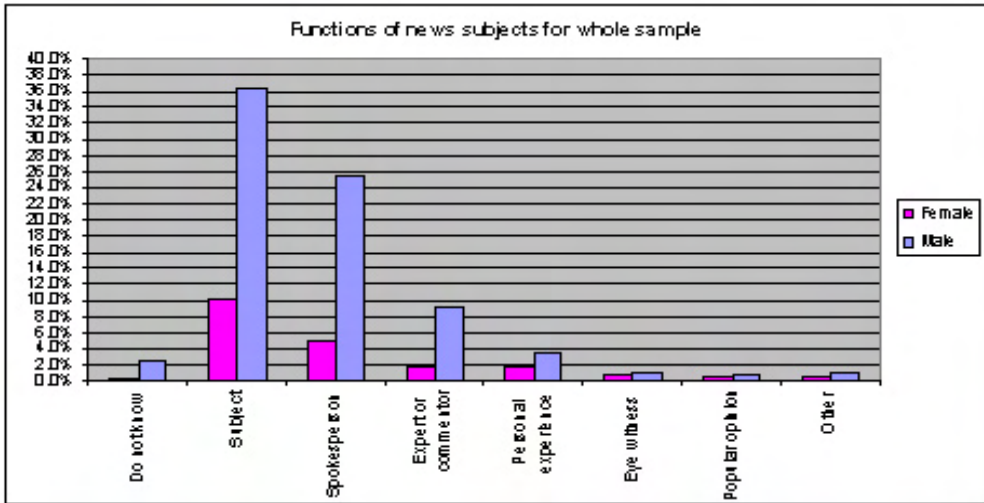
A vital inclusion in the GMMP in 2005 is to disaggregate sources according to their function. In other words, in what capacity were women and men approached to give information: as the subject, as an official spokesperson; as an expert or commentator; to reflect on a personal experience; as an eye witness; to give a view as part of a popular opinion poll or in any other capacity. The first two categories may be regarded as primarily providing facts or information; while the last four provide verification, analysis, insight and context. Using data from the GMMP, GL constructed an overview of all the different sources in the East and Southern African sample on the day of the monitoring.

The results (figure 1) are as striking for what they reflect about journalism in the region as for what they reflect about its gendered dimensions. The graph shows that sources are most likely to be approached as subjects or spokespersons, rather than as experts or in any of the other categories. This suggests a strong tendency towards event rather than issue based reporting. The gender disaggregation of the statistics shows that as compared to men in each of the categories, women are least likely to be the subjects or focus of the event or story (23 per cent); official spokespersons (16 per cent); or experts and commentators (20 per cent). They are more likely to be consulted as human interest or personal experience subjects (25%); as eye witnesses (37 per cent) or as part of snap popular opinion surveys (43 per cent). These last three categories are the ones in which overall, the least number of sources are consulted.

TABLE 1: Key findings of the GMMP in East and Southern Africa

Commitment	Angola	Bots	Kenya	Lesotho	Malawi	Maur	Moz	Namibia	Rwanda	Seych	SA	Swd	Tanz	Zambia	Zim
Editorial content															
% women as news sources	13	13	9	15	17	24	22	25	29	16	26	24	18	17	22
%women quoted on politics, gvt	11	8	8	5	4	0	29	21	16	21	16	5	13	13	4
%women quoted on economy, business	9	6	6	0	6	18	7	13	16	10	24	13	18	24	35
Gender as topic % all stories	2	5	0	31	0	14	5	18	13	0	1	24	7	8	5
Women in media Representation															
% women TV presenters	0	0	43	100	100	0	5	100	100	33	49	0	53	100	73
% women TV reporters	0	50	14	0	29	0	26	43	43	63	22	80	100	77	46
%women radio reporters	0	100	0	44	50	0	10	0	50	33	20	0	0	0	67
%women print reporters	20	29	0	44	0	17	0	41	13	0	48	15	26	25	44

Figure 1: Functions of news sources across the whole sample



Two important conclusions can be drawn from this. One is that a deliberate effort needs to be made to ensure that women become more central in the first three categories: as news subjects; (for example through more stories on gender equality, or women in non-traditional roles; or through highlighting the role played by women where they are often invisible, such as the female workers in a textile factory that closes); as official spokespersons and as experts. Often even when women exist in these categories, their view is not solicited.

The other is that there needs to be a far better balance of different types of sources in reporting in the region (e.g. those who make policy pronouncements and those who are affected by them; those who make official statements and those who can verify if they are correct or not; those who give facts and those who interpret them; human interest stories that demonstrate how prevailing conditions affect people’s every day lives as opposed to speeches by ministers on policy initiatives). To further illustrate “the curse of the single source story” a news report from the Seychelles Broadcasting Corporation TV is used. The reporter introduces the item with the statement: “the government plans to develop fishing facilities in the Bel Ombre district.”¹⁵ The content of the story is about what the government plans to do, as seen through the eyes of one male official government source (the responsible minister). Although he talks about how the development will benefit fishermen, none of the fishermen are interviewed. The reporter also does not interview the people who are likely to buy the fish, the majority of whom are women. The reporter fails to ask the minister in what ways the government plans to ensure that women are equal beneficiaries in the project and are not just consigned to being the buyers of fish. The use of the term “fishermen” presupposes that the beneficiaries will be men. The term also fails to distinguish between the categories of those involved in the trade, for example the boat owners; those who go out to sea; and those who clean the fish and prepare it for sale (a category in which women are likely to be found.) Raising questions about how women will benefit could well raise an important policy debate about what the government is doing to challenge gender stereotypes in society. Getting away from the single source, official pronouncements that dominate the news is *not* only good journalism; it would open more space for women’s voices to be heard.

Gender Stereotypes

Both quantitative and qualitative monitoring yielded many examples from the region, as from the rest of the globe, of blatant and more subtle gender stereotyping. As in the global findings, 17 per cent women in East Southern Africa are likely to be identified as victims compared to 7 per cent men. The global figures are 19 per cent for women and 8 per cent for men. Figure 2 shows that in all countries in East and Southern Africa, women are more likely to be identified as victims.

Figure 2: Women and men identified as victims

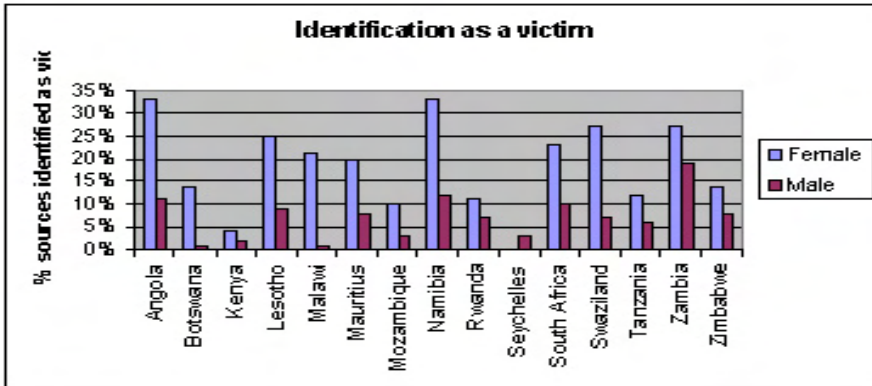
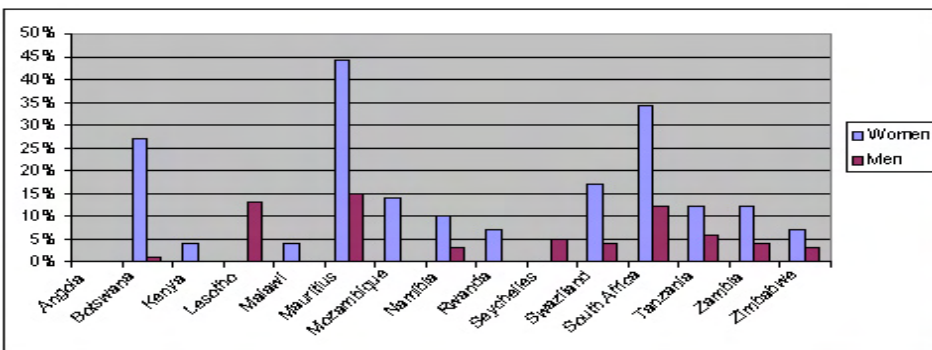


Figure 3 shows that in all countries in East and Southern Africa women are more likely to be identified by their family status.

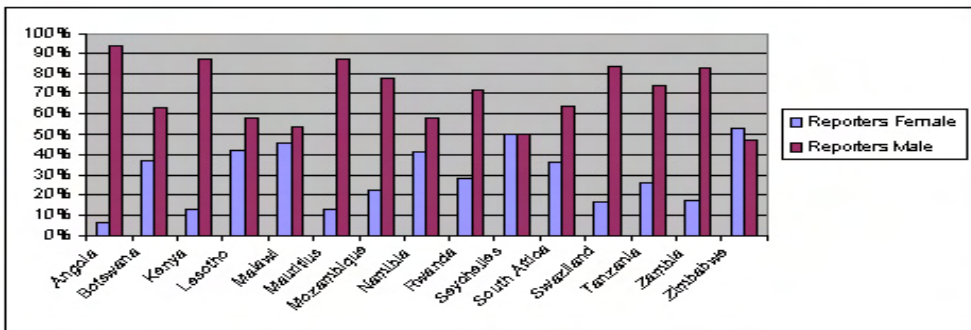
Figure 3: Women and men identified by their family status



Women in the media profession

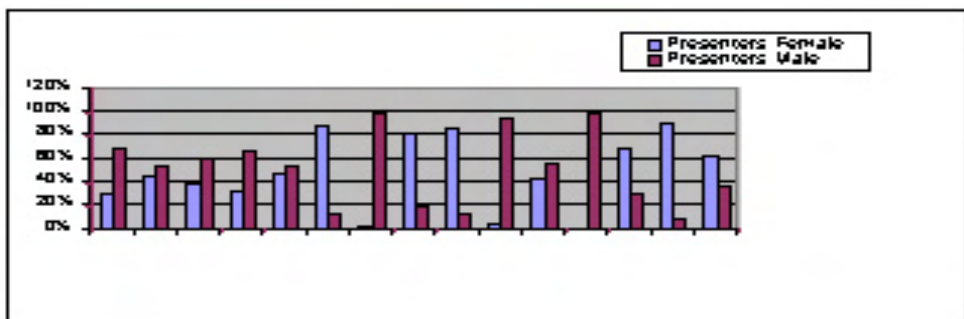
The study further sought to establish women’s representation in the media profession. Neither the GMBS nor the GMMP went into newsrooms to assess their composition. However, where possible, monitors coded the sex of the reporter in the stories they monitored. Globally, there has been a steady increase in the number of news items reported by women, from 28 per cent in 1995, to 31 per cent in 2000, to 37 per cent in 2005. In East and Southern Africa, the percentage of items reported by women (31 per cent) is lower than the global average. Figure 4 shows that items reported by male reporters predominated in all countries except for Zimbabwe. In some instances the gender gap in reporters is still large. The countries that come closest to parity are Botswana, Lesotho, Malawi, Namibia, South Africa and Seychelles. Angola, Kenya and Mauritius had the largest gap.

Figure 4: Male and female reporters



are considerable variations among countries, with a strong tendency either to having a predominance of women or men presenters. In Rwanda, Mauritius, Namibia, Tanzania, Zambia and Zimbabwe, women presenters are by far the more numerous. In Mozambique, Seychelles, Kenya and Swaziland men presenters dominate. Botswana, Malawi and South Africa are the countries that come closest to having equal numbers of male and female presenters.

Figure 5: Male and female presenters



An important indicator included in the GMMP 2000 and 2005 is the extent to which male and female journalists consult women sources. Overall in Africa, women consulted 28 per cent female sources compared to 17 per cent in the case of men.

Figure 6: Sex of reporter and sex of source

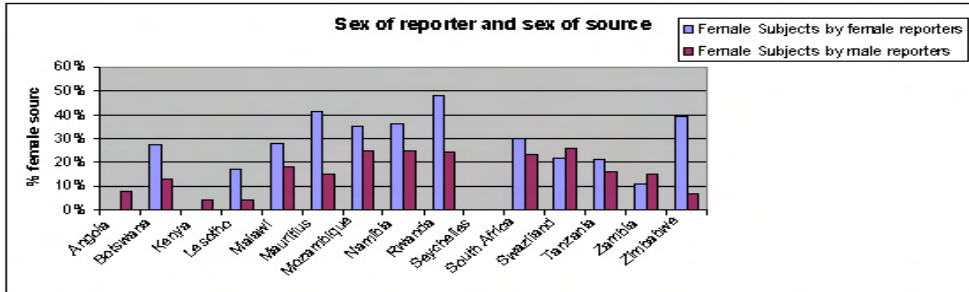


Figure 6 shows that with the exception of Angola, Swaziland and Kenya, women consulted women sources more so than men in every country. This was especially so in Mauritius, Namibia and Zimbabwe. However, in no country did women or men journalists consult 50 per cent women sources. This suggests that gender training continues to be a great need both for women and men journalists.

It is evident, from the challenges posed to the sub-sector, that more needs to be done to make the media gender balanced. Media owners and editors need to be asked to reflect on fundamental issues. Is the media only about policy makers, or is it also about the people affected by policy? Should the media give voice to the voiceless? Are women only objects of beauty or victims of violence? Does the media simply reflect society, with all its imperfections, or does it also set agendas? In South Africa, the Truth and Reconciliation Commission hearings on the role of the media in perpetuating apartheid concluded that the South African media had blood on its hands for simply reflecting what was and not what should be. If it is agreed that the media has a role to play in challenging racism, then by extension it has a role to play in challenging sexism.

What does this mean in practice? To take the example of an article before the Zambian elections entitled “What the people think of a new president”¹⁶ in which only men were interviewed, it means asking the women what they hope will come out of the elections rather than merely portraying them as the crowds at an election rally. It means asking why women comprise less than 10 per cent of members of parliament in Zambia. It means reflecting the challenges that the two women presidential contenders in the last elections faced. It means, among the many questions that journalists ask about political manifestos, asking to what extent these reflect concerns like gender violence, teenage pregnancies, the high rate of unemployment and lower economic status of women. Indeed, it means asking why, in our present set up, women vote for men rather than women. Such an approach is not only gender mainstreaming, but also good editorial and business policy.

The Role of Donors

Gender and the media is a relatively new and complex area of work for NGOs that promote freedom of expression, gender advocacy groups and donors who fund both. If media is a difficult and confusing area for attracting donor support, then gender and the media is an even taller order, especially when one has prioritised longer term strategies that are vital for sustained change, but may not yield immediate, quantifiable results. This section will discuss the donor response in the sector, using the example of one NGO (GL).

Up until recently, GL received support from SIDA for a collaborative gender, HIV/AIDS and media initiative. GL has benefited from a once-off grant from the Ford Foundation, and DFID for media training on gender violence. UNESCO has also shown a sustained interest, but curiously this has been from the head office rather than the regional office and grants have been sporadic. Foundations, especially those that are already funding media initiatives and have commitments of their own to mainstreaming gender into their media work have been more receptive to funding gender and media work. Four donors, OSISA, FES, the Netherlands Institute of Southern Africa (NIZA) and Hivos have been among the most consistent supporters of GL. At a time when GL was an untried and untested quantity, OSISA and FES supported the GMBS that indeed turned out to be the cornerstone envisaged for succeeding initiatives. These two organisations have also supported the GMAS, a natural sequel to the GMBS and another important tool in the GL advocacy arsenal. Hivos and NIZA have supported the training work; the GL Opinion and Commentary Service and the building of IT capacity that has played a critical role in enabling a small organisation to work across twelve countries.

The support from the foundations has not only been financial but also strategic and conceptual. OSISA, for example, encouraged GL to start forming gender and media networks in each country where workshops has been held and had the vision to provide seed funds for these to get started. These gender and media networks provided the building blocks for GEMSA and give the network its presence on the ground. In 2004, OSISA provided support for a network manager who helped GEMSA to raise its own funds and grow as an autonomous entity. HIVOS is also on record challenging its grantees to think about and contribute to resuscitating social movements in various regions. Though a daunting move, the challenge strengthened the focus of GL and MISA who were contemplating launching GEMSA. Similarly, NIZA proposed a Media Partners Consultation early 2006 (which NIZA and OSISA supported) that gave form to the Media Action Plan (MAP) on HIV/AIDS, Gender and the Media described in greater detail in the final section of this paper.

All the support notwithstanding, funding remains the biggest single challenge and potential threat to GL work. As Thenjiwe Mtintso puts it in the 2005 annual report¹⁷, “While the organisational objectives are inescapably long term, the means are short term.” By their very nature, foundations give project funding. With a few exceptions, they are reluctant to support core costs. Foundations are willing to fund follow up projects but these have to be negotiated on a case by case basis. This means that gender and media NGOs such as GL seldom have more than six months funding cover and have to constantly adapt the plans to what funds are available.

Donors have encouraged gender and media NGOs to form networks but there is hesitance around funding these. Given the short life of some networks, the skepticism is understandable.

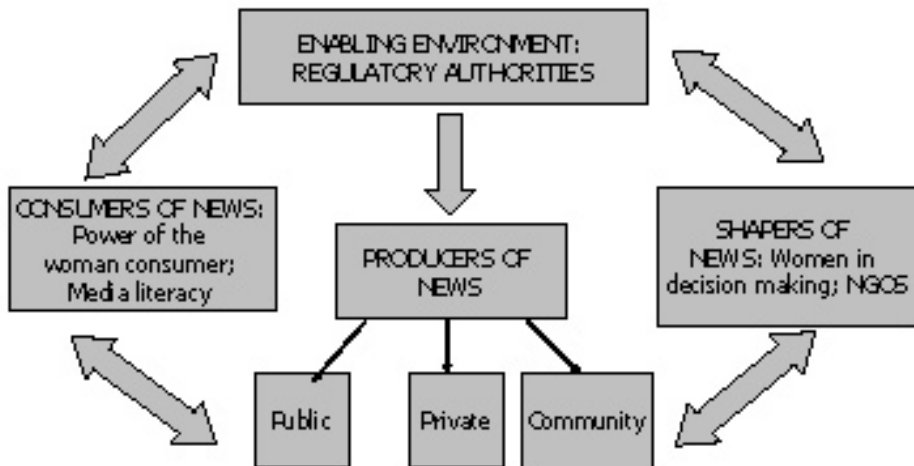
Some donors have taken more collaborative and long term approaches to funding individual institutions in other areas of media work. For example, key bilateral MISA donors contribute to a pool of funds against the organisations programme and work plan, including its core staff and running costs. As GL continues to demonstrate a high level of delivery and accountability, it hopes that a similar “basket” approach might be considered for gender and media work. A current initiative that might galvanise this is the Gender and Media Centre that UNESCO has proposed, with GEMSA and MISA as its membership, and GL its professional support base. While UNESCO has made it clear that it has limited resources of its own, it has offered to help co-ordinate donor support for an initiative that will help to “ground” the project work through such instruments as a reflective quarterly journal; a resource centre and an e-library. A staff and some core support will be critical to the success of an important long-term support base of this nature.

Conclusions

To sum up the key observations made in this paper:

- The media has a key role to play as the struggle for gender equality broadens from mere legislative reforms to challenging underlying mindsets without which change is impossible.
- Dilemmas over how to balance the imperatives of gender equality and freedom of expression have led to weak provisions and strategies for addressing this key area of transformation. Policy makers both in government and the media have failed to see gender equality as intrinsic to freedom of expression.
- The tools that are in the possession of democratic governments and regulatory authorities for advancing gender equality in and through the media, such as licensing agreements, are gender blind. With a few notable exceptions, gender awareness has not been integrated into information, communication and media laws in the region.
- Much of the initiative on gender and the media in the region has been taken by civil society organisations who have conducted research; provided training; supported media houses in developing policies; worked with activists in becoming more strategic in their approaches to the media; sparked off consumer activism campaigns; and monitored progress towards achieving greater gender balance and sensitivity in the media.
- The groundswell of gender and media activism in the region, manifest at the GEM summit and in the formation of GEMSA, is beginning to pay dividends. Recent monitoring, as well as the gender and media awards at the summit, has shown that where media houses have been willing to engage with the issue, change can be rapid and noticeable.
- With women news sources still only at 19 per cent (the same as in Asia and second last to the Middle East) gender balance is still far from being achieved in media content and women are still under represented in newsrooms. East and Southern Africa yielded some of the best examples of gender aware reporting, but also some of the worst examples of blatant and subtle stereotypes. Many of these deficiencies in

media practice are rooted in broader problems of a lack of professionalism on the part of practitioners, political and resource constraints that lead to the “single source story” phenomenon told from the sole perspective of those in authority who are invariably men. The quest for gender balance and sensitivity in the media is inextricably linked in Southern Africa to the development, from a fragile starting point, of a professional, independent, robust and probing media as part of the overall endeavour to strengthen democracy in the region.



Recommendations

Key recommendations arising from this regional reading of the GMMP 2005 include the need to sharpen existing strategies in the following ways:

- **A clear conceptual framework:** In order to be effective, we need to understand clearly who our targets are. Clearly the producers of news are at the heart of the matter. But they work within legal and policy frameworks that create or negate an enabling environment for transformation. Media ownership - state, private or community - has a bearing on responsiveness to change, as well as strategies for advocating change. Change is not just about the media; but those who are well placed to shape the news (eg women decision-makers and activists) as well as citizens and news consumers who should aspire to be shapers of news!
- **Broadening the approach:** While it is understandable that advocacy efforts to date have focused specifically on the gender deficiencies in the media, as we move forward, there is need to situate these within broader debates on human rights, media diversity, ethics and professionalism in the media, growing markets and media sustainability.

This approach will not only help to overcome some of the resistance that is apparent in some quarters, but also foster the notion that gender awareness is not just a matter of being politically correct: it is also enlightened self interest. The launching this year by GL and GEMSA of the Media Diversity Journal; theme of the 2006 GEM Summit (“*Media Diversity and Sustainability: Good for business, good for diversity*”) as well as the Media Action Plan on HIV/AIDS and Gender spearheaded by the Southern African Editors Forum (SAEF) are all steps towards a more holistic approach.

- **Engaging with media regulatory authorities:** Until recently, media regulatory authorities have largely been excluded from gender and media debates. This is an unfortunate omission, as they have a key role to play in setting out the macro policy framework in which the media operates and freedom of expression is interpreted. GEMSA is breaking new ground with research by country chapters into existing laws and policies, the implementing agencies, and international best practice on gender and media regulation. Engagements with this sector leading up to the second GEM summit in September 2006 will bring an important new stakeholder on board in the ongoing policy and advocacy efforts.

What governments can do

- Pledging to mainstream gender in all information, communication and media laws.
- Pledging statutory regulatory authorities, and encouraging self-regulatory authorities, to use whatever leverage they have at their disposal, especially in relation to publicly funded media, to ensure gender accountability. This could include requiring gender balance and sensitivity in institutional structures as well as editorial content part of licensing agreements, as well as annual reports stating progress in this regard.
- Pledging to ensure that gender will be mainstreamed in all publicly funded media training institutions, and encouraging privately funded media training institutions to follow suit.
- **Deepening the engagement with media decision-makers:** Many of the policy changes that need to take place will continue to be at newsroom level. After an initial set of pilot projects to develop gender policies in newsrooms, the partnership with SAEF through MAP opens the possibility for a much broader and more sustained engagement with media decision makers as part of the MAP objective of rolling out HIV/AIDS and gender policies in 80 per cent of newsrooms across the region over the next two years. This project could be extended to East Africa through the Africa Editor’s Forum (TAEF).
- **Setting specific targets:** As part of developing newsroom policies, there is need to set specific targets, such as women sources reaching 30 per cent of the total by 2010, and 50 per cent by 2020 (in line with AU targets for women’s representation in decision-making). Although targets like this alone are not enough, they help to focus the mind, to mobilise and to conduct more effective monitoring and evaluation.
- **Taking a fresh look at training:** There have now been several different approaches to gender and media training in the region. These need to be consolidated and expanded. The formation of the GEMSA Trainers Network (GTN) as a sub-committee

of GEMSA is an example of how the pioneering work by the Polytechnic of Namibia on mainstreaming gender into media education is being replicated through a peer support mechanism that is an important offshoot of this networking. Newsroom training in the run up to elections proved a useful strategy for reaching working journalists. This year GL in partnership with media training institutions has initiated a new and necessary focus on gender, business, financial and economic reporting. The impact of all these initiatives should be monitored and documented.

- **Foregrounding citizens and consumers:** The Gender and Media Audience Research (GMAS) places a new and important focus on media consumers that has generally been lacking in the way the media in the region goes about doing its business. The final regional report being launched early in 2006 should open the door to engagement with media marketing departments as well as give a shot in the arm to the gender and media literacy work started by GEMSA networks, including in schools.
- **New areas of research:** While making an enormous contribution to gender and media discourse, the GMMP and GMBS have also highlighted the limitations of focusing solely on the news when it comes to highlighting gender imbalances in the media. The *Mirror on the Media* project has opened new areas of enquiry, such as radio talk shows. There is need to broaden research to include other genres and areas of media operation such as advertising
- **Media activism:** Among the most valuable contribution of gender and media networks has been in organising campaigns like the Sixteen Days of Activism on Gender Violence in which activists help the media to create gender aware content. Practical tools like the use of IT and the GEM Commentary Service that literally provides “fresh views on every day news” to busy editors get us out of the theory and into the action. Studying the different strategies that GEMSA chapters have employed, honing in on these and adapting them, will be an important focus of the 2006 GEM Summit.
- **ICTs:** Support and resources for ensuring that women have greater access to and can use NICTS for their own empowerment and to conduct gender justice campaigns is a key priority. This should include support and resources for gender and media networks, especially their efforts to use ICTs in cost effective, dynamic ways that increase access and applications; contributing to better e-governance, citizenship participation and policy responsiveness, especially for and by women.
- **Coordination and reflection:** While partnerships, networks, and “networks of networks” have been at the core of the progress made so far in the region, these are also demanding and at times lead to confusion about roles, responsibilities and ownership of specific programmes and projects. There is need to set aside time and resources for coordination, governance, effective institution building and reflection. In particular, one of the ideas under discussion in GEMSA is for the establishment of a Gender and Media Centre that would provide an institutional home for the many activities, writing, research, debates and seminars that will continue to be generated in the long road ahead to achieving a society in which - to borrow the GEMSA slogan - “every voice counts” and we can “count that it does.”

ANNEX A

**1) Provisions on media in the NFLS, BPFA and others
The Media**

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
Challenging stereotypes	The media's portrayal of stereotyped images of women and also that of the advertising industry can have a profoundly adverse effect on attitudes towards and among women.	<p>Article 12 Right to Education and Training</p> <p>1. States Parties shall take all appropriate measures to:</p> <p>b) eliminate all stereotypes in textbooks, syllabuses and the media, that perpetuate such discrimination;</p>	<p>Critical Area J. Women and the Media</p> <p>J.2: Promote a balanced and non-stereotyped portrayal of women in the media.</p> <p>Actions to be taken: By Governments and international organizations, to the extent consistent with freedom of expression: d) Encourage the media to refrain from presenting women as inferior beings and exploiting them as sexual objects and commodities, rather than presenting them as creative human beings, key actors and contributors to and beneficiaries of the process of development; e) Promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive;</p>		<p>Goal 3: Promote gender equality and empower women</p> <p>No specific target or indicator</p>

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
<p>Creating and disseminating gender aware content</p>	<p>Women should be made an integral part of decision-making concerning the choice and development of alternative forms of communication and should have an equal say in the determination of the content of all public information efforts.</p>		<p>Critical Area J. Women and the Media</p> <p>J.1: Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication</p> <p>Action to be taken: By Governments: e)Encourage, to the extent consistent with freedom of expression, these bodies to increase the number of programmes for and by women to see to it that women's needs and concerns are properly addressed; g)Encourage and provide the means or incentives for the creative use of programmes in the national media for the dissemination of information on various cultural forms of indigenous people and the development of social and educational issues in this regard within the framework of national law; b)Encourage the media and advertising agencies to develop specific programmes to raise awareness of the Platform for Action;</p>	<p>Article No specific mention is made of women and the media The Commission on the Status of Women (CSW), as part of its multi-year programme of work for 2002-2006, decided to consider the topic "Participation and access of women to the media, and information and</p>	

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
Legislation		Article 13 m) take effective legislative and administrative measures to prevent the exploitation and abuse of women in advertising, and pornography.	<p>f) Take effective measures or institute such measures, including appropriate legislation against pornography and the projection of violence against women and children in the media.</p> <p>h) Guarantee the freedom of the media and its subsequent protection within the framework of national law and encourage, consistent with freedom of expression, the positive involvement of the media in development and social issues.</p>		
Research			<p>a) Promote research and implementation of a strategy of information, education and communication aimed at promoting a balanced portrayal of women and girls and their multiple roles;</p>		
Policy			<p>b) Support research into all aspects of women and the media so as to define areas needing attention and action and review existing media policies with a view to integrating a gender perspective;</p>		

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
Training	The enrolment of women in publicly operated mass communication networks and in education and training should be increased.		c)Encourage gender-sensitive training for media professionals, including media owners and managers, to encourage the creation and use of non-stereotyped, balanced and diverse images of women in the media;		
Monitoring			d) Encourage the participation of women in the development of professional guidelines and codes of conduct or other appropriate self-regulatory mechanisms to promote balanced and non-stereotyped portrayals of women by the media. c)Facilitate the compilation of a directory of women media experts;		
WOMEN WITHIN MEDIA INSTITUTIONS					
Representation			d)Aim at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies, including those connected to the private and State or public media;		

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
Participation			c) Promote women's full and equal participation in the media, including management, programming, education, training and research; a) Support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media;		
Capacity building					
INFORMATION TECHNOLOGY					
Participation			b) Encourage the use of communication systems, including new technologies, as a means of strengthening women's participation in democratic processes; a) Encourage the development of educational and training programmes for women in order to produce information for the mass media, including funding of experimental efforts, and the use of the new technologies of communication, cybernetics space and satellite, whether public or private;		
Education and training					
NETWORKING					

SPECIFIC PROVISIONS	NFLS	AFRICAN PROTOCOL	BPFA	CEDAW	MDG
	Organisations aimed at promoting the role of women in development as contributors and beneficiaries should be assisted in their efforts to establish effective communications and information networks.		f) Encourage and recognize women's media networks, including electronic networks and other new technologies of communication, as a means for the dissemination of information and the exchange of views, including at the international level, and support women's groups active in all media work and systems of communications to that end;		

Notes

- 1 This paper draws on the Gender and Media Baseline Study conducted by the Media Institute of South Africa (MISA) and Gender Links (GL) with support from the Media Monitoring Project; the Gender and Media Audience Study conducted by GL with university partners around the region; case material presented at the Gender and Media (GEM) summit in September 2004 and a gender audit of media laws and policies being conducted by Gender and Media Southern Africa (GEMSA) country representatives.
- 2 Biography, 200 words Colleen Lowe Morna is executive director of Gender Links, a Southern African NGO that promotes gender equality in and through the media. She began her career as a journalist specialising in economic and development reporting. Among positions she held were co-ordinator of the Africa office of Inter Press Service in Harare; correspondent for South Magazine and Africa Editor of the New Delhi-based Women's Feature Service. She joined the Commonwealth Secretariat as a senior researcher on the Africa desk in 1991, and later served as Chief Programme Officer of the Commonwealth Observer Mission to South Africa. She subsequently served as founding CEO of the South African Commission on Gender Equality. A trainer, researcher and writer, Colleen has written extensively on gender issues in Southern Africa, and is author of several publications on gender and the media. She is also editor of *Ringing up the Changes: Gender in Southern African Politics*, the first comprehensive study of the impact of women in politics in this sub-region. Colleen holds a BA degree in International Relations from Princeton University; Masters in Journalism from Columbia University and certificate in executive management from the London Business School.
- 3 Beijing Platform for Action, 1995, Section J.
- 4 MISA Gender Policy 2003.
- 5 Self explanatory.
- 6 SABC Editorial Policy.
- 7
- 8 Beijing Platform for Action 1995 Section J.
- 9 Beijing Platform for Action 1995 Section J.
- 10 C Lowe Morna (ed) Gender Audit of Media Laws in Southern Africa, GEMSA (2006).
- 11 Source Beijing Platform for Action 1995 Section J.
- 12 Source Ministers speech at the 2006 Gender and Media Summit.
- 13 Cite Source Malawian Constitution.
- 14 Full details of source GLOBAL Media Monitoring Project, World Association of Christian Communications (2005).
- 15 C Lowe Morna (edited) Mirror on the Media: An analysis of the Southern African Findings of the Gender and Media Monitoring Project, Gender Links, 2005.
- 16 Times of Zambia, 18 August 2002.
- 17 Insert Full details of source GL Annual Report 2005.



CHAPTER 9

Young Persons Taking up the Mantle and Advancing Women's Rights in Kenya

By Saida Ali

Abstract

This chapter focuses on the role and involvement of young people in advancing the rights of women. It traces the participation of the youth in the human rights movement in Kenya and their role in the struggle for social justice within different social movements. There is a focus on young women and their participation in the women's movement. It acknowledges that young women have a key role to play in moving the women's movement into the next century.

Introduction

In examining the role of young people in advancing the rights of women, the question that pre-occupied my mind was, "What is the role of young people in social justice movements? How can young people be actively engaged within these movements?" As a young woman¹ working with young women through a young women's organisation I locate myself centrally within this question. As such, there is a focus on young women in this report.

The recent past has witnessed renewed attention on the youth as a social group in Kenya. The creation, in December 2005, of the Ministry of Youth Affairs, is an indication of the government's commitment to seeking solutions to the many concerns affecting the youth. There is recognition that the youth have "considerable potential to contribute to the development of the nation"² but that myriad challenges prevents them from doing so. While the recent attention has not yet translated to concrete action, the public and political will and resource mobilisation in favour of young persons may yet be fruitful. Participation of the youth in the development process of the nation means there has to be focus on their economic, social, political and cultural development.

This chapter has 8 sections; after a brief introduction, section 2 addresses definitions of Women's Human Rights and Young Persons as articulated in selected policies and/or frameworks. Part 3 discusses the role of young persons in the human rights movement in Kenya and traces their participation far back to the struggle for independence. Part 4 provides a review of the Nairobi Forward Looking Strategies (NFLS) and the Beijing Platform for Action (BPFA).

The women's movement and the participation of young women are discussed in Part 5. It also offers some insights on the achievements of youth organizing. Part 6 examines the current priorities for youth organisations and specifically highlights prevention of violence against women, sexuality and reproductive health, giving space for youth voices and shares on the work of some of the grant makers funding youth initiatives. Part 7 shares the challenges, emerging problems and trends while Part 8 provides some recommendations and draws the conclusion.

Women's Human Rights and Young Persons

Women's Human Rights

The human rights movement refers to the collective civil society actors and organisations that work to promote and protect human rights. The human rights framework, as articulated in various international instruments³, provides a formidable grounding for work on advancement of the rights of women. The Universal Declaration of Human Rights (UDHR) adopted by the United Nations General Assembly in 1948 presents the overarching umbrella shaping concerns and issues for social justice. It outlines what is considered to be the

fundamental consensus on the human rights of all people in relation to such matters as security of persons slavery, torture, protections of the law, freedom of movement and speech, religion and assembly, and rights to social security, work, health, education, culture and citizenship. The UDHR clearly stipulates that these human rights apply to all equally without distinction of any kind such as race, colour, sex, language...or other status⁴.

The pursuit of specific rights for women has been propelled by the comparative disadvantage women have in the socio-cultural and economic arena. The woman's movement has been key in galvanising action to address women's social justice. Indeed, it is rightly claimed that the Women's movement is part of the broad human rights movement, since "like all movements, is inspired by the intolerance to oppression"⁵. The women's movement refers to the "collection of civil society organisations working towards women's political, economic, legal and social empowerment whether through separate, parallel or collective initiatives."⁶

According to Bunch (1997), the term women's human rights "has been instrumental in the formulation of the conceptual challenges and demands levied by women and at the same time, have had an immense impact as a tool for political activism"⁷. One achievement of the Vienna Declaration and Programme of Action from the World Conference on Human Rights (1993) was the affirmation that *women's rights are human rights*. In the same year (1993), the United Nations (UN) Declaration of General Assembly "affirmed that in cases of conflict between women's human rights and cultural or religious practices, the human rights of women must prevail."⁸ This international recognition has not only given weight to the fact that *women's rights are human rights* but the statement has become a famous slogan rallying thematic discussions and discourses on the advancement of women. Women's human rights are at the centre stage of achieving "equality, development and peace" the goals of women advancement as articulated by the UN. It has been stressed that there is "no development without equality, no equality and development without peace and the achievement of peace requires equal involvement of women with men in all spheres of life,"⁹.

Youth in Kenya

For purposes of this paper, I refer to the 18-35 years age bracket as the youth and will apply the same age bracket in reference to young women. I identify this frame of reference for “clarity of analysis because of the frequent and interchangeable use of the terms *youth* and *young*.”¹⁰ The youth in Kenya account for 32 per cent¹¹ or 9.1 million of the Kenyan population with 51.7 per cent of this figure being the female youth. These form 60 per cent of the labour force.¹² According to the draft Kenya National Youth Policy, the population age bracket of 30 years and below constitutes 75 per cent of the Kenyan population.

There is justification in identifying the youth as a distinct social group. Young people have been reported to record relatively “high incidences of crime, drug abuse and HIV/ AIDS”¹³. The social and economic consequences “threaten the survival of young people and negatively impact on the country’s development. Poverty impacts negatively among the youth and may at times lead to loss of self-esteem and recourse to delinquency”¹⁴. In view of the obstacles to participation in development, most of youth in Kenya “came to *being young* rather late in life”¹⁵. This is seen in the way that those who started out by getting power or opportunities through the youth platform, have refused to leave the space long after they are over 35 years.

Young Persons and the Human Rights Movement in Kenya

Young person’s engagement with social justice through involvement in the human rights movements dates back to the pre-independence times and the struggle for freedom. Most fighters during the *Mau Mau* liberation struggle for independence in Kenya were “young males while most women served as mothers and sisters, the supply line without which the forest war would not have lasted a week”.¹⁶ The presence of both young women and men was acknowledged at the time by *Mau Mau* leaders such as Dedan Kimathi. In his letter to the editor of *Habari za Dunia*¹⁷, he noted that “young men and women and even old men are in the forest for fear of being killed or badly beaten, or being arrested, as it is the government policy and object”.¹⁸

Post-independent Kenya continued to witness a progressive rise in human rights activism by young people. An unprecedented political activism, spearheaded by political and civil society activists, and carried out by young people, heralded in the democratisation wave of the 1990s. The youth gained tremendous visibility in the accompanying demonstrations that saw the human rights movement labelled *anti-government*. The government at the time perceived “human rights education as a challenge to their authority”¹⁹ thus; it did not welcome the new ideas. This notwithstanding, young people placed themselves at the forefront in achieving *radical* changes in governance and constitutional reform. The youth have also been represented in causes like fighting for land rights or fighting against state-sponsored repressions and police brutality. Indeed, the public face of the human rights movement in Kenya has largely been that of the male youth.

While the visibility of young women in the so-called *radical* actions has been minimal, they have been more prominent in organized advocacy actions. Young women have a greater presence in activism on women’s human rights. For instance, young women through women’s organisations were involved in consultations and the initial stages of drafting the Sexual

Offences Bill. When the bill was presented in parliament to a hostile reception that threatened to curtail its progression, organisations working with young women and children²⁰ mobilised interested persons to carry out public protests. The majority demonstrating in the streets of Nairobi during the Parliamentary proceedings on the Sexual Offences Bill were young women and girls. In the quest for constitutional reform, young women have organised themselves as a separate category and used the spaces created within existing structures to articulate their concerns. Young women's groups presented their views on the constitutional review process through recorded proceedings and memoranda.

Both young women and men are engaged in activism within the human rights movement. The media and arts have been used by the youth as strategies to communicate change within the human rights movement and at the same time as a means for economic empowerment. The human rights movement therefore presents opportunities for the youth. Certain challenges remain inherent. For young women, lack of space for articulation of their visions is part of the continuing struggle.

Strategies and Actions for Young Women: A Review of NFLS and BPFA

The Nairobi Forward Looking Strategies (NFLS) and the Beijing Platform For Action (BPFA) provide frameworks with specific perspectives in addressing young women's concerns. How young women organize today has to be understood in the context of the gains within the women's movement, which makes "their struggle today different from what the pioneers in the women's movement encountered"²¹. NFLS identifies 14 categories of vulnerable women including young women. Themes with specific implications on young women can be identified as:

- Socio-economic: The three goals of equality, development and peace are inextricably linked to the sub themes of employment, health and education, all of which are a major concern for the youth. The NFLS recognize education and capacity development as key to economic empowerment of young women.
- Violence against Women: NFLS recognises that young women's lack of economic empowerment increases their vulnerability to abuse and exploitation, especially of a sexual nature. NFLS drew attention to the fact that many young women are victims of incest and sexual abuse in the family. NFLS attempts an integrated approach in addressing violence affecting the young women. Appropriate action against offenders and education to the victims to improve their status is suggested. It recommended that the Initiatives for the 1985 Youth Year be extended and expanded to protect young women from abuse and exploitation.
- Employment: Governments are called upon to pay urgent attention to the education and training of young women in all fields as a strategy of addressing the high unemployment rates among young women. NFLS also calls for the elimination of exploitative treatment of young women at work.
- Health and Reproductive Health Rights: Bearing in mind the existence of practices that have negative health effects on young women such as early marriage, teenage/

early pregnancies, NFLS called upon governments to institute policies that delay early childbearing among young women and develop special retraining programmes for teenage mothers and girls who have dropped out of school and are ill-equipped to enter productive employment.

- **Media and Culture:** The Forward looking strategies directed attention towards addressing cultural practices and stereotypes.
- **Legal Interventions:** NFLS called for an enforcement of legislative measures guaranteeing young women their rights to education and health and protecting them from sexual violence, sexual harassment and sexual exploitation.

The BPFA provides concrete strategies and responsibilities for states and non-state actors in advancing the rights of young women. The Platform draws attention to the principle of equality of women and men in relation to socialisation and calls upon the international community to demonstrate commitment to inspiring a new generation of women and men to work for a just society. Thematic focus areas, with special reference to young women are:

- **Women and Health:** The human right of women as included in the right to have control over and decide freely and responsibly on matters related to their sexuality is highlighted. It also recognizes that equal relationships between women and men in matters of sexual and reproduction, including full respect for the integrity of the person, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences.
- **Education and Training:** It emphasizes the importance of education as a human right essential for achievement of the goals of equality, development and peace. It also draws attention to obstacles to the development of girls and young women due to discriminative practices including customary attitudes, early marriages and pregnancies, inadequate and gender-biased teaching and educational materials, sexual harassment, heavy domestic workload and a lack of adequate schooling facilities.
- **Violence Against Women:** Violence affects the enjoyment of rights by young women and girls as it occurs in schools and other institutions of learning and within other private and public domains. Violence against women impairs the enjoyment by women of their human rights and fundamental freedoms.

The 1985 UN Conference held in Nairobi was the first to provide that spotlight on young women. NFLS and BPFA placed gender equality as central to furtherance of women's human rights. Other international instruments and processes such as the Vienna Declaration, CEDAW, MDGs, and ICPD draw significant linkages to both NFLS and BPFA in that, they all emphasize:

- The recognition of human rights as essential to human development
- Urgent attention to the training and education of young women;
- Economic empowerment of young women as essential in addressing unemployment and vulnerabilities to violations
- Protection from abuse and exploitation of young women and personal development to assert their rights

- Attention to the principle of equality of women and men in relation to socialization
- Attention to obstacles to the development of girls and young women due to discriminative practices including customary attitudes, early marriages and pregnancies
- Attention to the reproductive and sexual health rights including access to information and services for full enjoyment of their human rights.

However, it has been reiterated that that the legal instruments, the process and commitments of action should be constantly engaged with and interrogated to realise meaningful advancements for women. Atrobus (2005) sums up this view:

30 years since the launch of the UN Decade for Women, which produced enough programmes and Platforms for Action to last many lifetimes, we have to go beyond the quick-fix number of the '12 critical areas' of the Beijing Platform and the 'Eight Millennium Development Goals' to deeper levels of transformation of the power relations that foreclose the realization of our dreams for gender equity and global justice".²²

Young Women and the Women's Movement

The Nairobi Conference injected vibrancy into the women's movement in Kenya. The origins of the movement date back to the pre-colonial era, "when women formed self-help groups and work parties to assist one another"²³ deal with social and economic problems. This collective approach by women for a common purpose "has carried forward into the contemporary period"²⁴. There were some militant yet informal forms of resistance during colonial period, through existing women's groups to rebel against policies that were destroying culture and perpetuating colonial structures. Parallel to that movement, was the establishment of Maendeleo ya Wanawake (MYWO) in 1952, aimed at advancing the status of women. Initially, MYWO helped women "to improve their way of life, take care of family, child care, hygiene and proper nutrition" and later "involved their members in income generating activities to empower them economically."²⁵

The women focussed international meetings (Mexico, Nairobi and Beijing) have been credited in spurring the creation and presence of women propelled organisations. For instance, the Green Belt Movement that promotes women's participation in environmental conservation was started in 1977 following the recommendations of the Mexico conference. The Forum for African Women Educationalists (FAWE) begun in 1992 with the Kenyan chapter being established in 1996. The national clout of National Council of Women of Kenya (NCWK)²⁶ became pronounced through its role in mobilising Kenyan women for effective participation at the Beijing conference in 1995. Today, several organised, formal and informal groups and individuals continue to champion the rights of women.

A number of factors have shaped the women's movement. Issues under contention include the role of dominant patriarchal structures and socio-cultural practices especially in relation to political participation, the state, donor agencies and certain global shifts that come with different approaches and strategies. Other factors such as tribal or ethnic differences, political affiliation, rural and urban divide, generational tensions and educational differences are internal to the movement. Though some of these factors may have contributed to tensions, it is important to see the diversity of the movement as strength.

The engagement of the younger generation in the struggle for women's rights is of importance in defending the gains. Young people's active involvement provides an opportunity for intergenerational participation. Young women are beginning to organise themselves in spaces such as the young women's network hosted by YWLI, the Young Women's Initiative (Kenyatta University) and Rise of the Eves (University of Nairobi), to view their visions for the women's rights agenda. The need to attract more women is however evident due to the fact that "in conversations among older feminist activists about '*movement building*' the question is raised of how to attract more young women into the Movement."²⁷ Although efforts are made "sometimes strategies aimed at achieving this objective are proposed and implemented, but frequently they fall short of the goal"²⁸. For Young women,

The Beijing Conference in China was a great turning point in the women's movement..., for young women as well. This Conference saw a great number of young women being mobilized to develop their own proposals and make presentations for the Beijing Platform for Action. Since then, young women have continued to create their own organisations and networks and have started to actively participate in decision-making at different levels.²⁹

The women's movement however needs to take cognisance of new and emerging trends if it is to remain relevant. As has been stated

...to live to get the whole job done, great movements must re-invent themselves. To sustain themselves, movements must not only grow, they must change. This is not only because times inevitably change. It is because we ourselves have changed the times. Thus, we must react in part to our own history."³⁰

The movement needs to inject "strategies that could lead to a revitalized, effective and inclusive movement...by linking the local to the global"³¹. This will provide an understanding of the contemporary world that women's rights agenda continues to be shaped thus contributing to new visions for the movement and the world. The women's movement is a long journey that has been travelled by many and the Kenyan women's movement "as with any movement has sources of tension, disagreement and fractious interaction"³² which need be addressed.

Achievements of youth organising

Organised participation and articulation by young people is today evident in international meeting. Young people for example addressed the United Nations at the Commission on the Status of Women in 2000 in New York and

... expressed the overwhelming concern that concrete actions have not been taken to address the needs and interests of young women. It was noted that active participation and involvement of young women is key for the immediate and full implementation of the Beijing Platform For Action³³.

For the caucus, "being concerned with age was not only in reference to adequate representation of youth, but also adequate representation throughout the lifecycle"³⁴. In Kenya, the youth occasionally propelled by government action have organised themselves to better access rights

as well as address social justice concerns in the country. For example: In December 2005, the government created a Ministry of Youth Affairs that has since established a youth fund to encourage entrepreneurship and address unemployment among the youth. The fund will be disbursed at two levels; to youth groups at the constituency level and to individuals through financial institutions. The group requirement for fund consideration is that 40 per cent of their composition must be young women and 10 per cent youth with disabilities.

Kenya has a draft national youth policy. It outlines the priority areas for the youth, their rights and obligations and what needs to be done to address various problems afflicting the youth. Opportunities exist for young women to participate in policy processes and implementation of activities in different regions. A Steering Committee for the National Youth Council (NYC) was put in place in October 2006. There are 25 members of the Committee, with 12 of them being young women. The Steering Committee's mandate includes popularising the draft policy and advising the Ministry of Youth Affairs (MOYA) on issues affecting the different categories of youth, including young women and youth with disabilities.

Youth activism has informed demonstrations and legal tussles that were a part of the reform process in Kenya. Young women and men have been participating through civil society organizations. Opportunities exist for representation and participation in the multi-sectoral forum that will inform the minimum reforms package before the general elections in 2007.

Current Priorities for Youth Organisations

Priority setting for youth organisations is dependant on a number of issues such as local realities and donor priorities. Current funding for youth initiatives by the Ford Foundation cuts across 3 themes: prevention of violence against Women, sexuality and reproductive health and provision of space for youth voices. This section presents selected cases of youth organisations funded by the Ford Foundation, analysing their thematic thrust vis-à-vis the vision for young persons contained in the NFLS and BPFA.

Prevention of Violence against Women

The campaign against violence against women is one of the strongest endeavours taken up by organisations. After the Beijing conference, an increase of the number of women's organizations working on women's human rights was witnessed. Some cases are presented:

Men for Equality with Women (MEW)

MEW was founded as a response to the BPFA and the call to end violence against women. MEW seeks to mobilise men and change negative attitudes and practices against women. Its aims include fostering respect for women's rights, protecting gains through the PFA and enjoying those gains by living in peace. MEW broke new ground in being the first men-only project in Kenya working to end violence against women. MEW seeks to redefine or transform views on masculinity by advocating for equality without dominance through research and documentation. In March 1998, MEW organized the first ever Men's March in Kenya to protest and show solidarity with ending violence against women.

Similar organisations to MEW include *Men to Men*, a project of the African Women's Communication and Development Network (FEMNET) that seeks to address violence against women through outreach to men. Liverpool Voluntary Counselling and Testing (VCT) addresses issues of violence related to men having sex with men. Such initiatives have introduced new dimensions to violence and gaps in addressing HIV/AIDS and Lesbian Gay Bisexual Transgender and Intersex (LGBTIs)³⁵ human rights issues.

The Coalition on Violence Against Women (COVAW)

COVAW works towards the promotion of women's human rights and "envisions a society that is free from all forms of violence against women"³⁶. COVAW was founded as a response to the Beijing concern with gender violence. COVAW has a school outreach program, which targets school-going girls and young women who are mostly between the ages of 15 and 20 years. The activities of the program include debates, Moot Courts, school music festivals sponsorship, training of head teachers so that they can be agents of change in schools, open discussions and setting up of human rights clubs.

Young women and Violence

Several organisations have a specific focus on young women's issues. The *Binti Pamoja* Centre, *Sisters Beyond Boundaries* (SBB) and *Moving the Goal Posts* (MTGP) in Kilifi specifically address violence against young women. These initiatives address problems such as early marriage, early pregnancies, and sexual violence, providing sexuality education and information and services on prevention of Sexually Transmitted Infections (STIs). They provide forums for peer learning.

Another organisation, *Urgent Action Fund (UAF) - Africa*, defines itself as a "consciously human and feminist organisation, which invests in the transformation of the world so as to enable women to have full and equal enjoyment of their human rights"³⁷. The fund is committed to enhancing women's leadership and links the activities of women with the resources they require to effectively respond to conflict and opportunities to advance women's rights. It addresses issues of trafficking of women and girls in Africa. It is a grantee of Ford Foundation and a grant maker providing support to women's initiatives. It supports groups that raise awareness and implement various strategies to address the issue of prostitution, slavery or forced marriage. The uniqueness of the fund is that it provides immediate small and rapid response grants to women activists responding to conflicts and crisis.

The Kenya Human Rights Commission (KHRC) has also responded to issues of sexual harassment and other human rights violations of women working in flower farms and Export Processing Zones (EPZs). Through research, KHRC affirmed that factories seek "a workforce that will produce optimal results, thus a preference for young, poor, unattached and illiterate women, who easily give in to work-based exploitation and accept low pay"³⁸ since they have limited options to decent jobs. In addressing sexual harassment in flower farms, KHRC worked with Sher Agencies and the Oserian flower farms, to ensure that the definition of sexual harassment included all or any acts of indignity towards female employees. The study highlighted that "key concerns of women, including maternity protection and sexual

harassment” were never presented in industrial courts as disputes and that they were always “trivialized or frustrated by the male-dominated structures”³⁹.

Sexuality and Reproductive Health

Issues of sexuality have gained prominence today because of the “youthful face” of the HIV/AIDS pandemic. Most youth programs on sexuality rights and reproductive health have not addressed the linkages between gender and sexuality in programming and in strategy development. According to Orchardson-Mazrui, “the question of gender and sexuality is often an emotive one. Gender is a social construct, which reinforces certain obligations, rights, duties, and expected patterns of behaviour”. She quotes Kameri-Mbote thus, gender “emerges as a congealed form of sexualisation of inequality between men and women” and sexuality is “the interactive dynamic of gender as an inequality.”⁴⁰ In some instances youth programs have the “perceptions that when women struggle for equality, this means that they want to usurp the rights and roles of men,”⁴¹ or gender equality work will “destabilise the family equilibrium”⁴².

Sisters Beyond Boundaries (SBB)

SBB uses approaches geared towards promoting the enjoyment sexual health rights by women and girls and enhancing their participation in policy processes. Specifically, the organisation seeks to empower women to “make informed decisions regarding their bodies and their sexuality and also to participate as equal partners in sexual relationships and other decision making circles”⁴³. SBB’s work is informed by the BPFA with regards to women’s health, the girl child and women’s human rights. SBB also draws on the International Convention on Population and Development (ICPD) document for its outreach work. SBB organises forums in schools, football tournaments for girls and promotes life skills development through peer education.

Binti Pamoja

The *Binti Pamoja* centre creates and provides a safe space for adolescent girls and young women in Kibera to explore issues that affect their every day lives; rape, prostitution, violence against women, HIV/AIDS, female genital mutilation, poverty, sexual abuse, unequal access to education, lack of reproductive health care and information, and other issues related to violations of human rights form the array of realities within that organisation. The centre uses photography, drama, writing and group discussions to get to the root causes of issues confronting young women. The Centre hosts monthly speakers and organizes field trips, community service projects, family events, and peer education programs including leadership training to empower girls and young women.

Moving the Goal Posts (MTGP)

Moving the Goal Posts works with teenage girls, using peer education as a strategy to address reproductive health concerns. Through the peer education forums, the project documents the issues raised by girls and uses that to inform implementation of programs. MTGP uses girls’ soccer as an entry for participation of girls in development processes. The peer education

programmes promote human rights awareness and ensures that the girls report violations of their rights.

Slum Information and Development Resource Centre (SIDAREC)

SIDAREC promotes an integrated reproductive health program for youth through its reproductive health and development program. It uses a three-pronged approach to youth reproductive health concerns; skills building, knowledge sharing and use of Information and Communication Technology (ICT). SIDAREC has been addressing self-esteem and confidence development for the youth through trainings, and skills development to promote economic empowerment among the youth. It integrates emerging concerns such as those related to HIV/AIDS in programming.

The Program for Appropriate Technology in Health (PATH)

PATH hosts a Youth Exchange Network (YEN) that has partnered with the Ford Foundation on a Pharmacy project. The Pharmacy and YEN projects access reproductive health information and services to the youth. The Pharmacy project works with Pharmacists and Pharmaceutical companies in Kenya to provide information and services to young people. YEN on the other hand, is a network of eight organisations in Kenya. YEN was created by PATH as a strategy to draw the synergies of organisations working on sexuality rights and reproductive health for the youth. The network further provides a platform for youth interaction. PATH has provided capacity building and technical assistance for all YEN members.

Giving space for Youth Voices

The demand for space and articulation of young persons views have to be understood in the context of both mainstreaming within existing structures and creation of specific structures that allow stimulation of ideas and strengthening of their skills. This is especially so for young women who are most often sidelined within youth programs.

The Youth Agenda

The Youth Agenda (YAA) mobilises and organises young people to effectively participate in public affairs. YAA aims to do so by empowering young people to demand for representation and participation at different levels of governance and development processes. The Youth Agenda has a network of young leaders that seeks to stimulate discussions among the youth on different leadership concerns. Members of the group have a vibrant internet-based debating society. Over the years, YAA has implemented programs on governance and development, leadership development, constitutional making, elections monitoring and regional integration.

YAA uses strategies such as capacity building for youth groups and their leaders, research and policy analysis, advocacy, mainstreaming gender and promotion of academic freedoms and rights. The Youth Agenda approach to mainstreaming gender has seen a 50/50 representation of young women and men in all activities and decision-making processes.

The Young Women's Leadership Institute (YWLI)

YWLI is a feminist organisation that seeks to empower young women to break the barriers of gender stereotypes and societal prejudices that prevent them from living lives of equality.

YWLI uses strategies such as capacity building, networking and information sharing to address young women's issues. As part of the promotion of movement building, YWLI uses intergenerational organising as a strategy to promote dialogue among different generations of women. One of the main concerns of YWLI is "the future of the women's movement and movement building"⁴⁴ as a strategy to move the women's agenda to the next Millennium"⁴⁵. Movement building requires sustained institutional support and collaborative efforts among women organizations.

YWLI creates space for young women to articulate their views and visions for the women's development agenda. YWLI promotes personal empowerment for young women leaders through an active internship that provides space for practical leadership development. The YWLI leadership training framework is informed by the African Women Leadership Institute (AWLI), a program of *Akina Mama wa Afrika* (AMwA). The AWLI framework is a holistic approach to activism, and addresses the personal, political and contextual issues individual activists face within their communities. AMwA and YWLI provide an example of cross-mentoring among women's organisations and sharing of best practices to address similar concerns in different contexts.

Funding Youth Organisations

In addition to the Ford Foundation, the Heinrich Boll Foundation⁴⁶ (HBF) and the African Women Development Fund⁴⁷ (AWDF) focus on gender equality in the region. HBF works in cooperation with partners focusing on raising awareness on ecology, gender democracy, conflict and dialogue, democratization and cultural identity. The AWDF⁴⁸ is a feminist grant making organization whose thematic focus is women's human rights, health, reproductive rights and HIV/AIDS, Economic empowerment, Political Participation and Peace building. The donor prioritisation has shaped the youth group activities. Conclusion that can be drawn regarding youth organisations and donors in the light of NFLS and BPFA are as follows:

- Some youth programs are informed by priorities identified in the BPFA.
- Funding has enabled youth to organise leadership development and skills-building and provided space for young women to participate in the women's movement.
- The youth are acknowledged within the human rights movement but youth initiatives do not always have young people as decision-makers. There is a near-absence of young women in both participation and decision making of such programs.
- The youth concerns and their participation have been subsumed within the human rights movement and thus they are currently struggling to curve out as a youth movement.
- There has been selectivity in addressing human rights concerns thus leaving out issues of choice for women and other sexuality concerns.
- Efforts by young women are slowly curving out a young women's movement or a space for young women within the movement.
- There are gaps in addressing the intersections of HIV/AIDS and gender, as well as gender and sexuality.
- There has not been much funding towards youth initiatives and especially with focus on younger women⁴⁹.

- Seed funding for young women's organizations has been from feminist donor organisations outside of Kenya⁵⁰.
- Funding has enabled organizations to network with other organizations within the broader human rights movement.

Challenges, Emerging Problems and Trends

By way of conclusion, this section discusses trends emerging within the youth initiatives and portending implications.

- Careerism⁵¹ : Programming for youth is by people speaking for the youth and running youth initiatives without necessarily being young themselves.
- External Prioritisation: Many youth initiatives are donor-driven and are conceptualised outside Kenya. To attract funding, youth organisations tilt their programmes towards an “international” agenda whose prioritisation may not be in tandem with the local reality.
- Participation of young women: The strategies developed within youth initiatives have fallen short of achieving the objective of increased participation of young women.
- “Youth” as a problematic social group: Young women and men are perceived as a problematic social group, associated with ‘showbiz’ and a lack of seriousness in tackling development issues. Their participation is always relegated to a ‘section’ for the youth. This leads to youth concerns being ‘ghettoized’ and being reduced to issues of representation and participation.
- Sustainability: Maintaining a network creates conflicts on resource mobilisation within the hosting organisation. Survival of the network also depends on individual partner commitment and time allocation for participation.

It has been observed that young women involved in work on women's rights and championing for space for the participation of young women find more grounding within the women's movement as opposed to the youth movement⁵². Marginalization of young women within youth programs is not a new trend since youth programs have largely been associated with young men. The gender ‘neutral model’ to addressing youth issues has not worked for young women. Programming does not address woman specific issues and does not provide space for young women's growth. The lack of gender programs addressing sexuality within “gender and governance programs” within the Ford Foundation is a gap that attests to this. Sexuality issues for young women are intricately linked to their non-participation⁵³; “Sexual harassment, rape, and sexual exploitation prevent young women from participation in governance processes”⁵⁴. There is a lack of strategies to address the economic situation of young women. Their low economic status exposes them to other forms of violations, especially sexual exploitation.

The deconstruction of power and provision of leadership in alternative paradigms for power sharing is one of the basic tenets of feminism. However, “the women's movement has not necessary acknowledged to its best, diversity as a movement. There have been various voices of different generations of women pointing out to the ‘generation gap’ within the women's

movement, and a marked absence of younger women in leadership positions”⁵⁵. Young women have begun to create spaces to voice their concerns. However, the generational tensions within the women’s movement have to be addressed.

Recommendations

A strong human rights and social justice movement that acknowledges and empowers the young people is required to address the gaps and challenges of effective participation of the youth in development processes. Some suggestions are given to guide key players;

Funding partners need to:

- Fund strategies that are based on the human rights approach to development work. Strategies need to address cross-cutting issues by applying the intersectionality of human rights. There is need for resources channelled to efforts to empower young women to assert their rights.
- Invest in documentation of strategies and good practices that promote the development of young women to their full potential. The intention is to have a learning platform on strategies that work for young women.
- Promote the mainstreaming or integration of youth by ensuring a certain percentage of funding towards youth-related work.
- The women’s movement needs to:
 - Address strategy development to ensure that young women in the movement do not feel alienated.
 - Promote intergenerational organizing to acknowledge diversity and strengthen the movement. This can be done through dialogue that promote multi-generational discussions on different human rights concerns.
 - Address issues of power sharing within the movement and promote mentorship that acknowledges young women’s contribution towards the mentoring relationships.
 - Draw in-roads within the human rights movement and address the question of selectiveness in addressing human rights concerns affecting certain categories in society.
- Youth programs need to:
 - Address gender inequalities in their programming and apply special focus on the situations of young women.
 - Ensure that both young women and men are decision-makers in youth programs.

In conclusion, though young people have been uncovering their own concerns, they need support to articulate these issues. It is important for both the young people and the women’s movement to draw links that will strengthen the advancement of women’s rights. Perhaps this may mean going back to the radicalism that the human rights movement in Kenya was associated with in the 80’s and the 90’s. Whichever way the discourse takes, the place of younger women should be of utmost concern. It is in addressing their concerns today that gender inequality will be erased in future.

There should be more discussions and dialogue on various aspects of women's rights and strategies and approaches that help sustain the commitment and effective leadership within the spaces that promote women's human rights. Those spaces need more young women and men as a strategy to strengthen the women's movement. Organisations need to "develop institutional cultures of intergenerational organising"⁵⁶. Addressing intergenerational tensions is a challenge to both the women's movement and funding agencies that may help in investing on the same.

Notes

- 1 A young person/woman in this paper is considered to be between 18 to 35 years old. I have used this age bracket since it is at the age of 18 years that young people begin to exercise their voting power and 35 years as the ceiling since it is both the peak of youthfulness and at the same time marks a huge difference in the worldviews between those between 31-35 years and the rest that are 18-24 years. The draft Kenya National Youth Policy defines the youth as those aged between 15-30 years.
- 2 Message by the Hon. Dr. Mohammed Kuti, Minister of State for Youth Affairs, during the Launch of the Youth Employment Summit in Kenya, Daily Nation (March 15, 2006).
- 3 Kenya is party to several international instruments such as Convention on Elimination of all forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), African Charter on Human and Peoples Rights, Domestication of such instruments still remains the challenge.
- 4 Bunch, Charlotte; Women's Human Rights, AWLI Lecture, in AMWA Compilation of Background working Papers and Lectures prepared for the First African Women's Leadership Institute (Entebbe) (March 1997).
- 5 Jane Kiragu, "Is there a Women's Movement?" in, Jacinta Muteshi (ed), *Mapping Best Practices: Promoting Gender Equality and the advancement of Kenyan Women*, (Heinrich Boll Foundation, Nairobi) (2006), 18.
- 6 Kathambi Kinoti, Context Analysis Report: *Mainstreaming Young Women into the Women's Movement*, (Young Women's Leadership Institute) (2005).
- 7 Bunch; *supra note 7* (1997)
- 8 Ibid.
- 9 Dr. Jacinta Muteshi, Concept Paper for Ford Foundation, Nairobi: United Nations International Women's Conference, (September 2005)
- 10 Akina Mama wa Afrika brochure presenting The African Women's Leadership Institute: Background 2 (1997).
- 11 There are variations to the youth population Kenya, which is also determined by the age bracket. In his speech during the Youth Employment Summit 2006, the President, Mwai Kibaki referred to the population of youth as being over 60 per cent, considering upto 40 years of age as being youth. There is an absence of statistics for the age bracket 18-35 years, which is the focus of this report. For more visit: www.communication.go.ke
- 12 Kenya National Youth Policy; Ministry of Home Affairs, Heritage and Sports (2002).
- 13 The Youth Agenda, Strategic Plan 2005-2009
- 14 Ibid
- 15 Shamillah Wilson & Anasuya Sengupta, "Introduction: Our dreams, our nightmare, our voices..." in Shamillah Wilson, Anasuya Sengupta and Kristy Evans (Eds.) *Defending*

- our Dreams: Global Feminist Voices for a New Generation, Association of Women's Rights in Development* (Zed Books, New York) (2005), p 1.
- 16 John Lonsdale, "Authority, Gender and Violence" in Atieno E.S. Odhiambo and John Lonsdale, (Eds) *Mau Mau and Nationhood* (James Currey Ltd, Oxford) (2003).
- 17 John Lonsdale, "Authority, Gender and Violence" in Atieno E.S. Odhiambo and John Lonsdale (Eds) *Mau Mau and Nationhood* (James Currey Ltd, Oxford) 2003.
- 18 Ibid. These notes are drawn from *Habari za Dunia*, 27 Aug. 1953; *East African Standard*, 28 Aug 1953 and quoted in John Lonsdale (2003).
- 19 Beijing Betrayed: Women Worldwide Report that governments have failed to turn the Platform into Action, Women Environment and Development Organization (WEDO), 2005.
- 20 These included CRADLE, YWLI, Young Women's Caucus (University of Nairobi), CREAM, FIDA-K
- 21 Interview with Maria Mutua, December 11, 2005, Young Women's Leadership Institute.
- 22 Peggy Antrobus, "Foreword" in Shamillah Wilson, Anasuya Sengupta, Kristy Evans (Eds) *Defending our Dreams: Global Feminist Voices for a new Generation*, (Zed books, AWID publication, New York) (2005), xvi.
- 23 Oduol, Wilhelmina & Kabira, Wanjiku; "The Mother of Warriors and Her Daughters: The Women's Movement in Kenya" in Amrita Basu (ed) *Challenge of Local Feminisms, Women's Movements in Global Perspective* (Westview press, Oxford) (1995) 189-197.
- 2 Ibid.
- 25 Muthoni Likimani; *Fighting Without Ceasing*. (Noni's Publicity, Nairobi) (2005) 337.
- 26 NCWK was founded in 1964 as a national umbrella organisation to unite women's organisations in Kenya.
- 27 Peggy Antrobus, "Foreword" in Shamillah Wilson, Anasuya Sengupta, Kristy Evans (Eds) *Defending Our Dreams: Global Feminist Voices for a new Generation*, Zed Books, AWID Publication, New York, (2005), xii.
- 28 Ibid.
- 29 Shamillah Wilson and Lydia Alpizar, Making Waves; How young women can (and do) transform organizations and movements, Association of Women's Rights in Development, Spotlight Number 5, March 2005
- 30 Bella Azbug, "Women Will Change the Nature of Power" in B. Azbug and D. Jain, 1996
- 31 Bisi Adeleye – Fayemi, "Creating a new world with new visions: African feminism and trends in the global women's movement", in Joanna Kerr, Ellen Sprenger, Alison Symington (Eds) *The Future of Women's Rights*, AWID and Mama Cash publication, Zed books, London, 2004, 38.
- 32 Nyambura Ngugi, My Sister is not too Heavy: Building strong movements in Kenya, in *Development, Women's Rights and Development*, SID Publication, March 2006. This reflection is based on a video presentation by Nyambura Ngugi and Wangari Kinoti at the AWID Forum in Bangkok, October 2005
- 33 Press Release, Young Women in Support of the Beijing Platform for Action: CSW Youth Caucus, March 3, 2000. This statement is available in the website of the UN Division on the Advancement of Women; www.un.daw/csw
- 34 Ibid.

- 35 The Kenyan Constitution does not allow gay or homosexual relations and such unions are punishable by law as they are termed as “unnatural”. There are organised groups of LGBTIs in Kenya and one of their main challenge is getting other human rights organizations to speak up on issues affecting them including discrimination by law.
- 36 COVAW Annual Report, 2001/2002
- 37 African Women Transcending Boundaries, Urgent Action Fund-Africa Annual Report 2005.
- 38 Manufacture of Poverty, *The Untold Story of EPZs in Kenya*, Kenya Human Rights Commission, (Nairobi) (2004).
- 39 *Ibid.*
- 40 Elizabeth Ocharadson-Mazrui, *The Impact of Cultural Perceptions on Gender Issues*, (Unpublished).
- 41 *Ibid.*
- 42 Interview with William Ong’alo, Program Officer, SIDAREC on April 3, 2006
- 43 Interview with Nyambura Gathumbi, SBB, September 15, 2006.
- 44 Movement building includes but is not limited to promoting a multigenerational collective of women, groups and initiatives aimed at alleviating the status of women. It should promote strategies that address the global at the local level and ensure that global frameworks on women’s rights are understood and are used to influence national policies on advancement of women and girls.
- 45 Interview with Purity Kagwiria, Program Officer at YWLI on May 5, 2006.
- 46 The Foundation is affiliated to the Green Party in Berlin, and has operated in Kenya since 2001. Its activities are guided by political values of ecology, gender democracy, solidarity, and non-violence.(Perspectives on gender discourse, Transitional Justice in Kenya: The Gender Question, HBF Publication, 4/04)
- 47 AWDF is an Africa wide grant making and fundraising initiative for African women based in Ghana and established 5 years ago. It is the only grant making initiative by African women for African women. For more visit: www.awdf.org or awdf@awdf.org
- 48 AWDF gives support to initiatives that are specifically led by women and has a focus on young women’s efforts within the women’s movement in Africa.
- 49 Heinrich Boll Foundation interview with Wanjiku Wakogi on May 22, 2006.
- 50 Interview with Nyambura Gathumbi on September 15, 2006. This has been the case for the organization she heads, that is, Sisters Beyond Boundaries (SBB) and the Young Women’s Leadership Institute (YWLI). Both were initially and have been funded consistently by the Global Fund for Women and the African Women’s Development Fund. YWLI has with time developed funding relations with CIDA-GESP, Hivos and the Ford Foundation, all of which have outlined a strategic decision in provision of support towards young women’s initiatives.
- 51 Sylvia Tamale uses this word in her reflection on ‘African Feminism: How should we change?’ to refer to the struggle for women’s rights in Africa where there was a genuine commitment to the cause and the fact that this has today become a donor-driven non-governmental organizations’ affair that has also depoliticized the women’s movement. I have used careerism in the same way but to refer to how doing youth work has become the ‘*in-thing*’ and thus those involved do not necessarily have to be youth but people fulfilling the requirements of the job and of donors.

- 52 My use of the ‘youth movement’ is in reference to all initiatives within youth serving organizations or among groups, individually or collectively working to promote the well being of young people.
- 53 Context Analysis, Dialogue among young women organized by the Young Women’s Leadership Institute (YWLI), Mombasa, (2005) and interview with Myra Karani on May 25, 2006.
- 54 Interview with Myra Karani on May 5, 2006, sighting YWLI’s experiences from implementing gender and governance program in Embakasi and Makadara constituencies.
- 55 Sunila Abeyssekera, Women in Action: Social Movements, Feminist Movements and the State: A Regional Perspective, 2004, isiswomen.organisation/pub/wia/wia2-04/sunila.htm.
- 56 Bisi Adeleye-Fayemi, “Creating a new world with new visions: African feminism and trends in the global women’s movement” in *The Future of Women’s Rights: Global Visions and Strategies*, AWID and Mama Cash, London, 2004, 52.



Conclusion Tools

Tools Relevant to the Nairobi+21 Process and Beyond

By L. Muthoi Wanyeki¹

Abstract

This chapter aims to provide an overview of all tools for gender analysis and mainstreaming mentioned in/referred to in previous chapters. It begins with a definition of ‘tools’ and moves on to demonstrate what is needed to work systematically on advancing gender equality and women’s human rights—both in a general sense as well as with respect to the sectors covered in previous chapters. Issues such as data, targets (and where they are derived from in a legal and policy sense), strategies and indicators (including sector-specific indicators) are covered. While demonstrating that much has already been done in this area and is available for use by governments, grantmakers and the women’s movement in East Africa, it concludes with recommendations for possible further work in this area.

Introduction

One of the outcomes of the sectoral review papers commissioned to assess progress towards East African women’s equality during the Nairobi+21 process was intended to be a tool aimed at helping, in particular, grantmakers to better target development financing in support of the same. However, what the sectoral review papers revealed is that many such tools already exist—*generic ones that help understand the concepts related to gender analysis and mainstreaming* as well as more *sector-specific ones*. That said, the sector review papers also showed where *gaps* exist and where *new investments* in the development of tools to fill those gaps would be useful. Therefore, an attempt to outline what already exists as well as what does not follows. It is not intended to be a conclusive bibliography of tools nor an attempt to develop new tools.

What do we mean by tools?

A tool could simply be defined as a means to help us achieve a given task. The tools referred to here are *resources to help us achieve women’s equality—methodological, legal and otherwise*.

Getting started: where is and what is the data?

In working towards women's equality, the starting point is, understanding the multidimensional nature of women's inequality. And thus *data on women's inequality—in general* and, more usefully, *in relation to the sectors covered by the sectoral review papers*—is necessary.

A problem alluded to by most of the sectoral review papers was, in fact, the paucity of data available.

The *African Centre for Gender and Development (ACGD)* of the United Nations Economic Commission for Africa (UNECA) is tasked with coordinating the intergovernmental review of progress towards the Beijing Platform of Action (PFA) in Africa. The *national reports* that it has collected every five years since the Fourth World Conference on Women held in Beijing, China in 1995, together with the *regional and thematic reports* it compiles based on the national reports, are one source of data—although, for many of the sections covered by the Beijing PFA, data continues to be lacking due to problems with data-collection at the national level. The *national gender machineries* are responsible for compiling these national reports. But, in east Africa, *state statistical offices* (such as Kenya's Central Bureau of Statistics) have only recently begun to collect demographic and developmental data in a gender-disaggregated manner—that is, in a manner that shows the situation of women relative to men with respect to all data collected. While *line/sectoral ministries* may also be in possession of data, again, this data may not be gender-disaggregated, some exceptions, such as in education. In addition, the lack or insufficiency of freedom of information acts and related policies on open and transparent governance may hinder public access to data held by state statistical offices and line/sectoral ministries.

Academic and other research institutions (particularly those departments and faculties addressing development and/or gender studies) may collate and publish relevant data. But this data may not be (for reasons of capacity) national in scope (although it can be indicative and extrapolations may be made). Similarly, an increasing number of *women's organisations* are beginning to collect and disseminate data relevant to their own mandates. Again, however, this data—being gathered in the main through their own caseloads or through the monitoring of media and police reporting—may not be national in scope.

Possible sources of data thus include:

- The *Africa Gender Development Index (AGDI)* produced by the ACGD at the UNECA. See: www.uneca.org;
- The *national gender machineries* such as Kenya's National Commission on Gender and Development (NCGD) as well as those in Tanzania and Uganda;
- *National statistics offices* such as Kenya's Central Bureau of Statistics and those in Tanzania and Uganda;
- *Line/sectoral ministries* (for overall assessments, ministries responsible for *planning and finance* can be useful);
- *Academic and research institutions* (especially departments and faculties addressing *development and/or gender studies*);
- *Women's organisations*.

Given persistent problems with accessing public data, recourse to multilateral reports might also be of help. These include:

- As concerns economic data, annual and periodic reports by UNECA and the World Bank. See: www.uneca.org; and www.worldbank.org;
- The Human Development Report published annually at the global as well as national levels by the UN Development Programme (UNDP). See: www.un.org; and www.undp.org or visit your national UN Information Centre (UNIC);
- The World's Women published periodically by the UN Development Fund for Women (UNIFEM). See: www.unifem.org or visit your national UNIC;
- Periodic reports by the UN Institute for Research on the Advancement of Women (INSTRAW) and the UN Research Institute on Social Development (UNRISD). See: www.instraw.org and www.unrisd.org.

The destination: what are the targets?

It is only from *data* that where girls are in relation to boys (women in relation to men) can be established. Clear *differences in data relating to girls vis a vis boys (or women vis a vis men)* are referred to as *gender-gaps*. *Targets* can thus be set to close those gaps. For most of the sectors covered by the sector-review papers (with the exception of the arts and culture), targets have already been established within *international, regional and or national law and policy*. It is important (and potentially useful) to reference these targets by knowing the international and regional legal and policy commitments that frame work towards women's equality. They include:

Legally-binding conventions and treaties

- The *Convention to Eliminate all forms of Discrimination Against Women (CEDAW)*, 1979, monitored by the *CEDAW committee* of the UN in Geneva;
- The *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa*, 2003, monitored by the *African Commission on Human and Peoples' Rights* in Banjul;

Morally-persuasive declarations and platforms/programmes of action

- The *Nairobi Forward Looking Strategies (NFLS)*, 1985;
- The *Vienna Declaration and Platform for Action (PFA)* (on women's human rights), 2003;
- The *Declaration on the Elimination of all forms of Violence Against Women*;
- The *Cairo Declaration and Programme for Action (PFA)/the International Conference on Population and Development (ICPD)* (on women's reproductive and sexual health and rights), 2004;

- The *Beijing PFA*, 1995 (and the *outcomes documents of the Beijing+5 and Beijing+10 review processes*, 2000 and 2005 respectively);
- The *UN Security Council Resolution 1325* (on women's peace and security);
- The *Millennium Declaration and the Millennium Development Goals (MDGs)*, 2000 (as well as the *outcomes document of the Millennium+5 review process*, 2005);
- The *Solemn Declaration on Gender Equality in Africa*, monitored by the African Union (AU) Commission's Women, Gender and Development Directorate in Addis Ababa.

A good *summary* of key international and regional conventions, treaties, declarations and PFAs is found in Gender Links' *Key International and Regional Commitments to Gender Equality*.

A *comparative analysis* of these commitments in relation to specific sectors can be useful to understand *how analysis and strategising on the sectors has changed over time*. Examples of such analyses, (slightly modified from those) provided by the three sector review papers on the media, education and sexuality respectively are found in Annex 1.

Getting there: strategies to reach the targets

The international and regional legal and policy documents go beyond setting *targets* for women's equality in the sectors they cover.² They also, having analysed the causes of women's inequality, lay out broad *strategies* to move towards women's inequality.

Some of these strategies are *legal* in nature, requiring the creation, amendment or abolition of constitutional provisions and national legislation so as to *end women's de jure (legal) discrimination*. While this would seem to be straightforward, in practice, it is not given *persistent contestation about the universality of women's human rights and the legal dualism with respect to customary and/or religious (Islamic) law* that still pertains in many African constitutions and laws.

Other strategies are about *policy*. While this would also seem to be straightforward, in practice, knowledge on how to bring a gendered perspective to bear on national policy, programmes and policies is lacking. Doing so is referred to as *gender analysis and mainstreaming*. Gender analysis has to do with understanding how socialised female roles impact on women's access to and control over (decision-making about) resources (and benefits derived thereof)—*visibilising gender gaps* revealed by data. Gender mainstreaming has to do with facilitating women's equitable access to and control over the same—*closing existing gender gaps*. The sector review papers noted that many *tools* for gender analysis and mainstreaming now exist—the *seminal* ones of which can be applied to any given sector and the newer ones of which are *sector-specific*.

The seminal tools for gender analysis and mainstreaming include:

- The *Harvard Analytical Framework*, which noted the need to take women's reproductive and productive roles into account in relation to programme/project cycles;

- The *Caroline Moser Practical and Strategic Needs Framework*, which added women's community roles to the analysis and distinguished between programmes/projects addressing women's basic (non-gendered) needs and women's strategic (gendered) needs in programme/project cycles;
- The *Sara Longwe Women's Empowerment Framework (WEF)*, which set out five categories against which to assess a programme/project's potential to realise women's 'empowerment' and also defined and strategised around 'bureaucratic forms of resistance' to the same.

Newer tools for gender analysis and mainstreaming in relation to specific sectors include:

- The *Access-Presence-Influence and Consultation-Representation-Accountability Frameworks* of the Institute of Development Studies (IDS) at the University of Sussex in Brighton, the United Kingdom (UK) which aim to assess the social justice outcomes of participation in governance, particularly in decentralisation;
- The *Checklist of Action Points and Targets [...] on Accelerating Gender Equality* and the *Gender in Media Checklist*, both from Gender Links;
- *Gender and Indicators*: a cutting edge pack from Bridge at IDS;
- *Gender and Budgets*: a cutting edge pack from Bridge at IDS;
- *Gender Justice: a citizen's guide to gender accountability in International Financial Institutions (IFIs)* developed by the African Development Bank (AfDB) which aims to assist with gender analysis and mainstreaming in the IFIs;
- *Gender Mainstreaming in Practice: a toolkit* on integrating gender into policies and programmes developed by the UNDP;
- The *Intersectionality Tool: a tool for gender and economic justice* developed by the Association of Women in Development (AWID), which looks at how women's inequality is compounded by other forms of systemic discrimination;
- The *Gender Equity and Peace Building Operational Framework* developed by the Canadian International Development Agency (CIDA) in collaboration with the UN Division for the Advancement of Women (DAW), INSTRAW and UNIFEM, which looks at women, peace and security;
- The *Personal Empowerment Organisational Development and Transfer of Skills (POT)*, developed by *Akina Mama wa Afrika (AmWA)* to assist with African, feminist, transformational leadership training.

Additional tools noted as being useful to effect overall institutional change, particularly for grantmakers, include:

- *Institutional arrangements* (including *infrastructure and resources, human and financial*) responsible for ensuring gender analysis and mainstreaming within organisations;

- *Gender policies* relating to how organisations' internal and external functioning can/will advance women's equality—ideally, such policies would adopt a *dual track strategy for gender analysis and mainstreaming as well as women's equality*;
- AWID's *Where's the Money for Women's Human Rights?* on financing commitments, targets and policies for work on gender equality and women's human rights;
- The Austrian Development Bureau's *checklist of assessment measures* (such as women's participation in programmes/projects and the gender impact of programmes/projects on men and women);
- The Ford Foundation's *diversity table* regarding the representation of women, men and other specified groups in grantees' decision and policy-making processes, as well as implementation processes;
- Heinrich Boll Foundation's *gender grant-making tool* (in progress at the time the sector review papers were being written);
- UNIFEM's *Framework of Gender and Democratic Development*, which addresses gender as an ideological, process and content issue and includes indicators such as women's substantive participation in programmes/projects.

It is also important to note that gender analysis and mainstreaming could also be applied to current approaches to development so as to promote and protect women's human rights. These include:

- The *poverty and inequality capabilities approach*, drawn from the work of Nobel Peace Prize winner, Amartya Sen, which posits that poverty is the absence or inadequate realization of basic freedoms;
- The *rights-based approach*, which claims economic, social and cultural rights in relation to the state.

Are we almost there? Measuring progress through indicators

The sector review papers were useful in their showing what *data* is being used to *measure progress towards indicators set*. Although captured in the sector review papers in tabular form, the points made under each section below illustrate what was (and/or could be) measured for each sector:

Civil society and governance

- Existence of *regulation* (laws, policies and associated institutions and mechanisms) in relation to women's autonomous organisation and mobilisation;
- Number of *women's organisations* addressing gender and women's human rights (including sectoral focus and national reach);
- Number of *civil society organisations beyond women's organisations* addressing gender and women's human rights (including the existence of *gender policies* within the same);

- *Allocation of public (and development financing) expenditure* to women's autonomous organisation and mobilisation in addition to that for gender analysis and mainstreaming;
- Women's political participation and representation *vis-à-vis* that of men in the Executive (including senior civil servants and the diplomatic corps), the Legislature, the Judiciary as well as Constitutional or statutory offices (such as Electoral Commissions) over a specified time period.

Young Women

- Persistence—in law and in practice—of *harmful traditional practices* most directly impacting young women as compared to young men;
- Levels of *education (and other training)* of young women as compared to young men (including laws, policies and practices regarding teenage pregnancies);
- Levels of *employment* among young women as compared to young men (including: representation in formal and informal sectors; at what levels; for what returns; with what access to prospects for advancement; maternity leave provisions as compared to paternity leave provisions; availability of basic hygiene and sanitation facilities);
- Experiences of *sexual harassment and other forms of abuse and exploitation* among young women as compared to young men (generally; within education; within employment);
- Access to *reproductive and sexual health information and other services* for young women as compared to young men;
- Levels of *HIV infection* among young women as compared to young men (related to this: differential impacts regarding stigma; access to treatment; and involvement in care).

Arts, Culture and Media

Arts and culture

- Existence of gender-specific measures and provisions for women's equal representation in all *regulation* (laws, policies and associated institutions and mechanisms) relating to the arts and culture;
- Representation of females compared to males in *artistic and cultural training institutions* (both as students and as trainers);
- Representation of women *vis-à-vis* men in *artistic and cultural support organisations*;
- Access of female artists and cultural workers to *services provided by artistic and cultural support organisations* relative to that of male artists and cultural workers (including: exhibition and performance space; business, distribution and marketing opportunities; exchange and training opportunities; financial support);

- *Depictions* of women in artistic and cultural productions compared to those of men;
- Proportion of female novelists *published* compared to male novelists;
- *Prices commanded* by female artists (all fields) compared to prices commanded by male artists.

Media

Regulation:

- Existence of gender-specific measures and provisions for women's equal representation in all *regulation* (laws, policies, codes and associated institutions and mechanisms) relating to the media.

Portrayal:

- Functions of female as compared to male *subjects* in news stories (overall; as spokespersons; as expert commentators; as giving their personal opinion; as eye witnesses);
- Number of female versus male *subjects identified as victims*;
- Number of female as compared to male *subjects and sources identified by their family status*;
- Number of women versus men used as news *sources*;
- Number of women *quoted on the economy and politics* as compared to men;
- *Percentage of women in parliament compared to percentage of women quoted as political sources*;
- Percentage of all *stories in which gender featured* as a topic.

Representation:

- Percentage of total *print reporters* female;
- Percentage of total *radio reporters* female;
- *Percentage of total television* reporters and presenters females;
- *Relationship of sex of reporter to sex of source*;
- Percentage of total *editors and media managers* female;
- *Female versus male ownership patterns* with respect to the *private and community media*.

Education

- Existence of *legislative and policy measures* aimed at enhancing girls and women's access to education at all levels (including basic literacy and science and technology) through addressing gender-specific barriers to the same;

- Girls' versus boys' *primary school, secondary school, tertiary and university enrolment, performance and completion rates* over specified time periods;
- Female vis-à-vis male representation among instructors, teachers, lecturers, professors at the primary, secondary, tertiary and university levels;
- Women's involvement as compared to men's involvement in *professional and trade union bodies* at all levels;
- Women's involvement as compared to men's involvement in *educational decision- and policy-making processes* at all levels.

Environment

- Persistence—in law and in practice—of constraints on women's *access to and control (decision-making capacities and ownership) over land* as compared to men's;
- Women's (as compared to men's) participation and reflection in *policy-making, training and other institutions and processes relative to the environment and natural resources* (including: indigenous women; and meaningful linkages of such institutions and processes with women's organisations);³
- Recognition and remuneration of *women's work relative to the environment and natural resources* as compared to men's work in laws, policies and practices (including technical assistance);
- Protection and promotion of women's *intellectual property and knowledge* (particularly indigenous women's intellectual property and knowledge) in related and relevant laws, policies and practices (ensuring benefits-sharing);
- Women's (as compared to men's) access to, participation in and benefits from *environmental initiatives*, including information about such initiatives (for example, irrigation and tree-planting schemes);
- Inclusion (or exclusion) of *gender-specific indicators in environmental impact assessment frameworks* and the outcomes of such assessments;
- *Differential impacts of sanitation and water policies, programmes and projects* on women as compared to men;
- *Differential impacts of environmental degradation resulting from natural and man-made disasters* on women as compared to men (including women's responsibilities under gender-based divisions of labour and livelihoods).

Human rights

- The signing, ratification and (given that all east African countries covered by the sectoral review papers follow the common law tradition) harmonisation of key *legally-binding women's human rights treaties in national Constitutions and law* (including, in particular: CEDAW; and the Protocol);
- Persistence of *de jure discrimination* on the basis of gender and/or sex in national Constitutions and legislation (including, in particular, provisions relating to

women's citizenship and clawback provisions on women's equality rights in favour of customary and/or religious law) and *de facto* discrimination (including gender-specific measures and indicators used by constitutional and/or statutory bodies in disaggregating national data collection and monitoring equality rights);

- *Targets, measures and indicators* included in key *morally-persuasive women's human rights declarations and PFAs*, both international and regional (including: the 3rd Regional Conference on Women held in Arusha in 1984; the 3rd World Conference on Women held in Nairobi in 1985; the 4th Regional Conference on Women held in Abuja in 1989; the Dakar Declaration on Population, Family and Sustainable Development of 1992; and the Vienna Declaration of 1993; the 5th Regional Conference on Women held in Dakar in 1994), the Beijing Declaration and PFA of 1995; the Beijing+5 outcomes document of 2000; and the Beijing+10 outcomes document of 2005);
- Existence of *national gender policies* relating to the above, together with Constitutional and/or statutory institutions tasked with enforcement, implementation and monitoring of the same (including the resourcing, financial and human, of such institutions and their capacity for effectiveness);
- Women's access to and participation in all levels of *decision- and policy-making* compared with that of men (see also measures and indicators under civil society and governance above);
- Women's capacities to exercise their *rights to the freedoms of expression and association* compared to that of men (including through women's organisations, political parties and trade unions);
- Women's *illiteracy and poverty levels* compared to those of men (see also measures and indicators under education);
- Recognition, valuation and remuneration of women's *reproductive and community labour* in national accounting systems;
- Women's access to and control over *productive resources such as land* (see also measures and indicators under environment);
- Women's *labour rights* vis-à-vis those of men and implementation thereof (including equal pay for equal work, basic reproductive and sanitation provisions, maternity and paternity leave provisions and provisions relating to sexual harassment);
- Women's access to *reproductive and sexual health services* vis a vis that of men (including those relating to HIV/AIDS and violence against women) (see also measures and indicators under sexuality).

Sexuality (see also measures and indicators relating to young women)

Rights

- *Constitutional and legal provisions* promoting women's *equality* as well as women's *autonomy and choice* in relation to reproductive and sexual health and rights (including women's bodily integrity, sexual orientation, stigma as a result of HIV/AIDS infection and violence against women);

- Proportion of *public (and development financing) expenditure* spent not only on health generally but on women's reproductive and sexual health and rights.

Health

- Persistence of *health service fees*;
- Women's access to *reproductive and sexual health services* (including information and services relating to contraception, safe motherhood, safer sex, termination of pregnancy, breast and cervical cancer, fistulae and same-sex relations)
- Women's access to *prevention, treatment and care for HIV/AIDS* (in their own right and not just in their capacity as mothers);
- Women's experiences of *violence against women* (including reported incidents and outcomes of reported cases taken to court);
- Women's access to *counselling, legal and shelter services* in relation to violence against women.

Sexuality

- Women's access to *education, information and other services* regarding women's *autonomy and choice* relative to reproductive and sexual health and rights (including women's bodily integrity, contraception and termination of pregnancy, safer sex and sexual orientation).

What's the point of it all? Conclusion and recommendations

As implied above, *the purpose of any tool is to facilitate a given task*. But they are *only useful in so far as they are effectively utilised*. What the sectoral review papers showed is that a range of tools already exist to enable gender analysis and mainstreaming as well as the promotion and protection of human rights. However, *knowledge* about them is apparently limited. Where knowledge about them exists, that knowledge is often superficial, leading to their *not being applied*—or to their being *applied only in limited ways*. They are also *dependent on data and statistics*—which, in the case of some sectors, are lacking and in the case of other sectors, are only available with respect to limited aspects of the sector in question.

What this means is that *collective and concerted efforts* need to be made—by IGOs, governments, women's organisations and development finance institutions investing in all three—to, first, advance the collection of basic *data and statistics* with respect to women's human rights and, second, ensure more consistent *application and use of existing tools* in framing all policies, programme, projects and other initiatives with respect to women's human rights.

For the sectoral review papers were intended to capture *change* with respect to women's human rights over the two decades following the Third World Conference on Women held in Nairobi in 2005. But determining change proved to be a challenge (with respect to some sectors more than others) because of the lack of data and statistics and the inconsistent application of tools for gender analysis and mainstreaming and the promotion and protection of human rights in all sectors and by all actors.

What the sectoral review process sought to determine included:

- Changes in the *definition and analysis of issues (and aspects thereof, including targets)*, if any, over time;
- Changes in *strategies (including public and development financing investments)* adopted (to address those issues, if any, over time);
- *Outcomes and impacts* of these strategies, if any, over time (including *how those outcomes and impacts were being measured* and difficulties with such measurement).

Any further (or similar) assessment of progress would also necessarily include the elements of change listed above. For this reason, it would be important to immediately act on some of the *recommendations* arising around the question of tools. These include:

- Developing a simplified *guide to targets, measures and indicators derived from relevant international and regional legal and policy commitments* that could be used to frame and assess work around gender analysis and mainstreaming and women's human rights;
- Ensuring the guide is *available in different formats* to reach different kinds of actors—including pamphlets, booklets, CD roms or DVDs and online sites;
- Engaging with *state statistical offices and/or Ministries of Planning* on the basis of the guide to ensure that relevant data can/will be collected on a disaggregated basis through existing or new data collection efforts;
- Developing, from the guide, a *tracking (monitoring and evaluation) tool* for use by all kinds of actors;
- Developing a secondary *guide to targets, measures and indicators for financing gender equality and women's human rights* for use both by governments and grantmakers to support (and measure that support) the field;
- Developing an *annotated bibliography of existing tools* outlined above, including the full texts of relevant international and regional legal and policy commitments, training manuals and so on;
- Again, ensuring the bibliography is *available in different formats* to reach different kinds of actors;
- Developing a new tool with respect to all sectors on working with the *arts, culture and the media* (including online media) and thus engaging better with popular culture and the general public(s) on gender analysis and mainstreaming and women's human rights;
- Developing new tools with respect to *sexuality* as follows:
- A *tracking (monitoring and evaluation) tool to assess allocations and expenditure* towards reproductive and sexual health and rights by the state and development finance institutions;

- *A training manual aimed at women's organisations* on reproductive and sexual health and rights and how to incorporate the same into policies, programmes, projects and other initiatives;
- *A training manual and other resource materials aimed at young (heterosexual) men* regarding reproductive and sexual health and rights;
- *A training manual and other resource materials aimed at women who have sex with women and men who have sex with men* on reproductive and sexual health and rights;
- *Creative and visual resource materials aimed at enabling parents* to discuss reproductive and sexual health and rights with their children;
- *Interactive programming materials for use on different media platforms (including community radio and online) aimed at enabling young men and women* to engage with reproductive and sexual health and rights;
- *Interactive programming materials for use on different media platforms aimed at enabling particularly vulnerable groups (young women, lesbians, commercial sex workers) to engage with HIV/AIDS* from a reproductive and sexual health and rights perspective;

Finally, the international and regional legal and policy commitments that exist, of course, provide the basis for a *common understanding* of analysis and strategies that exist to advance women's substantive equality—and a *non-negotiable agenda* towards the same ((including *targets, measures and indicators*). But it is also important to note that an assessment of such commitments alone may not catalyse, inspire or motivate further and more profound action towards such equality. Other *recommendations* thus were presented by the authors of the sectoral review papers as follows:

- Developing *creative and simplified versions of the sectoral review papers' findings and recommendations* (aimed at popular/public audiences as well as women's organisations and decision- and policy-makers at all levels);
- Documenting the *history of the east African women's movement* (focusing on women's organisations as well as individual female pioneers and role models);
- Investing in *capacity-building* for all actors — in a collective and sustained manner — on knowledge and utilisation of the tools that already exist for gender analysis and mainstreaming and the promotion and protection of women's human rights;
- For development finance institutions and grantmakers, investing in collective *legacy/signature work* around women's human rights.

Annex 1: A comparative analysis of international and regional legal and policy commitments (including targets) relating to the media, education and sexuality¹

Priority Areas in the Media

Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
REPRESENTATION AND PORTRAYAL OF WOMEN IN EDITORIAL CONTENT OF THE MEDIA					
Challenging stereotypes	The media's portrayal of stereotyped images of women and also that of the advertising industry can have a profoundly adverse effect on attitudes towards and among women.	Article 12 to Right Education and Training 1. States Parties shall take all appropriate measures to: b) eliminate all stereotypes in textbooks, syllabuses and the media, that perpetuate such discrimination;	Critical Area J. Women and the Media J.2: Promote a balanced and non-stereotyped portrayal of women in the media. Actions to be taken: By Governments and international organizations, to the extent consistent with freedom of expression: d) Encourage the media to refrain from presenting women as inferior beings and exploiting them as sexual objects and commodities, rather than presenting them as creative human beings, key actors and contributors to and beneficiaries of the process of development; e) Promote the concept that the sexist stereotypes displayed in the media are gender discriminatory, degrading in nature and offensive;		Goal 3: Promote gender equality and empower women No specific target or indicator

<p>Specific Provisions</p>	<p>Women should be made an integral part of decision-making concerning the choice and development of alternative forms of communication and should have an equal say in the determination of the content of all public information efforts.</p>	<p>The Protocol</p>	<p>Beijing PFA</p> <p>Critical Area J. Women and the Media</p> <p>J.1: Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication</p> <p>Action to be taken: By Governments:</p> <p>e) Encourage, to the extent consistent with freedom of expression, these bodies to increase the number of programmes for and by women to see to it that women's needs and concerns are properly addressed;</p> <p>g) Encourage and provide the means or incentives for the creative use of programmes in the national media for the dissemination of information on various cultural forms of indigenous people and the development of social and educational issues in this regard within the framework of national law;</p> <p>b) Encourage the media and advertising agencies to develop specific programmes to raise awareness of the Platform for Action;</p>	<p>Nairobi FLS</p>	<p>Article</p> <p>No specific mention is made of women and the media</p> <p>The Commission on the Status of Women (CSW), as part of its multi-year programme of work for 2002-2006, decided to consider the topic of participation and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women as a priority theme at its up-coming session in 2003. The Commission's deliberations should also serve as a contribution to the World Summit on the Information Society (Geneva (2003) and Tunisia (2005)). The EGM will contribute to the deliberation with the CSW.</p> <p>http://www.un.org/womenwatch/daw/csw/csw47/AC-medialCT-auv.PDF</p>	<p>CEDAW</p>	<p>MDC</p>
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Specific Provisions	Creating and disseminating gender aware content		Nairobi FLS	Women should be made an integral part of decision-making concerning the choice and development of alternative forms of communication and should have an equal say in the determination of the content of all public information efforts.	The Protocol		Beijing PFA	<p>Critical Area J. Women and the Media</p> <p>J.1: Increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication</p> <p>Action to be taken: By Governments:</p> <p>e) Encourage, to the extent consistent with freedom of expression, these bodies to increase the number of programmes for and by women to see to it that women's needs and concerns are properly addressed;</p> <p>g) Encourage and provide the means or incentives for the creative use of programmes in the national media for the dissemination of information on various cultural forms of indigenous people and the development of social and educational issues in this regard within the framework of national law;</p> <p>b) Encourage the media and advertising agencies to develop specific programmes to raise awareness of the Platform for Action;</p>	CEDAW	<p>Article</p> <p>No specific mention is made of women and the media</p> <p>The Commission on the Status of Women (CSW), as part of its multi-year programme of work for 2002-2006, decided to consider the topic of participation and access of women to the media, and information and communication technologies and their impact on and use as an instrument for the advancement and empowerment of women as a priority theme at its up-coming session in 2003. The Commission's deliberations should also serve as a contribution to the World Summit on the Information Society (Geneva (2003) and Tunisia (2005)). The EGM will contribute to the deliberation with the CSW.</p> <p>http://www.un.org/womenwatch/daw/csw/csw47/AC-medialCT-auv.PDF</p>	MDG
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Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
Legislation		Article 13 m) Take effective legislative and administrative measures to prevent the exploitation and abuse of women in advertising, and pornography.	f) Take effective measures or institute such measures, including appropriate legislation against pornography and the projection of violence against women and children in the media. h) Guarantee the freedom of the media and its subsequent protection within the framework of national law and encourage, consistent with freedom of expression, the positive involvement of the media in development and social issues.		
Research			a) Promote research and implementation of a strategy of information, education and communication aimed at promoting a balanced portrayal of women and girls and their multiple roles;		
Policy			b) Support research into all aspects of women and the media so as to define areas needing attention and action and review existing media policies with a view to integrating a gender perspective;		

Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
Training	The enrolment of women in publicly operated mass communication networks and in education and training should be increased.		c) Encourage gender-sensitive training for media professionals, including media owners and managers, to encourage the creation and use of non-stereotyped, balanced and diverse images of women in the media;		
Monitoring			d) Encourage the participation of women in the development of professional guidelines and codes of conduct or other appropriate self-regulatory mechanisms to promote balanced and non-stereotyped portrayals of women by the media.		
			c) Facilitate the compilation of a directory of women media experts;		
WOMEN WITHIN MEDIA INSTITUTIONS					

Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
Representation			d) Aim at gender balance in the appointment of women and men to all advisory, management, regulatory or monitoring bodies, including those connected to the private and State or public media;		
Participation			c) Promote women's full and equal participation in the media, including management, programming, education, training and research;		
Capacity building			a) Support women's education, training and employment to promote and ensure women's equal access to all areas and levels of the media;		
INFORMATION TECHNOLOGY					

Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
Participation			b) Encourage the use of communication systems, including new technologies, as a means of strengthening women's participation in democratic processes;		
Education and training			a) Encourage the development of educational and training programmes for women in order to produce information for the mass media, including funding of experimental efforts, and the use of the new technologies of communication, cybernetics space and satellite, whether public or private;		
NETWORKING					

Specific Provisions	Nairobi FLS	The Protocol	Beijing PFA	CEDAW	MDG
	Organisations aimed at promoting the role of women in development as contributors and beneficiaries should be assisted in their efforts to establish effective communications and information networks.		f) Encourage and recognize women's media networks, including electronic networks and other new technologies of communication, as a means for the dissemination of information and the exchange of views, including at the international level, and support women's groups active in all media work and systems of communications to that end;		

Priority Areas in Education

Nairobi FLS 1985	Beijing PFA 1995	MDGs 2000
<p>Para 165: Address causes of absenteeism and dropout among girls</p> <p>Para 166: Avail scholarships and other forms of support</p>	<p>B1: Ensure equal access to education</p> <p>a) Advance goals of equal access</p> <p>b) Provide universal access by 2000, close gender gap by 2005, UPE by 2015</p> <p>c) Eliminate gender disparities in tertiary levels</p> <p>d) Create gender sensitive education system</p> <p>e) Provide young women with academic, technical raining</p> <p>f) Increase enrolment and retention of girls</p> <p>g) Eliminate barriers to schooling of <u>pregnant adolescents and young mothers</u></p>	<p>Achieve UPE</p> <p>Target: Ensure that by 2015 children everywhere, boys and girls alike, will be able to complete a full course of primary schooling</p>
<p>Para 164: Elimination of illiteracy by 2000</p>	<p>B2: Eradicate illiteracy among women</p> <p>a) Reduce female illiteracy by half its 1990 level</p> <p>b) Ensure gender equality in completion of primary schooling for girls by 2000</p> <p>c) Eliminate gender gaps in basic and functional literacy</p> <p>d) Encourage adult and family engagement <u>to promote literacy</u></p>	
<p>Para 169: Encourage girls to study scientific, technical and managerial subjects</p> <p>Para 171: Diversify/ Increase access to science, Voc Tech for especially the poorest women</p>	<p>B3: Improve women's access to training, science, technology and continuing educating</p> <p>a) Develop training policies for entry to the labour market</p> <p>b) Recognise non formal education opportunities</p> <p>c) Provide information on availability, benefits of training in science and technology</p> <p>d) Design education and training programme to offer new knowledge and skills</p> <p>e) Diversify vocational and technical <u>training and improve access</u></p>	<p>Promote gender equality and empower women</p> <p>Target: eliminate gender disparity in primary and secondary education preferably by 2005 and to all levels no later than 2015</p>

<p>Para 163: Strengthen the participation of women at all levels of national educational policy formulation level</p> <p>Para 167: Examine Curricula, textbooks, retrain personnel to eliminate gender stereotyping</p> <p>Para 168: Promote women’s studies and perspectives from women</p>	<p>B4: Develop non discriminatory education and training</p> <ul style="list-style-type: none"> a) Develop curricula, text books aids free of gender stereotypes b) Develop training programmes for teachers and educators to raise awareness on contribution of women and men in the family c) Develop programmes on effective strategies for gender sensitive teaching d) Ensure that female teachers and professors have same opportunities and equal status e) Introduce training in peaceful conflict resolution f) Increase proportion of women in educational policy and decision making g) Develop gender studies and research at all levels h) Develop leadership training opportunities i) Education and training programmes to respect multilingualism and non-discriminatory education j) Remove legal/ social barriers to sexual and reproductive health k) Guidance/ support to raise awareness on responsibility, avoid unwanted pregnancy, STD especially HIV/AIDS l) Provide recreation and sport activities n) Recognise rights on indigenous women and girls q) Promote education and training for rural women 	
	<p>B5: Allocate resources for monitoring implementation of educational reforms</p> <p>Governments: To provide required budgetary resources to the education sector: and establish a mechanism to <u>monitor reforms and measures</u></p>	
<p>Para 170: Flexible and accessible education and occupational training</p>	<p>B6: Promote lifelong education and training for girls and women</p> <ul style="list-style-type: none"> a) Avail broad range of education and training programmes b) Provide support in child care to enable mothers continue schooling c) Create flexible programmes 	

Priority Areas for Sexuality

	Nairobi FLS	ICPD	Dakar	Beijing PFA	MDGs	The Protocol
Health	<p>Calls for: Maternal and family planning services within primary health care systems.</p> <p>Safe fertility control drugs.</p> <p>Reduction of maternal mortality and morbidity.</p> <p>Information on family planning methods.</p>	<p>As per NFLS. In addition calls for: Services that support reproductive choices throughout the life cycle.</p> <p>Universal access to health services by 2015.</p> <p>STI and HIV/AIDS services.</p> <p>Research on microbicides</p> <p>Information and education on SRH</p> <p>Counselling services</p> <p>Safe post abortion services.</p>	<p>As per NFLS</p> <p>Reduction of HIV/AIDS</p> <p>Research on traditional medicine for HIV/AIDS.</p> <p>Reduction of unsafe abortions through education and information</p>	<p>Underscores ICPD</p> <p>Adds cervical and breast cancer to SRHR</p>	<p>Reduction of maternal mortality rates through improved health services</p> <p>Reduction of HIV/AIDS prevalence</p>	<p>Reduction in maternal mortality rates</p> <p>Family planning services</p> <p>Increase access to health care services</p>
Sexuality		<p>Respect for bodily integrity.</p> <p>Sex education</p>		<p>Underscores ICPD</p>		<p>Affirms respect and integrity</p>

Rights	<p>Affirms women's rights to control fertility.</p> <p>Calls for punitive measures for perpetrators of violence against women (VAW).</p> <p>Endorses equality between women and men.</p>	<p>Calls for:</p> <p>An end to VAW</p> <p>An end to the socio-economic subordination of women.</p> <p>Active participation of men in protection of SRH.</p> <p>Autonomy to make decisions on SRH.</p> <p>Equality between women and men.</p> <p>Right to health and reproductive choice</p> <p>Protection of rights of women living with HIV/AIDS</p>	<p>Commitment to: Ending VAW</p> <p>Economic and social empowerment for women</p>		<p>Increased Access to education for girls</p>	<p>Safe abortion granted in limited circumstances</p> <p>Calls for elimination of VAW in all spheres of life (marital rape recognised as a violation)</p> <p>Women's SRHR recognised as human rights.</p>
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Notes

- 1 L. Muthoni Wanyeki is a political scientist based in Nairobi, Kenya
- 2 Some sectors are, in fact, without targets, which is why the question of data remains critical.
3. Given the scope of this sector, this measure and these indicators should be taken to apply to all sub-sectors (including, for example, climate change, forests, land and so on).
- 4 The tables in Annex 1 are derived from the sector review papers on the media, education and sexuality authored by Colleen Lowe-Morna, Sara Ruto and Sarah Mukasa respectively.



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