

## Unpacking the Marriage Bill

### Gaps in law make a farce of the institution of marriage

...By Jane Godia

When the Marriage Bill 2013 was brought to Parliament for its first reading, a lot of hue and cry followed, with many men saying that the law sought to subdue them.

However, could this have been a misunderstanding of the intent and purposes of the bill?

According to Judy Thongori, an advocate of the High Court, the Marriage Bill 2013 is a sensation because it affects every one of us. She notes that it is important that this Bill is debated and passed. "We need to look at the Bill from the perspective of our individual spaces."

The Marriage Bill 2013 recognises marriage as the voluntary union of a man and a woman whether in monogamous or polygamous union.

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In unpacking the contents of the Marriage Bill 2013 media sensitisation meeting, Thongori sought to explain the social functions of the Bill including its anchoring on the need to protect the family unit; highlighting the historical background, journey of the Bill and the reasons why the passage of the Bill is timely; analysing the extent to which the Bill deals with matrimonial property, what law provides for customary marriages and marriage under Islamic law and their distinction.

She rejected the notions that the marriage as an institution is under threat noting that through law re-

forms, people are able to review the circumstances they are in.

This is noted in Article 45 of the Constitution of Kenya 2010 that speaks to the family. It notes in 45 (1) that "the family is the natural and fundamental unit of society and the necessary basis of order, and shall enjoy the recognition and protection of the state".

In 45 (3) it states "parties to a marriage are entitled to equal rights at the time of the marriage, during the marriage and at the dissolution of the marriage".

According to Thongori, "what we have done for the family unit since 2010 is most basic".

"The events of 2007-2008 brought to home many things. When people were worrying about businesses, the inability of individuals to protect their families was the biggest challenge," explains Thongori. She adds: When families break, the cry of anguish is the same for everyone - the rich and poor alike."

She reiterates that the family unit not only dictates the global community, but the global community is resting on the shoulder of families. "The family is the cornerstone of human society and is largely responsible for primary socialisation. If we miss it at family level, we have missed it altogether."

This is why the Marriage Bill 2013 is important. According to Thongori, debate on the Marriage Bill began in 1967 when the first president Jomo Kenya constituted a commission to review the Law of Marriage and Divorce.

She says it was to pay particular attention to the status of women in relation to marriage and divorce in a free democratic society. Then three attempts were made to pass the bill but they were not successful.

In 1993, the Attorney General constituted a special task force to review laws relating to women. In its report submitted in 1999, the task force recommended among others enactment of the marriage law, the matrimonial property law and the domestic violence law.

#### Review

In 2007, a draft marriage bill spearheaded by the Kenya Law Reform Commission was availed for public debate and stakeholder analysis. In 2012, there was a draft bill that never saw the light of day.

Why is it important to have a Marriage Act in Kenya today?

Currently, marriage is governed by seven statutes which date back to the pre-colonial period. Kenyans are using the marriage Act of 1902; Subordinate Court (Separation and Maintenance) that commenced in 1929; Mohammedan Marriage and Divorce Registration Act that commenced in 1906; Mohammedan Marriage Divorce and Succession Act that commenced in 1920; African Christian Marriage and Divorce Act commenced in 1931; Hindu Marriage and Divorce Act commenced in 1960; Matrimonial Causes Act commenced in 1941.

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Judy Thongori, an advocate at the High Court has been on the fore front promoting the Marriage Bill as a solution to many problems in marriage institution.

PHOTO: COURTESY.

## Marriage Bill set to protect women's rights in Kenya

Family life in Kenya will no longer be the same going by the debate and pending enactment of the long-awaited Marriage Bill 2013 which is before Parliament.

This law comes at an opportune time when women are already looked after to make the 2/3 gender employment ratio and also getting elected into positions that were originally occupied by men.

In the past, women and children have suffered discrimination, abuse and harassment in their matrimonial homes for a long time. This is highlighted in the Bill of Rights and the affirmative action principle.

Lobbyist and activists have been burning the midnight oil for decades trying to ensure that all the laws related to the institution of marriage in the country are brought under one roof in order to protect women and children who have suffered in the past due to the lacuna and loopholes created.

The new law aims at bridging the gaps left between the four laws that some men and their

relatives were taking advantage of to suppress and disinherit their spouses. Cases of men marrying under the Christian and/or civil law, which respect monogamous unions, and then turning around to change them unilaterally to become polygamous ones later were the order of the day.

The controversial Bill that has the backing of the umbrella women lawyer's body, FIDA, aims to legalise polygamy and come-we-stay unions, but with conditions among other new features.

In its general provisions, the Bill defines Marriage as follows: "the voluntary union between a man and a woman whether in a polygamous or a monogamous union and registered according to the Act."

The four laws that have been streamlined are the customary, Islamic, Christian, and Hindu law of marriage to cater for the interests of the over 40 million Kenyans.

Under the old law, a man had to decide which of the four laws should apply before he and his fiancée marry. The traditional and

Muslim laws allowed polygamy, but the Christian, civil and Hindu laws only recognized monogamous unions.

But under the new Marriage Bill, spouses will have equal rights on matrimonial property and where a man embraces a polygamous relationship, the right to property of the first wife will be protected. This has addressed the problem of in-laws frustrating widows and orphans in case of a death of a spouse.

A related legislation - Matrimonial Property Bill 2013 - provides that even where property is registered in the name of one spouse, the other spouse has a right to claim it.

The Bill gives legal recognition to polygamous marriages but places safeguards to protect the first wife who is usually neglected when the man takes in the second, often younger wife.

The proposed Marriage law has already ignited a fierce debate as it did when it appeared in draft form during the life of the last Parliament.

The Bill consolidates Islamic, Christian,

Hindu, civil and customary marriage provisions and offers protection for civil, traditional and religious forms of marriages.

Property acquired at the time of the marriage, during the marriage and at dissolution of the marriage will be shared on a 50/50 basis if the Bill is passed into law.

The Matrimonial Property Bill 2013 reinforces the division of wealth upon divorce stating "ownership of matrimonial property vests in the spouses in equal shares irrespective of the contribution of either spouse towards its acquisition."

So as Parliament debates the Bill, Kenyans, especially women, are waiting with baited breath to see it being passed and enactment into an Act.

Men and women will now have to be more serious before they say "I do" and commit themselves to live as husband and wife now more than ever before as the law clearly spells out the choices and consequences of getting into the married people's club with the dream of having a blissful future in holy matrimony.

# Jackline Oduor

## Trained secretary who defied profession to serve the voiceless

...By Omondi Gwengi

Had she pursued her parents' wish as other children do without questioning, she would be working today as a secretary in a private or public firm.

Yet she did as they wanted and trained as a secretary, but she has never worked as a professional in that line.

Growing up in a village in Usonga, Siaya County, Jackline Oduor had always empathized with children and women whose rights had been violated. She felt called to give them hope.

For more than two decades since she completed her secretarial course at Ramogi Institute of Advanced Technology (RIAT), she has never served in that capacity.

"It was not my wish to go for the secretarial course because going by the social injustices I witnessed as I grew up, I wanted to be a voice to voiceless in the society," she explains.

### Injustice

Oduor's journey begun in Webuye when she decided to teach a Sunday school in an effort to fulfil her childhood dream of serving disadvantaged members of society.

Today, Oduor who works as a paralegal in Karapul sub-location, Siaya County says that although she does what she enjoys most, paralegal

workers are faced by myriad challenges and the worst hit are women.

"It is not smooth sailing for paralegal workers and it calls for devotion and strong heart and for the case of women, we are viewed as people who have nothing positive to offer to the community," she adds.

She recalls a case where a father had brutally beaten and broken his daughter's hand in their village. She reported the matter to the police and the man was arrested.

### Inciter

"After the man was arrested and prosecuted, word went round the village that it was through my efforts that the man was arrested," she explains.

According to Oduor, she is sometimes viewed as an inciter especially by men who violate the rights of women and children.

"Handling cases in the community where you come from can be very challenging since majority will always recognise you negatively," Oduor notes.

There are many people who are behind prison walls not because they committed any crime but simply because they lacked information on their rights.

"There is still a strong belief that everything should be handled at the police station. There is need to sensitize the public to understand alternative dispute resolution," she says.



Jackline Oduor has been on the fore front fighting for the voiceless in the society.

PHOTO: OMONDI GWENGLI

This is perhaps what has inspired Oduor to serve the community in the capacity of a human rights advocate.

Despite the challenges and risks that the work comes with, Oduor says that her husband and family have been very supportive.

"It is very rare to find a husband who will always understand the nature of our work. He has always supported me socially and financially given that the work is voluntary," she reveals.

She notes the need for men especially those who are married to paralegals to give the necessary support to their women in order to move and make the necessary change in society.

"Even though we should be supported by our husbands, we should first start setting an example by conducting ourselves with respect in public," Oduor reiterates.

She explains: "I wish all the parents could bring up their children especially girls the way I was brought up. I am the first born and all my siblings recognise me as their eldest."

Oduor's desire is to see the County governments establish systems that will recognise the work of paralegals.

"The public too need to see us as those who are there to guard against any violation of their rights," she says.

## Public awareness needs to be created around women's leadership

...By David Njaaga

Women in the political leadership are calling for stringent policy measures by the government to enable the streamlining of women leadership in the country.

Led by Martha Wangari, nominated Senator from Murang'a County, women note stringent policy measures will be in tandem with weakening the patriarchal socialisation system that has for long been the cause of male dominance in the political landscape.

"Encouraging, public awareness and civic campaigns at all levels by the Government is the way to go if the country wishes to achieve a fair share in the representation of women in political leadership," Wangari explained.

She noted that this will abolish the stigma that has been there for long against women as it opens doors for fare competition in politics.

### Stigma

Wangari advised that the only way to unravel the question of gender imbalance menace is by fully complying with what the Constitution provides and that disciplinary action be taken against those who will fail to implement it.

"Transformation can only start taking route when people start to be serious and leaders be-

gin to accept change," she noted.

She observed that the Government has been slow in addressing the policies that give women same rights as men in political participation.

"Women in particular need to take stock of the significance of affirmative action positions with a view to optimizing the benefits and mitigating emerging challenges," Wangari reiterated.

Wangari quoted Article 27 that states "the state shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender".

She advised the Government to put more efforts to challenge the problems affecting women in politics and later give same roles in social economic and political control in development.

### Challenge

"Majority of people in our community rarely appreciate the role played by women in headship and this has led to most women finding it hard selling their political agenda to Kenyans," Wangari noted.

She added: "Politics is no longer a man's game. Women also have a say in what happens in the country, as when everything goes wrong also women are called upon to take part."

Her sentiment were echoed by

Prof Maria Nzomo of the University of Nairobi, Institute of Diplomacy and International Studies who observed that although the Government has fought as far as it can to achieve fair gender representation in its various political seats, the position of many women in the country has been retrogressive with leaders taking gender issues flippantly.

"There is need for us to work to prioritize important agendas in order to avoid failures tomorrow," noted Nzomo.

She observed that it is the right time that Kenyans should change the mentality that only men can lead, and take cognisance of the fact that women too have the capacity to bring change.

On the other hand, Wangari reiterated that for a time women have been made to think that politics is only for men yet women are also people with principles and ability to lead.

"Politics is a field where everyone can chip in irrespective of one's gender identity," she noted.

Wangari further urged Kenyans to always have a positive mind about women and also disapprove of leaders with retrogressive opinions meant to divert Kenyans in the line of gender balance.

"In every successful country women must be involved, and so let us appreciate their presence in leadership," she noted.

## Female legislators plans to increase their numbers

...By Omar Mwalogo

Women members of the national assembly under constituency elected women (CEW) caucus are now strategizing on how they could increase their numbers in parliament in future.

Meeting in Mombasa on the sidelines of the Member of Parliament's retreat in Mombasa, the 16 elected legislators vowed to increase the number of elected female legislators in parliament.

"In the last parliament we had 18 women MPs but the number has since reduced to 16. This calls for strategizing with the aim of both retaining and increasing the number of women in the coming General Elections," said Alice Muthoni Wahome who chairs the Caucus.

Wahome who is also the Member of Parliament for Kandara said they want to create a platform to share experiences and best practices from every one of them across their constituencies.

### Experiences

"We also want to mentor young women into elective political leadership and look for ways of mobilizing resources for our priority projects in constituencies through the caucus," she explained.

Wahome revealed that the group plans to enhance their capacity and visibility through the legislative agenda in

parliament and through other forums.

She said although the affirmative action through women nominated slots and through the County Women Representation has brought numbers in parliament, "preserving the gains and increasing it is very important".

The last parliament had 9.8 5 per cent female representation against the current 5.6 per cent, showing a big decline that is calling for a new strategy on how to increase the percentage.

"The tenth parliament had strong women legislators especially from the Rift Valley but most of them were not re-elected," said Wahome.

Muthoni attributed the loss to culture, negative publicity and political positioning among other issues.

Kibwezi MP Jessica Nduku said that as legislators, they have an opportunity to focus on how to increase their numbers in the coming 2017 General Elections.

"We want to see how best we can ensure that the number of female legislators increases in 2017 as we strategise to have a woman President in future," Nduku said.

According to Wahome, Kenya's female representation percentage in parliament is far below that of Uganda at 45 per cent, Rwanda at 50 per cent and Tanzania at 36 per cent.

She observed that though affirmative action is needed, it could not help much hence calling for women to seek elective positions.

# Grace Aluang'a

## Good leadership rewards her political career

... By Jacob Owiti

Out of the 47 elected members of the Kakamega County Assembly, only four are women. Among them, only Grace Aluang'a recaptured her seat as a Ward Representative in the 2013 General Election.

Aluang'a beat ten men in the Orange Democratic Movement (ODM) party nominations, and went ahead to triumph over seven others to win the Marenyo Ward seat in Butere Constituency.

This was seen as a rare feat among the Luhya community, where most women candidates get the least votes. For a woman to get elected for the first time in a political position is an uphill task and to be re-elected almost a dream, as her case illustrated.

"I voted for her in 2007 and 2013 because she has empathy for the disadvantaged. For example she paid college fees for my orphaned niece for three years," said Joel Andati.

Sixty-eight-year-old Aluang'a was a primary school teacher for 37 years, before she retired in 2002. In her career, she rose to be deputy and then head teacher.

### Career

"My empathy for marginalized groups begun during my teaching career when I was confronted by cases of bright needy students who lacked school fees," she reveals.

This inspired her to form a non-governmental organization named Education Support for the Needy (ED-SUN), to raise school fees for bright orphaned and vulnerable children in secondary school.

"To date, the organisation is paying fees for 32 students in secondary, colleges and universities and we expect to enlist more," says Aluang'a.

Her association with the needy started many years back because as a teacher she used to live with bright orphans and poor children in her family house, till they sat for their national exams.

Besides the NGO support and sometimes paying fees from her salary, Aluang'a is also aggressive in soliciting bursary for the needy children.

"As a councillor in the former Butere County Council, she got bursary from the council and District Education Office, and distributed it fairly," noted Aura Mukana, chief Marenyo Location.

She has also helped build the local chief's office using funds from Local Authorities Transfer Fund (LATF).

She also used LATF allocations to build two classrooms at Muyundi Girls' Secondary School in her ward, according to the school's principal Sophie Majani.

"I have always encouraged them to write proposals seeking funds to start or expand projects and businesses," Aluang'a explains.

She adds: "I believe in hands-on leadership and accountability, as opposed to many leaders who just dish out funds and do not supervise projects implementation."

It is the pragmatic approach to issues that has earned her accolades as a symbol of integrity, justice and hard work.

Her ward was merged with another to create the current one, which means she now has more responsibilities.

"However, with my track record and support from the communities I have worked with I will succeed," she declares.

Aluang'a attributes much of the success on support from the people, rather than from her own efforts or personal qualities.

"As the Constitution states, leaders must involve the communities in deci-

sion making on development issues. I have done that all along, that is why voters have confidence in me," she says.

To illustrate her involvement with the community, Aluang'a is a member of many self-help groups including church and school committees.

### Information

Another area in which she has interest is promotion of food security by linking farmers to the right sources of information and agricultural subsidies.

In 2012 Aluang'a was ranked the third best farmer in Kakamega County, during the event to mark the World Food Day, and the previous year, the best in Butere sub-County.

With the support of her husband Wycliffe, a retired company manager, they have invested in agribusiness for food crops, dairy, poultry and horticulture.

Her political campaign agendas were poverty eradication, education, food security and improvement of rural roads to access markets.

"If more people are educated, families become food secure, and farmers can access markets easily, then poverty will go down fast," explains Aluang'a.

As a County Assembly legislator, she is determined to push for legislations which would help create funds and promote agriculture, gender issues, education bursary and communication.

"For example in education, I would strive to have all those who sit for KCPE in my ward join either secondary school or polytechnics," she notes.

Her spirit to succeed despite the odds was planted in her as a child. She was born in 1944 in Butayi Village in Khwisero sub-County. She could not proceed to secondary school after passing class eight examinations in 1960, because her parents were poor.



Ms. Aluang'a in her banana farm. PHOTO: JACOB OWITI.

After staying at home for two years, well-wishers raised money to take her to Butere Girls' Secondary School, then later to Nyang'ori Teachers College to train as a P3 teacher.

She started teaching as a P2 teacher, but her hard work earned her a promotion after the Ministry of Education offered her a chance to train for P1 grade at Siriba Teachers' Training College. She then rose through the ranks to senior teacher, deputy and head teacher of various primary schools in Nairobi.

### Success

The last school she headed was Bidii Primary School in Nairobi County, which during her tenure, excelled in KCPE nationally. It alternated in the first three positions in five years.

Still in her quest for higher education, in 1996 Aluang'a took a certificate course in African Religious Studies at the University of Nairobi which led to her promotion as an Approved Teacher.

Aluang'a and her husband have eight children; four sons and four daughters. This is in addition to the disadvantaged people whom they have taken into the family.

"Taking care of such a large family has given me practical lessons in ad-

ressing diverse needs," she says.

It is the family that encouraged Aluang'a to join politics in 2007, believing she had exhibited good leadership qualities in her life and career. Family and friends gathered the necessary resources and a campaign team was formed that helped her win the civic seat.

She remembers that the then Butere MP Wycliffe Oparanya, now the Kakamega Governor, and a resident of the ward, also supported her interest for the Marenyo seat.

The team proved formidable again in 2013, as it helped her recapture the seat this time as a legislator for the Kakamega County Assembly.

But she says it has not been a smooth ride however.

"I have suffered intimidation from men, dealing with corrupt people put in charge of projects, and pressure from people expecting hand-outs and favours," she reveals.

Aluang'a says the challenges are only but lessons in leadership, and she will not be discouraged to forge ahead with her campaign pledges.

"I believe my voters view me as a leader who they are confident to work with, and not as a woman to be favoured against male political opponents," she concludes.

## Sexual violence continues to perpetuate HIV infection

... By Maurice Alal

Sexual Gender Based Violence (SGBV) is one of the major contributors of high HIV and Aids prevalence rates across the sub-Saharan countries and Kenya in particular.

According to Dr Nduku Kilonzo, Executive Director Liver-pool VCT Care and Treatment, a lot of sexual violence committed goes unreported to the police, health experts and parents.

### Victims

"Children and women suffer the brunt of sexual and gender based violence as they are vulnerable and that most of which are committed with close relatives, teachers among others," Kilonzo noted.

Over 15,000 survivors of sexual violence (90 per cent) female and (10 per cent) male have

been provided with post-rape care services such as clinical evaluation and legal documentation, HIV Post-Exposure Prophylaxis (PEP) and pregnancy prevention at the facility.

Other services given to the victims are trauma counselling and HIV testing to improve their living standards as most of them undergo stigma without proper care services.

However, high rate of gender based violence have been reported mostly in Kisii, Nyamira and Kuria where female genital mutilation, domestic violence and wife inheritance are practiced.

According to Jane Obiero Nyanza Regional Director of Gender who also doubles as the Kisumu County Gender officer, there are many cases of sexual violence in schools and homes yet majority remain unreported to relevant authorities.

"There is also wife and men battering, wife inheritance and sexual violence in Kisii, Homa Bay, Kisumu, Nyamira, Migori and Siaya counties leading to high cases of HIV infection across the country," says Obiero.

She added: "Rape cases are still high especially to the girl child and older women with most of the perpetrators being the people known well to them."

However, Obiero observed that female genital mutilation was still high in the region due to communities holding on to cultural practices.

### Inheritance

She noted that wife inheritance is also common in various communities countrywide. This is both voluntary and forced inheritance which has been reported as the major cause of HIV infection.

Obiero noted that men who

are HIV positive have perception that when they have sex with virgin girls it will free them from the infection and this has contributed to increased cases of HIV infection.

Obiero stated that most of the sexual violence is committed by relatives more so during conflict in the family.

Speaking during Nyanza Province Gender Based Violence Stakeholders forum held in Kisumu City, Caroline Kam-bona, Behavioural Scientist at the Kenya Medical Research Institute and Centre for Disease and Control Prevention (KEMRI/CDC), said over 3,000 children countrywide have been victims of sexual and gender based violence.

A report released at the meeting indicated that 45.9 per cent of the sexual violence occurs when the children are travelling by foot with perpetrators being

relatives and parents being primary offenders.

About 57.5 percent of sexual abuse are also of spouse both men and female. However, Kam-bona noted that 60 per cent of sexual and gender based violence was done by men.

"Most of the cases were not reported by the victims due to fear of consequences from perpetrators, embarrassment and stigma. Majority of the victims raped at the age of 15 often became pregnant," said Kam-bona.

She noted that most of the perpetrators were 10 years older than the children they sexually abused. Herdsmen, church leaders, boy and girlfriends are reported as other perpetrators.

The report also indicates that majority of the victims were aged 18-24 years old following unwanted touching, physically forced sex and pressured sex.

However, Francis Mutie,

Nyanza Provincial Commissioner noted that sexual and gender based violence is linked to HIV as it was one of the contributing factors to the high prevalence.

### Linkage

"About 40 per cent of girls below the age of 18 years old have been victims of the sexual gender based violence countrywide," Mutie said.

He said that some of the parents are reportedly sneaking their daughters across the borders to neighbouring countries where they force them to undergo female genital mutilation and warned them of being arrested. "This has led to a high rate of early marriages and school dropouts in the region," said Mutie.

However, he urged those who are married to maintain peace to reduce gender based violence by solving their problems amicably.



A woman mentor addressing HIV positive women at a public health facility in Siaya County. PHOTOS: COURTESY USAID

# Mentoring program targets to reduce HIV transmissions

...By **Carolyn Oyugi**

**M**entor mother program is now available in over 100 public health facilities in Kenya. The initiative employs HIV Positive women to act as mentor mothers by giving advice to pregnant HIV positive women and those who have just given birth on how to take care of their children and themselves.

The program which is a big boost to Prevention of Mother to Child Treatment (PMTCT) has been trying to fill the gap left by the low number of health providers in the country in order to reduce the number of HIV transmission by mothers to their children during birth.

The mothers are usually trained under the USAID funded program before being assigned their respective areas of operation and the mentee mothers.

## Complement

Speaking during the first Kenya Science Journalist Congress held recently at KEMRI headquarters in Nairobi, Dr. Maxwell Omondi who is the Senior Advisor M2M stressed on the need to have more nurses in the public health facilities.

“The program aims to comple-

ment the services of nurses and doctors in health facilities in the country but that does not mean that we don't need more health providers. The role of nurses in most health facilities has increased over the years but their numbers have not hence this program aims to bridge the gap in terms of quality health delivery,” said Omondi.

Dr Omondi added that women bear the biggest burden of HIV infection yet they had not been involved actively in the treatment and management process. This program model, he says aims to put women at the centre of HIV reduction efforts in Kenya.

According to their records, M2M boasts of having a positive impact and having helped almost all of their clients.

“Being a mentor mother has both

joys and disappointments” said Peris Njoki one of the mentor mothers. She oversees 5 mothers in Mathare North Health Centre in Nairobi.

According to Njoki adherence levels to Anti Retroviral (ARV) drugs used to treat HIV has increased with more babies born without the virus.

The challenges that she faces however are mostly related to poverty. At times she finds it hard to trace her mentees who live in the surrounding slums.

“In the slums there are usually movements towards end month. People relocate either to evade paying rent, to go to cheaper houses or to better houses which makes it difficult to adhere to the program.” She said.

She however has her happy moments when a client accepts her status and starts the treatment. She is



*“Women bear the biggest burden of HIV infections yet they had not been involved fully at the management stage.”*

■ DR. OMONDI

also motivated when a HIV positive mother gives birth to a child who is free from the virus.

“I have also met discordant couples who have accepted their HIV status and are supporting each other. This is very important for me because apart from medication people who are living positively also need a lot of support from their loved ones.” she said.

## Interventions

There are over 1.4 million pregnant women in low and middle income countries infected with HIV most of them from Sub-Saharan Africa. The mentor to mother program has been rolled out in parts of Nairobi and Western Kenya.

Sub Saharan Africa has 25 percent global disease burden yet only has 3% of the global doctors. According to world Health Organization (WHO) as time goes by health providers now have more workload and responsibilities than before. This is a change that they relate to discovery of more diseases and frequent changes in their treatment.

Kenya is no different, the ratio of doctor to patient is very low and this contributes to poor service delivery.

M2M process begins when the mothers come in for their prenatal care at the clinic where group pre-

test and counseling is offered. For the mothers who test positive, they are put on anti-retroviral medication and educated on living positively.

The women are also encouraged and told the importance of disclosure and adequate preparation is given on good nutrition and infant feeding. When the child is born and is six weeks a polymerase chain reaction-PCR test is done to find out if they have the virus followed by another test carried out at nine months and a final rapid body test at eighteen months to identify the HIV antibodies.

The program has also come up with effective ways of ensuring that the mothers retain in the support group. The mentors together with community health workers from the hospitals have developed an active follow up tracking through household registers of the mothers who join the program.

With this in place, it reduces the chances of mothers defaulting from the treatment they receive. Another addition to the m2m program is the pilot program of Mentor Fathers. The male partners of m2m support group have joined the program to encourage men to support their partners. Through provision of USAID they are receiving training so as to offer support to men living positively.

# Climate change forces women to abandon traditional crops



...By Duncan Mboyah

In the Nyando Basin in Kisumu County, effects of climate change and variability are already evident in droughts, floods and unpredictable rainfall that have increased, affecting agriculture and food security.

These problems are compounded by high poverty since about half of the population lives below poverty line in the region.

People from the region are known to suffer every rainy season and at the same time face the severity of dry weather.

This takes place year in, year out, as farmers traditionally engage in mixed farming that they inherited from their forefathers, yet it is to blame for causing poverty and soil degradation.

Seeing that the changes continue to worsen, women have formed self-help groups and a further large umbrella farming groups to improve local livestock and diversify crops to improve soil and water management.

"We have been forced to switch from maize and millet to early maturing pigeon peas, cassava, green grams, sweet potatoes, cow pea and beans," explains Karen Akinyi, chairlady Obinju Women's Group that is affiliated to North East Community Development Programme (NECP).

She notes that the new crop varieties are disease resistant and matures earlier than indigenous and grow with little water.

## Resistance

"Initially our group members planted maize and millet but they were forced to look for an alternative to help improve food security," Akinyi explains.

So far the group has harvested 10 sacks of pigeon peas and continues to harvest for the next three years.

The community based organisations were formed as a way of bargaining for insurance cover to help save them from crop losses every year.

"We are yet to reach the required acreage to begin to benefit from in-

surance cover. We are, however, increasing the acreage under crops to meet the standards set by insurance firms," she says.

Besides working on the group farm, the farmers have their own projects in private farms growing early maturing and drought resistant crops.

According to Akinyi, group members work in the communal farm in turns especially when pigeon peas is being harvested.

"Farms in this region are not diverse as farmers lack innovative ideas and stick to the traditional farming systems that earn them little income," explains Dr John Recha, Participatory Action Research Specialist with Climate Change, Agriculture and Food Security (CCAFS).

Recha observes that a study done by CCAFS reveals that 37 per cent of farmers in the basin have not used any new crop variety in the last 10 years yet they religiously plant and harvest crops that rarely last them four months.

He notes that with the changing climate, farmers require new technology to enable them earn from their farming activity.

The lower section of the region suffers serious degradation that is caused by two rainy seasons that form run offs that create deep gullies that affect about 40 per cent of the landscape.

However, following the intervention of researchers, the situation on the ground is fast changing to the better with farmers already seeing the benefits due to their change of farming system.

They have acquired new practices, crop varieties, breeds of livestock and partners. They are now keeping goats, sheep and chicken that withstand stress but mature faster

Members of North East Community Development Programme picking pigeon pea from their farm in Nyando basin, Kisumu. PHOTOS: MITCHELLE GEIS

compared to indigenous breeds they have kept for the past three decades hence fetching high amount of money.

"The new breed of goats matures after one year and fetches good money at the market rate," notes Joshua Omollo, a livestock farmer in Lower Nyakach.

Omollo who has been a livestock farmer for the past four years acquired Galla Bucks goats two years ago and to date continues replacing the indigenous ones with new breed. He has also acquired a new breed of the Red Maasai sheep, also a new breed that is hardy and resistant to diseases.

Indigenous goats fetch KSh1,000 while the new breeds fetch farmers KSh4,000, the price that has changed their attitude towards farming as a way of improving their standards of livelihood.

Twenty farmers have already adopted the new technology but they now target to get 100 more on board by the end of the year.

For John Obuom, being jobless reawakened his energy and turned him into a farmer even though his age-mates were out working in urban centres.

"I tried to secure employment but nothing was forthcoming then turned to mixed farming. This too turned not profiting as crops failed most of the time," he explains.

However, today Obuom is regarded as one of the prominent farmers in his locality whose lives have changed courtesy of adopting new technology in agriculture.

## Technology

The 42 years old grows paw paw,

keeps bees and an improved breed of cattle that gives him milk which he sells to the local community.

He has 500 paw paw trees that he sells to consumers locally and earning KSh6,000 every month. He is planning to plant additional 500 trees before the end of 2013. He harvests bee four times a year and sells honey which earns KSh100,000.

Here poultry farming is believed to be an economic venture that is only practiced by women as men rarely get engaged in keeping chicken yet they are the heavy consumers of the bird and its products.

Beatrice Were has taken up the task of keeping poultry in large scale. "I started keeping the indigenous chicken but somewhere on the way met experts from the CCAFS who introduced to me the early maturing and disease resistant chickens," says the retired teacher.

Were has kept indigenous breeds for many years but this has not given her income compared to the improved breeds that she is currently keeping.

"The indigenous takes seven to eight months to mature, has less weight and fetch between kSh250 and KSh300," she notes.

Were first changed her stock from indigenous by crossing breeding the locals with one cock and today owns 66 pure graded chicken layers.

"Within one month I sell 10 crates of eggs. The eggs are bigger in size compared to the ones produced by indigenous breeds," she explains.

From her farm, Were helped form Kamwana Baseline Poultry Farmers, an association of women from Kamwana Village.

All the 20 members of the association keep poultry and have since been benefiting from support from CCAFS extension officers who visit them weekly.

## Benefits

Recha reveals that over 3,000 chickens have been given to farmers within the basin since the programme started a year ago.

He notes that the project aims at improving food security in the region that is faced with adverse climatic conditions and also providing useful information to farmers with the aim of extending the innovative ideas to others.

Many women, mostly widows have educated their children through poultry keeping as chicken is a delicacy in the region.

In a bid to help farmers learn better crop management and acquire new seed varieties, Magos Farm Enterprises, an agro-dealer in Kisumu town has come on board helping farmers through telephone Short Message Services (SMS) system.

"We have a registered phone number that farmers use free of charge asking for assistance with information on which seeds to plant and what insecticide to buy for use in the farm," says Beatrice Akinyi the Organisation's Executive Director.

The organisation has 1,000 registered farmers within Nyando Basin who are helped through demonstration farms during field days where they apply fertilizers for them to see the difference between using fertilizer and none using it.

It offers technical advice and occasionally links farmers with soil scientists who take their samples to the national soil laboratory at Kenya Agricultural Research Institute (KARI) Nairobi for tests.

"Many farmers especially the youths are constantly buying seeds and also seeking for advice," Akinyi notes.

However, she observes that many farmers still lack finance to purchase hybrid seeds and opt for traditional preservation of seeds. She reiterates the need for them to be supported to help improve crop yield.

This group's approach has helped women farmers gain better and nutrition as well as food security since crop productivity has increased while income from selling honey, fruits and cereals provide extra income.

*"We have been forced to switch from maize and millet to early maturing pigeon peas, cassava, green grams, sweet potatoes, cow pea and beans."*

■ EXPLAINS KAREN AKINYI, CHAIRLADY OBINJU WOMEN'S GROUP

# Police blamed for failing in the fight against gender based violence

...By Benson Mwanga

Victims of sexual gender based violence have hit out at the police accusing them of perpetrating the vice among other forms of human rights violation in the country.

The victims claimed that police were doing little to eradicate the rising cases of sexual and gender based violence which had impacted negatively on economic and social development in the country.

Speaking at the National Summit on Peace and Gender Based Violence, the survivors noted that law enforcement officers were not keen on helping victims of sexual abuse.

"I am proud to have survived and I am not ashamed to tell Kenyans the truth about sexual gender based violence. I was raped in Nairobi in 2007 and when I reported the matter to the police I was branded a prostitute," claimed Celestine Ochieng, a survivor of rape.

Ochieng noted that her attackers were paid by her close relative and despite reporting the matter, police refused to arrest the culprits.

## Perpetrators

"One of the police officer asked me how I felt when I was being raped," she said, tears rolling down her cheeks. "It was painful and traumatizing to tell my family and friends about the ordeal. I am here to speak on behalf of those who cannot speak."

Ochieng observed that the police are putting the sexual and gender based violence survivors off because they are the biggest perpetrators of such cases adding that corruption and impunity is to blame for the increased cases.

Studies show that gender based violence cases vary across cultures and regions in Kenya. The analysis reveals that the rate of incidences of physical violence signifies relatively similar levels of violence in all regions except North Eastern where sexual violence is low but physical violence high.

This discrepancy may be attributed to possible high levels of stigma against



Police officers marching during a public event. Many GBV cases have failed due to poor handling by the police. PHOTO: COURTESY.

victims of sexual violence who most likely suffer in silence and do not contribute to statistics.

The Kenya Demographic Health Survey notes that high incidence of over 50 per cent physical violence and over 15 per cent sexual violence could be an indicator of cultural norms supportive of gender based violence.

However, according to Anne Waiguru, Cabinet Secretary, Ministry of Devolution and Planning gender based violence, specifically violence against women is considered as one of the most pervasive and tolerated form of human rights violations of the world over.

"It has devastating effects on individuals, communities and nations often resulting to physical, mental and health problems," said Waiguru in a speech read on her behalf by Catherine Muoki, Director of Gender.

"The most demeaning, however, is the denial to one's social rights as manifested in cultural practices that subject women and girls to domestic violence, female genital mutilation and traffick-

ing as sex slaves or unpaid workers and at the worst for ritual sacrifice," said Waiguru.

She noted that the Government has put in place interventions on strengthening the legal systems and accelerating implementation of existing gender based violence related policies and legislations have been prioritised.

"The Government has undertaken a variety of measures to protect and promote the human rights of women. There are a number of strong legal frameworks for protection from gender based violence," she said.

## Protection

Waiguru cited some of the legal frameworks like the Sexual Offences Act 2006 which provides a framework for the protection of women and girls from sexual violence, Counter Trafficking in Persons Act of 2010 as well as the Protection from FGM Act 2011 and the Employment Act 2007 which

outlaws sexual harassment.

There are also efforts to strengthen policy framework on GBV through development of a national gender based violence policy, which is in its conclusive stages, she said.

Other various policy measures have been undertaken and include Reproductive Health Policy 2007, the National Policy for the Abandonment of FGM 2009, and the plan of action for Kenya's Adolescent Reproductive Health Development Policy 2005-2015, Social Protection Policy among others.

Statistics in Kenya indicate the high prevalence of gender based violence.

According to the Kenya Demographic Survey 2008-2009, one in five women in Kenya have experienced sexual violence representing an increase of 5.1 per cent since 2003, overall. Almost 45 per cent of women aged 15-49 have experienced one form of violence either physical or sexual violence.

## Key Provisions of the Marriage Bill

...By Jane Godia

The memorandum of objects and reasons set out in the Marriage Bill 2013 states that the proposed consolidation of marriage laws will minimise complexity, unpredictability, and inefficiency occasioned by the current multiplicity of laws on the subject.

The marriage Bill 2013 recognises all forms of marriages. These include the Christian, Islamic, civil, and customary marriages.

The Bill recognises Christian marriages as those where a party professes the Christian religion and they may be celebrated in a public place of worship. The grounds for divorce are adultery, cruelty (mental or physical) even against children and desertion for at least three years.

Islamic marriages are recognised as polygamous or potentially polygamous; shall be governed by Islamic law; officiated by a Kadhi, sheikh or Imam; their dissolution shall be governed by Islamic Law.

Civil marriages are recognised as monogamous unions, one can only petition for divorce or separation after a lapse of three years; grounds for dissolution are adultery, cruelty, desertion, irretrievable breakdown of marriage and exceptional depravity. A court may refer, matrimonial disputes to conciliatory process.

In Customary marriages the bill recognises that they are polygamous or potentially polygamous; No consent of the existing wife required; however, notification will state whether such a wife has been informed and whether they approve or not and the reasons for the approval or disapproval; may be converted from potentially polygamous to monogamous; where payment of dowry is required, a token amount of dowry shall be sufficient to prove such marriage.

According to Judy Thongori, a legal expert on marriage, it is important to note that there is clear distinction between Christian and civil marriages which has not been the case currently. "It is also clear that other than legal recognition of Islamic marriages, the details are left to Islamic Law."

She says that it must be remembered that the Bill seeks to recognise and legalise marriages.

"Customary marriages are potentially polygamous and were in existence before Christian and Civil marriages," Thongori says. She explains: "Though customary unions have not been provided for in the statutes, they have been existing alongside statutory monogamous unions. Many Kenyans have spouses and children in such unions."

## Gaps in law make a farce of the institution of marriage

Continued from page 1

According to Thongori, there is need to accord all marriages equal status and that is why it is important that the marriage bill is passed.

"There is need to have the law on marriage just, accessible, modern and cost effective in application," Thongori says.

Lack of harmonisation is the major problem within the seven statutes. "Marriage laws and related matrimonial causes laws are scattered in several statutes. The resultant confusion that is experienced by the judicial officer, lawyer and consumer alike, has caused great uncertainty and injustice to very many people," she explains.

It is important to take cognisance of the fact that there are gaps in law. "There has been no legislation that reflects the existence of customary marriages. As a result, the status of customary law marriages is uncertain

and only formally recognised in judgments and rulings," Thongori notes. She explains: "There is need to have the marriage law reflect values and conform to the letter and spirit of the new constitution."

## Bill

However, if the Marriage Bill 2013 is passed nobody will cheat about the intent to marry. Many women have been known to walk out of a relationship when huge expenses have been incurred towards a wedding. "Under the Marriage Bill this will call for legal action to be taken against such persons."

Clause 76 of the Marriage Bill says: A promise to marry is not binding. However, a party can seek damages for the loss occasioned as a result of a breach of promise to marry. On effects of a promise to marry Clause 76 (1) states: "Except as provided in this section, a promise by a person to marry

another person is not binding." And 76 (2) states: "Despite sub-section (1), damages may be recoverable by a party that suffers a loss when the other party refuses to honour to marry."

According to Phillip Otieno, Executive Director Men for Gender Equality Now, men looks at women differently yet they are related as mothers, sisters, aunts, nieces and grandmothers.

Otieno notes that the Marriage Bill recognises conjugal rights and a woman has no right to deny her husband sex. Clause 84 (3) of the states "where either the husband, or wife has, without reasonable (good) grounds withdrawn from the society of the other, the aggrieved party may make an application to the court, on being satisfied of the truth of statements made in such application, and there being no legal ground why the application may be granted, may order restitution of conjugal rights ac-

cordingly".

Otieno notes that while there have been misconceptions over the Marriage Bill 2013, the law is not about the woman, it is about the family, including the children.

His sentiments are echoed by Zebib Kavuma, UN Women Kenya Country Representative who notes that the issue of marriage is so personal that nobody wants to make decisions.

"We need to think of what is important to us as individuals, women, men or society because each one of us belongs to a family whether married or not," says Kavuma. She adds: "Kenyans need to carry the spirit and letter of the Constitution because it is beautiful. Yet when it comes to bringing it to life there are many stumbling blocks. There is need to put aside our own selfish interests and see what is good for the family."

Thongori says adding that the key to the Bill lies in public perceptions.

# Women seek financial empowerment in the fight against GBV

...By Bob Ombati

As women, clad in lessos and veils sell their goods under the scorching sun at the sprawling Daraja Mbili market in Kisii County, one can be forgiven to think that it is 'a women's market'.

Behind the women small scale traders are few barely visible men competing with them and have to shout hoarse to attract buyers.

Women display their wares conspicuously such that a visitor to the market will aptly guess that they are playing a great role in alleviating poverty through small businesses.

The adage that men are bread winners is slowly fading out in Gusii community as majority of women defy cultural barriers and odds to compete with men to put food on the table.

Consequently, lazy and idle men feel challenged and resort to intimidating and battering their spouses in a bid to force them to conform to the cultural norms that they are in charge.

The struggle to mask idleness by beating up wives and children at the slightest provocation is fueling and prolonging family disputes, threatening peace, social fabric and development.

Majority of women in the community are engaged in small scale businesses, agriculture hold the economies of their families and have, contributed immensely to the development of their families.

While men hold land title deeds in their names, women till the land to produce food to feed their families and sell the surplus to generate income to boost their standard of living.

## Peace

A random survey to homes and markets proves that women are dominating businesses and are on cash and food crop farms to ensure they put food on table for their families to foster peace.

Consequently, the frequency of Gender-Based violence (GBV), especially in rural areas is gradually decreasing though there are some pockets of families where men batter their spouses in a bid to exude their manhood and power over them.

Officials from Coalition on Violence against Women, (COVAW) a civil society organisation has partnered with community leaders and the media to fight GBV in the area to peaceful co-existence at families and the community.

COVAW Project Associate Officer, Yvonne Godia power imbalance between men and women causes family disputes which trickle to the community and threaten peace, unity and development.

Godia, who, jointly with community leaders conducted a random interactive sessions at Daraja Mbili market, recently came face to face with the reality of some psychologically troubled but determined women out to work and feed their



COVAW members show women at Daraja Mbili market, Kisii town illustrations of spouses helping each other in different family activities during an awareness session. PHOTO: BOB OMBATI

families.

She said COVAW, through the Peace Initiative Kenya (PIK) project is concerned with prevention and mitigation against violence geared towards women and has trained community activists to enhance campaigns against the vice.

"Community activists inspire and enable the community question the power imbalance between men and women; from individuals to the community," explains Godia.

She notes that the activists use COVAW's communication materials to reach out to the public and spur critical observations, thinking and action.

PIK focuses on risks women and girls face during conflicts and efforts they make to promote peaceful society.

During the session, the women revealed they were enduring life with their cruel husbands for the sake of children, adding most husbands drink illicit brew to escape family responsibilities.

The women disclosed they are forced to give their idle husbands money to buy the drink, stating it has helped cement the relationship and maintain peace at families.

"I give my husband money to buy chang'aa (illicit brew) and spare some to buy food and uniforms for our children," says Gesare Makori, who has been in the business for two decades.

Gesare laments that lazy men are brutal but has to endure life for the sake of her three children who are going to school. She says she would like to see her children complete university education, get jobs and become independent.

Gesare combines farming and business to raise adequate funds to support her children, adding she cannot abandon the man since she cannot get land to till to produce food and cash crops.

Gideon Gikenyi, a community

leader and member of COVAW who is also a chief says that domestic violence, especially towards women is due to ignorance by both men and women.

Gikenyi, who took part in the session said that few men know the rights of women and respect while majority are ignorant and anchor their oppression on women to cultural strings they are unwilling to cut and live civil and descent lives.

He challenges men to discard retrogressive cultures and embrace women as equal partners in development, saying women should be supported to enhance peace and hasten the country's social and cultural development.

"Women are overworked and yet they do not enjoy the fruits of their sweat since men earn and pocket payments from cash crops like tea and coffee, whose production rely heavily on women," observes Gikenyi.

## Values

He notes that if the trend does not change, the girl-child will continue suffering owing to the outdated cultures which consign women to kitchen and giving birth to babies while men view themselves as kings.

During a recent workshop at Sameta Lodge, Gucha District, leaders noted that Female Genital Mutilation (FGM) was rampant in Nyamira and Kisii counties under the cover of preserving the community's cultural values.

Interestingly, besides the girl-child being a victim, perpetrators of the vice, middle-aged women colude with traditional circumcisers and nurses at private hospitals and clinic to perpetuate the practice of female genital mutilation.

Human rights activities and community leaders noted that there are women who take their daughters to hospitals to be cut without the consent of their husbands. They

do this during the holidays and cheat that the girls have gone to visit their relatives only for the husbands to learn they had undergone FGM. This ends up fuelling wrangles in the family.

According to Stephen Obiri, Kisii County COVAW Coordinator and a human rights activist, parents subject underage girls to FGM, leaving them agonized and traumatized while the parents rejoice for having made them 'women'.

Obiri recalls how traditionally they would sing an FGM song 'Obeire mo'kabamura (she qualifies to be married)' to please the girls, embolden them and motivate others to follow suit.

"They would categorize them to ensure FGM graduates command great respect from potential candidates of the vice," he says.

Obiri notes that the rights of aged women were violated by being branded witches and lynched by a mobs, saying the trend has created fear among aging women, who feel insecure and unsure of enjoying their sunset years.

According to Borabu District Peace Committee Chairman, Reverend Arita Mokua killing of innocent and gracefully aging women is linked to land tussles and witchcraft is merely used to justify the vice.

Mokua notes killing women and battering them disorients families, noting they suffer physically and psychologically and these actions spell doom to the families.

"Women and children are traumatised. Children drop out of learning institutions due to instability at families and end up begging for food in streets," states Mokua.

He challenges women to know their rights and defend them whenever they are violated, saying it will force their husband to respect them lest they face legal consequences if they violate them.

## Women with disability given raw deal

...By Robert Nyagah

Kilifi County Assembly member has called for the allocation of space within commercial centres where those with disabilities can produce various items for sale as a means to earn a living and improve their living standards.

Sophie Burns Chokwe who was nominated to the Kilifi County Assembly courtesy of her disability said that lack of central production space for those with disabilities disadvantaged them across the country.

She noted that such establishments could be funded by the county and national governments in conjunction with the private sector.

In an interview with Kenyan Woman in Malindi, Chokwe who is the chairperson of the Haki Disabled Self-Help Group said that many disabled people with skills to produce marketable items suffered unfair competition during marketing.

## Support

"Most commercial areas in Kenya are inaccessible and unfavourable to those with disabilities denying them a market for their produce," she observed.

Chokwe noted that the Government and private sector support to persons living with disabilities was too little.

"The Government funding which presently stands at KSh50,000 for registered groups of people with disabilities to generate income is too little and demeaning," said Chokwe.

She reiterated that due to the low funding, many people living with disability have given up as the money is too little to make one self-reliant.

She urged the Jubilee government to dedicate a special fund towards those with disabilities and avoid placing them in the same system to compete with the strong and able bodied.

Chokwe's organization was started about seven years ago with membership of 100. "However, due to financial crisis and collapse of most of the ill-funded income generating activities only a mere 10 members remained," she said.

Despite producing high quality products such as bead decorated baskets, sandals and crocheted mats, her group's success has been hampered by poor marketing and lack of access to market where competition was too stiff.

"I am confident that if our group members are assisted with a fully equipped workshop and space where they can display items for sale locally and abroad, we will succeed and move away from the present scenario where many of us have to beg," Chokwe reiterated.

The organization has secured a contract to sell baskets, sandals and mats to a Mombasa based exporter but faces challenges of raising enough capital for large consignments.

"The tourism industry has also let down those with disabilities by failing to set space specifically for them to market their produce to tourists," Chokwe noted.

She added: "The national government should allocate a percentage of the export market in various goods to those with disabilities to help them become self-reliant."

# Social Assistance Act gathering dust

...By Faith Muiruri

The Social Assistance Act passed by parliament and assented to in January 14 this year is yet to be operationalised.

The Act which is critical to cushion the less fortunate, poor, elderly and persons with disability in our communities is gathering dust, despite the fact that they account for over 50 per cent of Kenyans living below the poverty line.

The Act among other things seeks to give effect to Article 43 (1)(e) of the Constitution, establishes the National Social Assistance Authority and provides a legal framework to cushion the needy and vulnerable in the society.

However, the Authority contemplated in section 3 of the Act and which sets in motion a more centralised and coordinated approach to handling social support is yet to be established.

## Interventions

Instead the government has introduced a social protection scheme that will take care of the poor and the vulnerable.

Cabinet Secretary for National Treasury, Henry Rotich, says that the government has already allocated Ksh. 13.4 billion (US dollars 157million) under the scheme, which is to be distributed among the orphans, the disabled, the elderly and those with albinism. The initiative will also cater for the Presidential bursary scheme for needy students and the urban food subsidy.

A total of Ksh.8.0billion has been allocated to the orphans, Ksh.3.2billion for the elderly, Ksh.770million for the disabled, Ksh.100million for albinism, Ksh. 356million for the urban food subsidy and Ksh. 400million for the Presidential bursary scheme.

## Irony

However, the Government has not made any reference to the Act. Critics have termed this move as an oversight that may actually lead to dissipation of the law, which was slated to commence in January 25, this year.

"Continued delay in the im-

plementation of the Act is set to derail the aspirations of the law which establishes a legal framework for social assistance," explains Kenneth Kogutu, a senior program's officer with the Women Political Alliance- Kenya.

He further says that the Women Political Alliance is pushing for an amendment to ensure the Act also makes explicit references to Articles 26 (1), Article 27 (4), 53 (1), 54, 56 and 57 of the Constitution.

"The Act only seeks to give effect to Article 43 (1)(e) on economic and social rights and fails to include Articles 26 (1), Article 27 (4), 53 (1), 54, 56 and 57 of the Constitution which aptly capture groups in need of social support.

Groups earmarked to benefit under the Act include orphans and vulnerable children; poor elderly persons; unemployed persons; persons disabled by acute chronic illnesses; widows and widowers and persons with disabilities.

Kogutu says that the Alliance will soon organise a series of forums to sensitize both the law makers and the public on the merits of the Act.

"Currently there are many funds administered separately which leads to duplicity of beneficiaries and exclusion of other deserving cases," explains Kogutu during a forum organised by the Women Political Alliance in Nairobi.

He says that previous initiatives to cushion the needy have been characterised by mismanagement, unaccountability and exclusion of the citizenry from public affairs.

"Whether they are named the National Youth Enterprise Fund, the Elderly Fund or the not so public initiatives by the private sector, the impact has been dire as promoters have been working in uncoordinated manner," he laments.

He cites the monthly stipends for the Elderly and orphaned and vulnerable children which have been faced with allegations of corruption and misuse of funds.

"The Kazi kwa Vijana programme, which was also an initiative aimed at trying to reduce the rate of unemployment in the country was marred by contro-



Elderly people during the International Day for Older Persons which was recently marked in Nyeri County. Below: Elderly people in Kieni share a cake to mark the International Day for Older Persons which was recently held in Nyeri County. They are among vulnerable groups slated to benefit from the Social Assistance Act which is yet to become operational.

PHOTOS: JOSEPH MUKUBWA

versy. An audit report by the World Bank revealed how the funds were grossly misused by the same leaders mandated to oversee the programme," he points out.

## Benefits

He says that the new law targets unemployed youth who will for the first time be eligible for social assistance while the poor neglected elderly in the society have been given new lease of life.

The unemployment rate especially among the youth is very high in the country. A recent World Bank report revealed how unemployment continues to be a great hindrance to the country's development.

According to the Act, beneficiaries are to receive regular payments for food, shelter, clothing, fuel, household and other personal requirements.

The National Social Assistance Authority comprises of a chairperson appointed by the Cabinet Secretary for Labour and Social Services with the approval of Parliament. Other members of board include Principle Secretar-

ies in the Ministry of social services, finance, health and the Director of the Authority who shall also be the secretary to the Board.

Representation in the board shall also be drawn from the National Council of Children Services; the National Council of Non-governmental Organizations; the Kenya National Human Rights and Equality Commission; the National Council for Persons with Disabilities and the Law Society of Kenya; and the National Gender and Equality Commission.

## Termination

According to the Act, Social Assistance may be provided to an applicant in the form of emergency assistance for a period not exceeding one month.

The Act further provides for short term assistance which covers a period of less than four months while the long term assistance includes a period of four or more months.

The law provides that the Authority may terminate payment of social assistance to or



on behalf of a person who is absent in the country, for a continuous period of six months or longer.

The Authority may reinstate the provision of social assistance suspended where the applicant justifies the reinstatement.

The Authority may also suspend or cancel social assistance if support was obtained through misrepresentation, deceit, fraud or failure to disclose any material information; in excess of amounts permitted by this Act and Regulations made pursuant to this Act; and a beneficiary abuses their social assistance.

Social assistance lapses when the beneficiary dies or is admitted to a residential institu-

tion.

The law provides for the establishment of a kitty to be administered by the Authority in support of organizations and groups that provide assistance to persons in need.

The kitty shall draw funding from bilateral or multilateral donors, monies that may accrue to or vest in the Authority when discharging its functions under this Act; gifts, grants, donations or endowments as may be given to the Authority; monies that may be borrowed by the Authority for the discharge of its functions; fees for services rendered to any designated institution in terms of a service agreement; and monies from any other source provided for the Authority.

## Women nominees to the Nyeri county assembly lament over seats

...By Joseph Mukubwa

A CROSS section of Nyeri county assembly women members who were nominated about two months ago, are complaining that they have not been co-opted to senior positions in the committees.

The members complain that all the committee members are dominated by men who are mostly elected assembly members.

The county was forced to nominate 16 women to meet the gender

threshold after voters in the area gave women candidates a wide berth.

The 30 elected members shared all the top positions in the assembly committees before the arrival of the nominated members.

The nominated members led by Regina Macharia complained recently that they were just given junior and unfriendly seats.

"We were given seats which are demeaning. I was nominated by TNA party as a youth representative but I was given another committee. The youth committee is now comprised of

old men and women. This is not fair," said Macharia.

## Discrimination

Macharia complained that they are not flower girls and therefore should be allowed to chair some committees.

The county reps also complained that they are being side-lined since the elected members have been allocated funds for offices, personal assistants, messengers and watchmen while the nominated members have nothing.

"This is very bad since in the neigh-

bouring Laikipia County, all the members have been allocated offices and many other things despite their nomination status. We need equal rights as we are not flower girls," she said.

She said the marginalized members will be having difficulties serving their representatives.

The County Assembly members were speaking during a one day women forum held at Green Hills Hotel in Nyeri town recently.

The forum was sponsored by Centre for Rights Education and Awareness (CREAW).

The meeting took place between women MCA's and CREAW (Centre for Rights Education and Awareness) trained on County Accountability.

The objective of the meeting was to provide a platform for the groups to engage on county issues so as to influence legislation and policies so that legislations developed from the county level resonates with people's needs, interests and priorities.

CREAW sought to strength women leadership and accountability in Kenya and promote opportunities for women in development.

# Armed criminals defied UN Peace day to unleash terror in Kenya

...By John Ndeta

This year's International Day of Peace was marked across the world on Saturday September 21st, the same day that Kenya was hit by terrorists.

As peace activities and celebrations were taking place all across the world, armed gunmen made a mockery of the UN designate Peace Day by unleashing horrible terror on unarmed civilians; men, women and children at the Westgate Mall in the West of Nairobi leaving many dead, injured and shaken to the core.

Four days after the incident, the Government had put the total number of those dead at 62, with over 240 casualties and 62 others unaccounted for. Over 1,000 people escaped the carnage when the rescue mission was launched 2 hours after the criminals invaded the place.

## Statistics

The International Day of Peace provides an opportunity for individuals, organizations and nations to create practical acts of peace on a shared date. Considering that Kenya host several UN agencies, the terrorist target of an up-market Westland's area and more specifically; the Westgate Mall frequented by expatriates and well-to-do Kenyans meant high stakes for the terror network.

It was expected that festivities, concerts, and observing of a moment of silence at noon; around the same time the terrorist stuck would coincide with the attack in Nairobi leaving a chilling effect amongst peace workers and the world at large. It is important to remember that the United Nations established the International Day of Peace to devote a spe-

cific time to concentrate the efforts of the United Nations and its Member States, as well as the whole of mankind to promoting the ideals of peace and to giving positive evidence of their commitment to peace in all viable ways.

In 2002 the UN officially declared September 21st as the permanent annual date for the International Day of Peace for commemorating and strengthening the ideals of peace both within and among all nations and peoples and for the terror group to strike on this day is a deliberate move designed to cow the cause of peace.

## Declaration

While the peace day serves as a reminder to all peoples that the UN is a living instrument in the service of peace and should serve humanity as a constantly pealing bell reminding mankind of the need for peace, the terror groups have contradicted this message amongst Kenyans and the world at large. For Kenyans, the day will forever remain a dark one that will be inscribed in history as that fateful day when armed gunmen opened fire on civilians at Westgate Mall.

## Ceasefire

Instead of understanding that September 21st is a day of ceasefire, a day when mankind should take time to make peace as well as impact the larger conflicts of our time, the terrorists opened fire on unsuspecting, unarmed and peaceful civilians shuddering many by their ferocity. It should be



Police personnel going through the list of people who lost their lives at Westgate shopping Mall. PHOTO: GEORGE NGESA'

borne in mind that since 2002, Peace Day has been used as a yardstick to measure progress toward peace globally and nationally but the terror networks continue to work against peace strides.

While millions of people in all parts of the world each year organize events to commemorate and celebrate this day, few extremists continue to perpetuate untold suffering and violence against innocent lives in the name of religion and deranged ideologies.

When peace loving people organize private and public gatherings, concerts and forums where hundreds of thousands of people participate, the terrorist continue to opportunistically bring about violence on such gathering.

On this fateful day, a group of heavily armed gunmen later identified to be from a terrorist group Al Shabaab entered the mall and started to shoot

indiscriminately at innocent shoppers.

The group claimed responsibility for the attack terming it a revenge on Kenya for sending the Kenya Defense Forces (KDF) to intervention in Somalia. The fact that the attackers were said to be fundamentalist militants and that a negotiated outcome was impossible alone calls for peace education.

The conclusion of the siege involved further armed confrontation and casualties leading to the collapsing of the building yet negotiations and informed decisions would have salvaged the situation.

## Ideologies

The 2013 Peace Day theme highlighted education as an important path toward a more peaceful world as well as the crucial need for educational programming specific to the subject of peace. With extremists spreading

their bad ideologies, it is time all Governments took seriously the concept of peace education.

Achieving gains in peace education will have an impact of renewing and transforming young minds on conflict and peace issues which ensures security for all.

The Westgate attack is a wakeup call to UN Member states and more so, the Kenya government to engage citizens on the importance of maintaining peace and peace building practices. Non Governmental Organizations must inspire through sustained advocacy efforts of engaging millions to embrace peace and shun extremist ideologies being perpetuated by Islamic fundamentalist in the name of religion.

When the Kenyan forces finally took control of Westgate Shopping mall after four days of the siege, millions of dollars had been lost in revenue and destroyed property. This is apart from unnecessary lives lost in this attack and numerous casualties. With proper global peace education and awareness campaigns, this could be avoided in future.

The writer is Peace and Media Coordinator, Peace Initiative Kenya.

*While millions of people in all parts of the world each year organize events to commemorate and celebrate this day, few extremists continue to perpetuate untold suffering and violence against innocent lives in the name of religion and deranged ideologies.*

# Ending gender based violence must be everybody's business

...By John Ndeta

Achieving a peaceful, safe and secure society for women and girls requires concerted efforts and coordination of various actors.

In recent times, media reports are rife with all manner of sexual perversions with bestiality becoming more pronounced and as Rachel Shebesh observed at the National Summit on Gender Based Violence (GBV) and Peace, sexual and gender violence is a crisis in Kenya.

"It is not just women and girls who are targeted for sexual exploitation but animals too! Reports from Nairobi slums indicate that rape has become a rite of passage as men swoop girls for their own selfish sexual gratification," said Shebesh.

Lack of accountability and inaction amongst the duty bearers when it comes to prevention and response from the security agencies, health service providers, education sector, legal justice systems and community at large constitutes a major gap in GBV man-

agement.

At the two-day National Summit held in Nairobi, over 250 participants spent time auditing GBV management at national and county level. The meeting whose theme was 'From Private to Public Domain: the Gender Based Violence Crisis in Kenya' brought together national and local government officials, representatives of civil society and stakeholders in GBV from 18 counties.

The Summit addressed opportunities including commitments for improved service provision and prevention of violence presented by devolution for effective GBV management.

## Commitments

Forms of GBV range from sexual exploitation and abuse, defilement, rape; domestic violence and female circumcision not only have a direct impact on reproductive health of the survivors but also predispose them to a HIV infection.

The National Police Service statistics on crimes for 2010-2012 show a rise of up to 22 per cent in Sexual Gender Based Violence (SGBV) reporting. This has a

correlation with HIV and Aids which kills more people than any other disease in Kenya and dealing with GBV will go a long way in reducing the pandemic.

From socio-economic wastage to emotional and psychosocial abuse, the magnitude of GBV impact on humanity is immeasurable. The economic burden on the country and family of the survivors is monumental.

Increase in GBV across the country is a major contributor to other challenges including sexually transmitted diseases and early pregnancies that in turn lead to birth complications and unsafe abortions that claim the lives of many women every year.

All GBV legal policy structures and action plans must anticipate a multiplicity of cross sector linkages. Governmental structures such National Equality and Gender Commission (NGEC) and the Gender Directorate under the Ministry of Devolution and National Planning must clearly outline as well as put in place workable protocols and procedures for exchange of information and referrals across different service action points.

This is critical in all sectors but particularly health, law enforcement and social service which are the safety nets for GBV survivors.

## Development

Dealing with GBV is critical to the socio economic development of the country. In 2008, the Commission of Inquiry into the Post-Election Violence (CIPEV) made a significant effort to address GBV in its investigations. Among the key findings of the Commission were that there was delay by government in responding when violence began and there was a failure by government to anticipate the violence. Officers in the public administration and security forces were also overwhelmed and lacked coordination.

The discussion of managing GBV during times of crisis remains an important area for GBV management dialogue. However, evidence adduced at the National Summit through survivors' experience sharing session indicates that GBV continues to be perpetrated in the society every other day and is indeed the crisis of our time.

According to the UNIFEM report (2009), it is worth taking note that men get access and take advantage of women and girls in their different capacities and relationships that include, intimate partner, close relatives and person with authority such as teachers. Inclusion of men and boys in GBV management campaigns is essential. There is need to direct efforts to men inclusion in GBV programming who are considered perpetrators of gender violence.

The Kenya National Action Plan on UN Resolution 1325 that speaks to women's protection and empowerment must be rolled out and taken advantage of in the devolution process. This includes and is not limited to ensuring that adequate resources are allocated to county programmes that ensure inclusion of women and girls in the peace and development agenda.

The Writer is Media and Peace Coordinator, Peace Initiative Kenya- International Rescue Committee

# Why we should care about women's right to land

...By Agnes Quisumbing

**W**hy do you care about women's land rights? Isn't it enough for the household to have land?

This question is a common refrain heard from many corners of the developing world, but most disturbingly from policymakers and government officials.

The answer, extensive research tells us, is threefold. Secure land rights for women:

**Reduce poverty and vulnerability**

Having rights to land reduces the chance a family will fall into poverty because secure land often means a secure food source. It is also an important form of collateral. Unfortunately, even a married woman can be vulnerable, because marriages are not "forever."

In many societies, women's land rights are derived through their male relatives, whether through their fathers or husbands. A husband's death or divorce often results in a women's loss of access to land. In societies where women leave their home villages to marry, a woman's property rights in the new village are very tenuous, leaving not only her, but her children, vulnerable; a woman who returns to her parents is often greeted with shame.

Indeed, during the 2007-'08 global food price crisis, women heads of household in Ethiopia reported more than men that their assets, household income, and consumption had

fallen due to high food prices. Because female-headed households are also poorer and cannot meet their families' food needs for a greater number of months than male heads of household, they coped by cutting back on the number of meals they provided their households during good months and by eating food that they would not normally eat, such as food gathered in the wild.

We also found that households that owned larger amounts of land, as well as more high-quality land, were more protected against high food prices. Strengthening women's ability to own and control land, particularly land of high quality, is therefore key to protecting the rural poor from food price shocks.

**Increase women's incentives to manage their land more sustainably by planting trees and adopting more sustainable farming techniques**

IFPRI's work in Ghana showed that women were more likely to plant cocoa trees on land on which they had secure, private property rights. When women were less secure about their land rights, long-term practices like tree planting fell by the wayside and they shortened crop rotations to boost short-term production, leaving less time for the land to lay fallow and regain its fertility. Also in Ghana, Markus Goldstein of the World Bank and Chris Udry of Yale University found that women whose land rights were less secure were less likely to leave



*A woman harvesting vegetables from her land in Harare, Zimbabwe. Women's ownership and active participation in land issues is a solution to food security. PHOTO: COURTESY*

their land fallow because they risk losing it if they are not actively farming.

Work by Klaus Deininger and other colleagues at the World Bank, undertaken just after a land registration effort in Ethiopia that strengthened women's land rights, found that the registration led to a higher incidence of households undertaking new land-related investments, specifically tree planting and using soil conservation techniques.

A follow-up survey by IFPRI six years after the land registration found that households with more registered land were more likely to plant trees, and that trees were more likely to be planted on women-managed plots with more secure rights. While results are still preliminary, they are consistent with earlier work showing that secure land rights increase incentives to invest in sustainable farming practices.

**Improve women's bargaining power within the household**

Why does this matter? It matters because, in many parts of the world, men and women spend money differently. Women are more likely to spend the income they control on food, health care, and education of their children, increasing investments in the next genera-

tion and contributing to overall poverty reduction.

These intergenerational impacts are important. IFPRI analyzed the impact of recent changes in Ethiopia's family law, which gave women stronger rights to property upon divorce, and found that women who perceive that their husband would get all the assets in case of a divorce feel they have less control over their lives.

Children in households where women perceive they will get less in a divorce settlement also do less well in school relative to children of the same age; girls fare even worse than boys in these households. In Bangladesh, agricultural development programs that targeted women were able to reduce the gap between women and men in asset ownership, improve women's nutritional status and reduce stunting rates of girls.

Policymakers and development practitioners are starting to take heed: A number of governments in Africa south of the Sahara have passed laws to give women more secure rights to land. Some states in India, for example, have

begun issuing land certificates with both husbands' and wives' names.

A number of civil society organizations have increased campaigns for legal literacy, working through community-based legal aid workers, to provide people much-needed education about their rights and how to stand up for them. Grassroots women's organizations are enlisting male elders as champions for women's land rights.

Progress has been made, but it is slow, and not nearly enough. So back to the question at hand: Why should the world care about women's right to land? The answer is actually very simple: because the future depends on it.

Agnes Quisumbing is an economist who leads a global research program on gender and assets at the International Food Policy Research Institute. She previously led a multi-country research program that examined how differences in bargaining power within households affect individual and household wellbeing, among other issues. She has worked on gender and land issues in Bangladesh, Ethiopia, Ghana, Indonesia and her native Philippines

## Women hold a sports day to promote peace in Naivasha

...By Nicole Waithera

**R**arely does one get the opportunity to see a 79-year old woman whirl a tyre (mofara) upto a 100 times, or see women aged above 50 years compete to eat a meal comprising of a 300ml soda, eggs, an orange and a loaf of bread.

Better still, the sight of women carrying each other in turns on their back racing towards the finish line was a sight to behold.

It was a merry day, as more than 2,000 women aged 35 years and above engaged in simple fun games, including tug of war, or racing while carrying an egg on a spoon.

The sack race, where the women fell more than ten times was a nice ice breaker, leading to majority of the women rolling around in gunny bags.

### Aim

With their lessos tied on their waist and babies strapped on their backs, the women aimed to prove their prowess in the track and field events at the fun filled games.

Yet, the sports event organized by the Mwangaza Women's Group at Longonot Primary provided the best platform to ease the tensions that had

been witnessed between the Kikuyu and the Maasai community for the past few weeks.

The women, who had travelled from as far as Molo, Suswa, Narok, Nairobi, Gilgil, Naivasha and Nakuru could not help but realise their inner child as they engaged in the games of their childhood.

Unashamedly, they even played games like bano (marbles), kingiri and kati, bursting out in laughter once one of them was hit by the ball.

Despite their age, the women achieved their mission. They had fun and got a bonus where they won various prizes in the different categories.

As they engaged in the competitions, the women could not hide their joy as they played to their fullest.

Their faces beamed with happiness, many too excited to talk and could only communicate through shouting.

Some with babies strapped on their back, the excited women gave their best to prove they were the very best.

### Compete

They did not seem to mind their husky voices as they competed for the best singer's award as well as the traditional dancing competition that saw them recall their childhood songs.

The simple event was organized by

the 16 women's groups in the area as a means to seeking peace for the two warring communities over the Narasha eviction incidences.

Their children watched from a distance, with their mouths agape as they wondered what had become of their mothers and grandmothers.

"We wanted a method to ease the tension between the two communities. We also wanted them to realise that we need each other more and hence we chose to engage in the sporting events," said the event organizer Margaret wa Njenga.

Mwangaza Olemiyani and Mwangaza ole Munyaki groups met in an effort to foster love among the two communities whom they say "have been living together well enough".

At the end of the tiresome day, the women received advice from the women leaders, ranging from bedroom matters to preparation of meals in the kitchen.

It was a time to open up, as the women raised questions about everything that bothered them in their household.

"Recently I asked a woman how many children she would have. Her argument was considering that she would have to sleep, eat, go to the garden, do

laundry and also go to church with a child for nine months, she would only have one," said Mary Mbugua.

### Discuss

The other heated topic for discussion was the dressing styles where the women were encouraged to ensure their children were decent.

According to the women, the poor dressing was to blame for the increased cases of incest in the country.

"You have to ensure you are presentable to not only your husband but to the society at large. The simplest way of earning respect is to ensure that you wear a dress or skirt whose hemline is not above your knee," said Mary Mbugua, Nakuru County Women Representative, who was the chief guest.

"Women have never been fully accepted. In most cases women are made to think that their role is in the kitchen, to cook and wash. They are made to think that their role is to give birth and for a long time the society has condemned any attempts by the woman to have fun," Mbugua said. She added: "We felt that it was important for us to provide a platform for women to come and ease their stress while at the same time become healthy."

The excitements as they received

their gifts, which ranged from mugs, jugs, spoons, plates to umbrellas was evident as many could not hide their joy.

"It is satisfactory to know that as a woman you can be a winner in everything. Many women have grown up with the notion that they cannot amount to anything and hence such simple gifts are an indication that we are able to achieve our wildest dreams," said Mbugua.

### Appeal

As they sat and joked about cows and the day's events, politics could not escape them as the leaders present appealed to the two communities to work together.

"Politics has no permanent enemies. Even though we have differences in our political parties and ideologies, I appeal to the Kikuyu community to work together with us. More than anything we are Kenyans and everyone is interested in developing the country more than in destroying it," said Lydia Sinapei.

"We have to realise that Kenya is greater than us and we should be people motivated more by bringing development other than engaging in fights that not only destroy our national heritage but also our good name," added Janet Leimayan.

# Gender mainstreaming yet to be incorporated in Sacco management

...By Ben Orok

Even though Article 27 (3) of the constitution under the Bill of Rights, points out that men and women have the right to equal treatment including right to equal opportunities in politics, economic, cultural and social spheres, this is not the reality on the ground.

Since the promulgation of the Constitution of Kenya 2010, majority of the women are now more aware of their right to seek elective leadership positions and how to package themselves as well as their campaign strategies.

However, negative cultural stereotypes against women seeking leadership in various communities in the country, especially among the Gusii community members have been working against women seeking elective leadership positions in various fields including elective leadership positions to Savings and Credit Co-operative Societies' Boards of Directors.

It is against this background that Gusii Mwalimu Sacco has moved in swiftly with gender mainstreaming sensitization programmes through its annual members' education meetings to reverse the situation in the patriarchal-leadership dominated society as part of the efforts to give women a voice in leadership.

Decrying low representation of women in the co-operative movement leadership in Gusii land, Charles Omwansa, the Sacco's Chief Executive Officer noted that the organisation's management has embarked on gender mainstreaming sensitization programme to empower women with information on the importance of seeking and competing for Saccos' elective leadership positions with their male counterparts.

Omwansa noted that women's empowerment can be understood as a process whereby women, individually and collectively, become aware of how power relations operate in their lives and gain the self-confidence and strength to challenge gender inequalities.

Gender mainstreaming in itself, is deliberate effort to integrate strategies and actions that address gender concerns into policies, plans, programmes or projects, institutions and laws. The ultimate goal of gender mainstreaming is equal participation in and benefit from development initiatives for both men and women.

Omwansa disclosed that, the fact that women are minority in the Board of Directors, membership puts female candidates for various board elective leadership positions in a disadvantage during voting.

He blamed women's low turn up at the annual general meetings (AGMs) for women's low representation in the Saccos' Boards of Directors' leadership.

## Challenge

Omwansa noted that some potential women leaders fear that if elected to board leadership positions they might not know what to do due to lack of prior leadership exposure.



*"Saccos need to be supported in gender mainstreaming, which should include the integration of gender issues into their strategic and business plans as well as the development of gender-sensitive indicators, gender responsive budgets, monitoring and evaluation frameworks."*

■ RUTH BITANGE, CHAIRPERSON OF MARANI WOMEN MULTIPURPOSE SACCO

"Some women, even those with good education fear contesting and competing for board positions with men due to inferiority complex," Omwansa observed. He added: "Majority of women fear speaking in public and even when elected to boards, some even continue being submissive to men, reducing their contribution and influence in decision making processes."

To address the situation, Omwansa called for encouragement of young girls and women to join micro-finance profession as a long term intervention to prepare them for the future leadership challenges in the co-operative movement.

He said having young girls and women encouraged to enrol for micro-finance related courses in school and colleges would be one way to cultivate their interest in co-operative movement leadership positions.

His sentiments were echoed by



Charles Omwansa giving certificates to a Sacco member. PHOTO: BEN OROKO.

Ruth Bitange, chairperson to the Board of Directors of Marani Women Multi-purpose Sacco Society who noted that that women representation in Saccos in the region remains a challenge due to conservative cultural norms and negative stereotyping on women seeking leadership positions in various fields.

Bitange discloses that she managed to win her current leadership position since the Sacco she heads purely constitutes female members.

"Saccos in the region are male dominated in levels of membership, governance and management," Bitange lamented.

## Management

She claimed that women's historical, social and economic disadvantages hinder them from participating in and benefiting from Saccos on equal grounds with men.

"Saccos need to be supported in gender mainstreaming, which should include the integration of gender issues into their strategic and business plans as well as the development of gender-sensitive indicators, gender responsive budgets, monitoring and evaluation frameworks," urged Bitange.

She noted that in order to in-

crease women's participation at membership level, Saccos should be supported to overcome obstacles arising out of patriarchy by engaging men through media campaigns where men talk about the benefits of living with financially empowered women.

To attract more women to Saccos, Bitange advised that the institutions should consider developing women-friendly financial products alongside deploying female board members to mobilize and sensitize fellow women into joining the Sacco.

She said financial literacy programmes which are gender sensitive should be developed to target rural women as well as men and disseminated. This will encourage more women to participate in Sacco movement activities, especially in governance structures.

"For Saccos to increase women's participation at governance level, support in awareness and confidence building among women, leadership trainings for women and exposure visits to other Saccos with female board members are necessary," advised Bitange.

Board operational procedures, such as timing and venue of the meetings should be reviewed to accommodate women's gender roles while discharging their duties.

# Giving birth to girls cause for wife beating

...By Bob Ombati

Violence against married women has gone a notch higher in Gusii community with men whose wives fail to give birth to male children bearing the brunt.

According Winfridah Abuya, chairperson Daraja United Women and Youth Empowerment, a community based organization, men are under peer pressure to get male children, putting them at loggerheads with their spouses.

She noted that spousal relationship is soured by husbands who want to sire many children until they get two or three sons before they stop, stressing "they view women as baby factories".

## Operate

Abuya, who operates a hospital near the sprawling Daraja Mbili Market asserted that drunkard husbands are notorious for battering their wives

to force them give birth sons.

"Sober men who sire sons early allow their wives to embrace Family Planning unlike those who get daughters and are pressured by their relatives to have sons to inherit his properties when he dies," noted Abuya.

She observed that majority of the men have no knowledge on what the Constitution says about discrimination of children as equal regardless of their sex, adding they risk arrest and prosecution.

"Cultural stereotypes are not leaving certificates and defences for men who beat up their wives over the sex of children and deny them their reproductive rights with impunity," she observed.

"Men should know that biologically, they determine the sex of children. They should not sacrifice women over their failures" noted Abuya, adding majority of the men are ignorant on reproductive health matters.

Abuya, a trained nurse and mid-

wife who offers family planning services and reproductive health education noted that some men in Gusii community prefer male to female children by clinging to the outdated cultural practices which conflict with modern realities.

She said that in some cases, the pressure for women to have male children involves extended family members like sisters-in-law who abuse and despise their brothers' wives, leading to separation or divorce.

## Struggle

"The pressure to have male children has led to many children with majority of poor parents struggling to feed, clothe, shelter and educate them," noted Abuya.

According to Abuya, married business women have problems coping with nagging men who want them be pregnant every year in a bid to get male children, stressing some are disoriented and abandon their business-

es to care for the children.

"Women want to do business to reduce dependence on their husbands. How will they conduct them when they are pregnant every year?" posed Abuya.

She asserted that business women whose husbands are against family planning sneak in to access contraceptives at her hospital. She noted that most keep this action secretive lest they bear the wrath of their conservative and retrogressive husbands.

Majority of the women who embrace family planning have managed to space their children which allows them do business and bring up quality families," noted Abuya, stressing that "they are free to get children, when they want and the number that they feel they can manage".

## Access

Over 500 women access contraceptives at Abuya's hospital where she also offers counselling services to

youths and spouses who seek them.

Pregnant business women also access ante-natal services which are extended to post natal and delivery services. She said those who experience labour pains abruptly at the market are aided quickly to deliver under hygienic conditions to save their lives and that of the babies.

Small scale businesswomen who lack maids bring their children to the market and access the hospital to immunize them against various live threatening diseases like polio to save their lives.

Abuya noted that school girls from impoverished families, are vulnerable and easily lured by rich businessmen into engaging in unprotected sex, leading to pregnancies or HIV infection.

"Shockingly, some parents know the deals between the tycoons and their daughters and abet it," Abuya said, adding "it violates the constitutional and human rights of the girl child with impunity".

# In Gusii, women suffer violence for taking contraceptives

...By Ben Orok

Josephine Moraa\* a mother of three from Nyamarambe, Gucha South District in Kisii County was thoroughly beaten by her husband when he discovered that she was using family planning pills without his permission.

Moraa's husband ransacked their bedroom and found the pills she was taking hidden under the mattress and threw them out in the toilet after giving her a thorough beating. He warned of dire consequences should he find her with the pills again.

"After the beating from my husband, I changed tact and went to a reproductive health clinic and asked to be given a family planning method that my husband would not discover. I have since been under a three-month injectable contraceptive," she reveals.

## Secrets

Moraa goes for the injection under the guise of taking her baby for a clinic check-up to avoid her husband's attention, though he continues questioning why she has taken long without getting pregnant.

Though the freedom to choose how many children and when to have them is a fundamental human right, gender-based violence continues depriving women in the developing

countries from exercising their sexual and reproductive health rights.

Every woman has the right to plan her pregnancies and have access to effective family planning methods to space or limit births and to prevent unintended pregnancies.

In many traditional African societies, majority of the women's reproductive health decision-making, particularly on contraceptive use is shaped by fear of violence from disapproving male partners.

The prevailing cultural beliefs and myths in such societies view family planning as a tool promoting promiscuity among married women.

## Decision

According to the United Nations Population Fund (UNFPA), it is men who usually decide on the number of sexual relationships, timing and frequency of sexual activity and use of contraceptives, sometimes through coercion or violence.

Moses Ariba from Gucha District in Kisii County concurs with UNFPA noting that the Gusii community culture is against married women using any modern method of family planning with a belief that such methods expose women to promiscuous behaviour.

Ariba says this beliefs and myths are based on the commu-

nity's culture which measures a man's sexual fertility by the number of children he sires, with preference given to the number of sons he fathers.

"According to majority of men from the Gusii community, a woman's using contraceptives may be perceived as a challenge to her partner's masculinity," he explains.

However, Phanice Kemunto, a nurse in charge of Masongo Dispensary in Kisii County blames violence against married women seeking family planning services on men's failure to play their part in planning their families.

Kemunto notes that violence against women seeking family planning services is widespread in the Gusii region since majority of the men are reluctant to accompany their wives to reproductive health clinics for advice and counselling on family planning as they view the facilities as a woman's place.

"Widespread myths and misconceptions about family planning continue exposing women seeking services in Gusii region to incidents of gender based violence with their male partners accusing them of infidelity," she says.

Fearing violence from their male partners, Kemunto discloses, majority of her clients who seek injectable contraceptives at the dispensary normally request



her to write for them their next appointment date on a piece of paper from where they will mark the date on calendars at home to evade their husbands' attention.

Kemunto notes that majority of the women in the region continue suffering in silence from denial of sexual and reproductive health rights due to lack of economic empowerment, with majority of the married women depending on their male partners.

According to Family Planning International Assistance (FPIA), women in Kenya are reported to forge their partners' signatures rather than risk violence or abandonment by requesting permission to use family planning services.



Ms phanice Kemunto, a nurse in charge of Masongo dispensary in Kisii County attending to a client at the facility. A mother who is a GBV survivor with her baby in Kisii County. PHOTO: BEN OROKO.

# Lack of funding to blame for low use of female condoms

...By Lenah Mokaya

The Government has been asked to allocate funds for the purchase of female condoms and create public awareness to help reduce HIV infections in the country.

"Women are very vulnerable and at high risk of HIV infection hence calling for support just as is the case with the procurement of male condoms," said Joyce Emanikor, Member of Parliament Turkana County said during the Second Global Female Condom Day in Nairobi.

Emanikor observed that women parliamentarians are advocating for change to enable women who lack access to essential health requirements like female condoms access them.

According to research, out of the large number of HIV infections in Kenya, 59 per cent are women who lack access and information on the usage of the condoms. In 2012, only 1,714,600 female condoms were distributed compared to 175,937,418 male condoms.

## Procurement

"For one female condom, 100 male condoms were distributed in 2012 due to the low number of female condoms that are procured in the country," said Japheth Nyambane from the National AIDS and STI Control Programme (NASCO).

He noted that when condoms are used correctly and consistently, they are up to 95 per cent effective in reducing the risk of HIV and other Sexually Transmitted Infections (STIs).

"Of all those who need to use a condom, only 49 per cent are using it leading to HIV transmission, unwanted pregnancies, abortions and STIs," Nyambane noted.

In Kenya many service providers do not know how to demonstrate on the female condom use to their clients hence the low usage of the condoms.

According to the Kenya Demographic and Health Survey (KDHS) 2008-2009, the national HIV prevalence among people aged between 15 and 49 is 6.3 per cent. As of December 2011, 1.6 million people in Kenya were living with HIV, a wide geographical variations being in Nyanza with 15 per cent to one per cent in North Eastern Province.

## Risk

KDHS further adds that 71 per cent of women and 78 per cent of men aged 15-49 know that the risk of getting HIV can be reduced by using condoms and limiting sex to one faithful, uninfected partner.

This high number of infections has led to many people losing their lives since the first HIV diagnosis in Kenya in 1984.

"More than 80,000 die annually due to HIV-related complications," said Dr Emily Chesire, a Senior HIV prevention Advisor at National Aids Control Council (NACC).

According to NASCO and NACC, majority of these new infections occur among couples that engage in heterosexual activity within a union or regular partnership, accounting for 44 per cent.

"Due to the increase of infections, we need

to have a condom manufacturing plant so as to reduce the prices and increase the demand and help achieve the national demand," noted Chesire.

According to NASCO and NACC, there is a possibility of 81,972 new infections in 2013 among people over the age of 15. This level is likely to wipe out all the gains the country has made since the disease was declared a national disaster in 1999.

"Prevention remains a top priority in the continued response against HIV and Aids," explained Dr George Kithuka, Programmes Manager in charge of Most at Risk Persons at NASCO.

He noted that availability and accessibility of condoms count as a key component of comprehensive HIV prevention.

Condoms are both an inexpensive and effective intervention in curbing the spread of HIV, if and when used correctly, and consistently.

Female condoms have the potential to revolutionise safer sex for diverse populations around the world.

There has been an increase in condom use among sexually active individuals of all age groups. Unfortunately the female condom uptake remains dismal, a factor that is attributed to lack of awareness, accessibility and information on how to use it.

The United Nations Joint Programme HIV/AIDS (UNAIDS) and the World Health Organ-



A mother attending to her sick baby at home. PHOTO: LENA MOKAYA

isation (WHO) recently proposed a new investment framework for a cost-effective response to the HIV epidemic, which shows that the use of condoms among other interventions can substantially reduce HIV infections and deaths.

# Culture of silence see rise in cases of incest

...By Ben Orok

Sexual and Gender Based Violence (GBV) cannot be discussed and understood in isolation from gender norms and social structures that influence women's vulnerability to violence.

Early sexual victimization of young girls is linked to incidences of incest and little is known about this form of gender based violence which is a taboo topic in many traditional African societies.

Due to the prevailing culture of silence among women and other community members regarding sexual abuse of young girls, majority of the victims of incest in Gusii region continue to suffer in silence as such cases are hardly reported to the authorities for immediate action.

According to the Sexual Offences Act 2006, any male person who commits an indecent act or an act which causes penetration with a female person who is to his knowledge his daughter, granddaughter, sister, mother, niece, aunt or grandmother is guilty of an offence termed incest.

## Laws

This is reinforced in the Constitution of Kenya 2010 states in the Article that looks at specific application of rights related to children. In Article 53 1 (d): Every child has a right to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment, and punishment and hazardous exploitative behaviour."

Provided that, if it is alleged in the information or charge and proved that the female person is under the age of 18, the accused person shall be liable to imprisonment for life and it shall be immaterial that the act which causes penetration or indecent act was obtained with the consent of the female person.

The Sexual Offences Act further states that even attempting to have intercourse with a relative amounts to attempted incest and the accused is liable upon conviction to a term of imprisonment of not less than ten years.

As some cases of incest go unreported, the Coalition on Violence against Women (COVAW) has

blamed rising cases of incest in Gusii region on the culture of silence among women whose daughters are sexually assaulted by their fathers.

## Habit

According to Naomi Bosire, Director of Women Concern and Child Focus (WOCCOF), an organization partnering with COVAW in Kisii County under the Peace Initiative Kenya (PIK) project, mothers in the region opt to keep quiet when their daughters report the ordeals they have suffered in the hands of their fathers.

"Majority of the mothers do not report incest cases involving their daughters to the police and other relevant authorities for fear of becoming laughing stock from their neighbours or risk of having their husbands who are the only family breadwinners being imprisoned," Bosire observes.

She says that contrary to the conventional wisdom that the nuclear or extended family is a safe haven of love, girls and women face greater risk of violence from the very people who are socially responsible for their protection and welfare. According to Robert Gutwa from the Sacred Centre for Orphans and Widows Programme (SCOWP) which also partners with COVAW in Kisii County women and local community must break the silence and come out to fight cases of GBV, especially incest which was a taboo in the traditional Gusii culture.

Gutwa observes the worrying cases of GBV in the Gusii region would be reversed if women and the community at large came out to campaign against crimes which have deprived women and girls their reproductive health rights and dignity.

"Women who are victims of GBV together with their daughters should have the courage of coming out to report GBV cases in their families and immediate communities," noted Gutwa. He added: "It is shameful for mothers to keep quiet on incest cases involving fathers and biological or step daughters, much to the detriment of their reproductive health rights."

A section of local women claim that incest cases in the region go unreported since majority



COVAW Nyanza co-ordinator (right), Margaret Omondi and a COVAW member sensitizing local community members on GBV during COVAW's sasa! GBV community awareness campaign in Ogembo town, Kisii county. Inset WOCCOF Director, Naomi Bosire. PHOTO: BEN OROKO.

of the women whose daughters are victims fear exposing their families to public shame, while others fear losing their marital titles through divorce.

"If you dare report your husband to the neighbours or police that he has sexually assaulted your daughter, you will be thoroughly beaten and ejected out of the matrimonial home for subjecting him to public shame," says one woman.

However, according to COVAW Nyanza co-ordinator, Margaret Omondi women should not keep quiet whenever they encounter cases of sexual assault noting that such silence means they abet the crimes committed in their families and within immediate communities.

"Sexual violence and general vulnerability like capacity to negotiate sex are key factors limiting women and girls from protecting themselves against HIV infection and sexually transmitted diseases transmission, hence derailing Kenya's progress towards achieving its national HIV tar-



gets," Omondi says.

According to the Kenya Demographic and Health Survey (KDHS) 2008-2009, 45 per cent of women aged 15- 49 have experienced either physical or sexual violence.

The report notes that 25 per cent of women have experienced physical violence, seven per cent sexual violence and 14 per cent have experienced both physical and sexual violence.

The KDHS report further indicates that three per cent of women had perpetrated physical violence against their husbands or partners.

# GBV and child mortality on the increase

...By BEN OROKO

Gender-Based Violence remains a major challenge facing the Government in its bid to meet the Millennium Development Goals four and five that seek to reduce child mortality and improve maternal health respectively.

Gender Based Violence (GBV) has a direct impact on child mortality and maternal health. Intimate partner violence, particularly in pregnancy, results to increased infant and under-five years' mortality incidents.

It leads to increased morbidity as abuse is linked to a range of gynaecological problems, chronic pain and psychological distress.

In other instances, violence subjects women to unplanned pregnancies which contribute to poor birth spacing among those women who are coerced to have sex by violent spouses or partners.

## Spacing

Though birth spacing plays an important role in reducing child mortality, the unmet need for spacing is close to twice the unmet need for spacing of births.

When a pregnant woman has not fully recovered from a previous birth, the new baby is more likely to die in

infancy or contract infectious diseases during childhood.

According to the Kenya Demographic Health Survey (KDHS) 2008-2009, birth spacing of at least two years has dramatic impact on child health and wellbeing.

The World Fertility Survey and other studies done in the 1970s in Africa, Asia, the Middle East and Latin America demonstrated the direct relationship between family planning to maternal and child mortality.

A child born in a high mortality country of Asia or Africa has a 20 times greater risk of dying before his/her fifth birthday, than a child in the United States of America, Japan or Sweden.

Approximately two million out of the estimated 15 million children under the age of five die each year in developing countries.

## Statistics

It is estimated that one in five of these deaths could have been avoided if the interval between the births had been longer.

The high child mortality rate is partly due to maternal exhaustion, mothers having insufficient time to recover from previous birth, especially if they practice prolonged breastfeeding and were undernourished.

Hellen Nyaboke, a mother of three, admits that violence against women compromises the health of children as giving birth at close intervals threatens the health and growth of a child under two years, since breastfeeding for the older child stops too soon and the mother has less time to prepare the special foods a young child needs.

Nyaboke laments that mothers who give birth at close intervals may not have time to give the older child the necessary care and attention, especially if the child is sick.

She observes: "Planned pregnancies and spacing of children not only leads to healthy mothers and children, but also translates to healthy and manageable families."

According to Moindi Nyaribo, a father of one, subjecting women to coerced sexual intercourse amounts to violence as it deprives them a right to make informed choices in spacing births, leading to large family size which may prejudice the nutritional status of children.

He laments: "More than half of all child deaths are associated with malnu-

trition which weakens the baby's resistance to illness."

Nyaribo challenges community health workers, health clinics and reproductive health service providers to offer advice about the risks of gender based violence on the health of women and children, especially when they are forced to give birth at close intervals.

"The risk of death of a child increases by nearly 50 per cent if the mother has another baby before the child is two years old," notes Nyaribo.

## Risk

According to Phanice Kemunto, a nurse in charge of Masongo Dispensary in Kisii County, a woman's body easily becomes exhausted through repeated pregnancies, breastfeeding and caring for small children born at close intervals.

Kemunto argues that violence against women should be addressed to urgently safeguard women's sexual and reproductive health rights, since majority of them continue giving birth to children who they cannot take care through forced sex and coercion by their spouses.

She observes: "A woman's body needs at least two years to recover fully from pregnancy and childbirth but such is not the situation among many women in the local communities where their husbands use violence to intimidate them to give birth to numerous children through unplanned pregnancies."

Kemunto says, the risk to the mother's health is, therefore, greater if births come too close together endangering both the mother's and children's lives.

She expresses concern that a baby is at greater risk of dying if the mother has had four or more pregnancies, which are at close intervals.

The mother, Kemunto notes, needs time to rebuild her health, nutritional status and energy before she becomes pregnant again.

Kemunto observes that, men need to be aware of the importance of at least two-year space between births and the need to limit the number of pregnancies to protect the health of their families.

"Women, who become pregnant before they are fully recovered from a previous pregnancy, risk the birth of new underweight babies early. Babies born underweight are less likely to grow well and are more likely to become ill and four times more likely to die in the first year of life than babies of normal weight," Kemunto says.

*"Mothers in the region opt to keep quiet when their daughters report the ordeals they have suffered in the hands of their fathers."*

■ NAOMI BOSIRE.

# HIV prevalence high among women in urban areas

...By Henry Owino

The Kenya AIDS Indicator Survey (KAIS) study report 2012 shows that women aged 15-64 and living in urban areas has higher prevalence of HIV and Aids at 6.9 per cent compared to men at 4.4 per cent.

According to the study most of these women are well educated and informed about modes of transmission and risks involved in the scourge.

"Prevalence rate is higher among married women with better education levels than men," the study reveals.

However, the good news is that the number of women who know their HIV status increased in 2012 compared to 2007.

Given the rise of infection, the indications are that the rate of immorality is high amongst women in urban centres as opposed to rural areas where majority of uneducated women live.

## Education

According to Dr. William Maina, Head of National AIDS and STI Control Programme (NASCOP) the prevalence of HIV infection increased with age and was highest in the older age group bracket of 35-49 years.

Maina noted that women who are separated, divorced or widowed were almost five-fold more likely to be infected compared to married women in monogamous relationships.

"The widowed women may be more likely to have already acquired HIV infection from their husbands who may have died from Aids," he explained.

Married women are, therefore, more infected compared to young women and girls who are not married.

The research indicates that sexual transmission remains the highest mode of virus transmission accounting for 93.7 per cent of all new HIV infections.

When it comes to testing, more women had been tested for HIV than their male counterparts at 80 per cent and 63 per cent respectively.

Maina pointed out that it is also possible that widowed women may be acquiring HIV infection through unpro-

tected sex with other partners for other reasons for financial gains and cultural widow guardianship in some societies.

Pregnant women with a tertiary education were more likely to be HIV infected, compared to those with a primary education.

However, women of younger age groups 15-24 years are known to engage more in unprotected sex suggesting riskier behavior but prevalence was low.

"It has been scientifically proven that the risk of HIV transmission during sex is greatest for anal sex, followed by vaginal sex and least for oral sex," Maina explained.

He noted that during vaginal sex, which is commonly practiced in Africa, the chance of HIV transmission from a man to a woman is two to three times greater than transmission from a woman to a man due to the biological makeup of the female genital tract.

He said the female genital tract is made up of a larger exposed area which allows semen with higher viral load than vaginal fluids and also stays longer in the female genital tract after acts of sex, increasing the chances of HIV transmission.

It has also been proven that the genital tract of young girls is immature and more prone to invasion by HIV. Sexually transmitted infections, which increase the chances of HIV transmission and acquisition of HIV, can occur in women without being recognised. This increases the chances of HIV transmission and acquisition by women.

Furthermore, women in some African cultures use herbs to tighten the vagina to remedy what they call "dry sex" which causes tears in the genital tract during sex and makes women more likely to transmit or acquire HIV.

Forced or coerced sex, which is common among married couples but rarely reported by women, increases

*"There is a danger of young women seeking sexual satisfaction outside marriage, thus exposing them to risks of HIV,"*

■ WILLIAM MAINA, HEAD OF NASCOP.

their chances of HIV transmission.

Sexual violence, including rape and defilement is becoming common since women do not bargain for sex with their husbands.

Unfortunately men who are infected with HIV believe that a virgin can "cleanse" them of HIV and Aids.

Maya Harper, UNAIDS Country Coordinator said that many young girls in Kenya have reported forceful initiation into sex by older sexual partners.

She noted that sexual violence can also occur at work places in urban areas, among educated women, during job hiring or promotion and to avoid dismissal many women gives in.

## Masculinity

She revealed that fear of violence against women leads to acceptance of sex and without any protection, a habit she said does not spare female orphans and domestic workers who are always sexually abused.

"The subordination of African women creates vulnerability to HIV infection through economic dependency, lack of assets, and lack of protection against abuse and exploitation," Harper noted.

She said most women in African societies are subjected to discrimination and denied their right from a very young age.

She added that the cultures also tolerates for multiple sexual partnerships, including extra-marital sex by men. Marriage and monogamous relationships do not protect women.

"Economic pressure due to high prices of basic commodity leads women to engage in vices like sex work or transactional sex," she said.

In urban settings, cohabitation and temporary sexual relationships are com-



Dr. Maya Harper UNAIDS Country Coordinator. Below is Dr. William Maina, Head of NASCOP. PHOTO: HENRY OWINO.

mon because most single women need support for items like house rent, bus fare, up-keep and food.

"The intergeneration sex is also common in Africa setting where young girls have sex with older men (sugar daddies), for money, gifts and status," said James Maina, Director Kenya Aids Treatment Alliance Movement (KETAM).

He revealed that women are found to marry men who are much older than them and more sexually experienced, thus exposing them to the risks of HIV.

"There is a danger of young women seeking sexual satisfaction outside marriage, thus exposing them to risks of HIV," he said.

Maina noted that women should be included in the poverty eradication programmes to help save them from contracting HIV.

He stated that there are common sayings such as, "Aids can meet you in



the bedroom"; "In polygamous societies, a man can have many sexual partners but a woman has to be faithful to one"; "A woman who has had bride-price paid for is even more vulnerable to HIV" among others so which just make women more vulnerable to infection.

He called for the enactment of a legislation to protect women's rights, access to resources and fair allocation of treatment adding that laws that protect women against violence and abuse as well as Female Genital Mutilation (FGM) need to be reinforced with stiffer penalty.

# Margaret Muthoni How love for flowers at a tender age has transformed her life

...By Lenah Mokaya

At Oshwal Religious Centre in Nairobi where flower farmers from around the globe had gathered recently for an international exhibition, Margaret Muthoni, a young flower farmer was upbeat.

It was her first time at such an exhibition and only that day, she won an accolade as the best grower 2013 in the category of cut flowers.

Walking through the display of tents with carnations, roses, orchids, I encountered 40-year-old Muthoni, Managing Director Trodding Africa Flowers, cheerfully urging curious visitors into her tent.

The single mother of three who hails from Naivasha, Nakuru County, started growing flowers at a small-scale in Kinangop area three years ago with a paltry capital of KSh300.

Her passion for flowers started when she was in her teens. As a grown-up, the high demand for quality flowers in the local and international market inspired her to grow more of her own flowers.

"As time moved and flowers

showed positive results, I decided to increase my produce by getting a loan of KSh300,000 from a local bank which I topped up a little with my savings from the floral decorations," she explains.

Currently Muthoni leases two acre of land for planting but she also purchases flowers from small-scale farmers at Kinangop region. She then ships these to Holland.

## Vendor

Before she fully engaged in planting and selling flowers abroad, Muthoni was a flower vendor selling roses and carnations in Nairobi from 2005. After five years she moved to flower decorations which she did in Nairobi where she had been working until 2011 when she started growing her own flowers.

In the decoration business, she did floral arrangements for offices; funerals and weddings where one of her decoration was featured in the renowned Wedding Show programme on Citizen TV in July 2010.

In 2011, she registered Trodding Africa Limited, the name she now uses to grow and export variety of flowers.

"When I heard of the International Flower Trade Expo (IFTEX) 2013, I got

curious and aimed at getting more buyers who could help me expand my business instead of selling them to brokers who always pay late," says Muthoni.

She notes that her attempt in the awards just knocked her mind as a joke and tried to experience the challenge after seeing what others had to offer.

"At first when I had the name Trodding Africa Limited (TAL) being mentioned as the best cut flower grower 2013, I couldn't believe. Winning the award was a dream, I didn't expect it because exhibitors from Rwanda also had the same flowers," Muthoni reveals.

"I have 10 acres of land cultivated with flowers. I own five acres in Engineer Nyandarua County and grow (Eryngium as well as Blue and White Agapanthus) the other five are for lease.

The harvesting time is between November and March and this attracts big markets since the season has many occasions such as Christmas and Valentine's Day.

"It is important to know that during the low season of every variety that we grow, we ensure we still have supplies for our clients though in small quantities," explains Muthoni.

She adds that despite her not having direct market to the European countries, she is now happy since she has gained customer confidence from the trophy she won.

"I used to ship my flowers through Wima Flowers who later did the exports, now I am very happy for this award since it has already given me visitors and a direct market to European countries. I feel great despite being young in the market," she says.

According to Muthoni, winning an award is about quality and not quantity. She notes that it's only dedication that can make one to achieve best quality.

## Quality

"I first go for quality, then get to quantity," Muthoni emphasises. She adds: "We strive to grow eminent quality summer flowers that give the utmost possible return to our clients. We are trying in setting new standards in quality and production."

Muthoni further says that since the commencement of the farm, the company has established efficient crop management system with high quality control within the growing infrastructure.

In relation to pest management,

Muthoni says that they believe in using natural methods to scout the crops on a daily basis for diseases and pests, while trying to avoid the use of chemicals.

Muthoni says that her biggest worry is not even the pests but the frost in Kinangop that falls in the months when the demand is high. She notes that this affects production.

"I encourage anybody looking to do any kind of business to first look out for the market and do research before settling to the business, flower industry is very lucrative despite the market that keeps on fluctuating," explains Muthoni.

Through IFTEX 2013, she has been able to attend the floral exhibition that was held recently in Russia.

"This has been an eye opener. I have been able to build more contacts with people in the floral business worldwide. I have been greatly inspired. I now plan to open my own decoration institute in Kenya in future," concludes Muthoni.

Trodding Africa Limited has two 10-acre farms, one located at Kinangop and the other one at Naivasha where Eryngium as well as Blue and White Agapanthus, two flower species that do well in the area's climate are grown.

# Women in Zimbabwe score election victory

...By Tsitsi Mhlanga

Women's representation in the Zimbabwe parliament shot up from 19 per cent to 34 per cent in the recent elections, thanks to the quota in the new Constitution.

The number of elected women actually dropped, resulting in a heavy reliance on the quota to shore up women's representation.

Moreover, the percentage achieved falls short of the 50 per cent target in the Southern Africa Development Community (SADC) Protocol on Gender and Development in what will be Zimbabwe's only election before the 2015 deadline.

An estimated 3.4 million Zimbabwean people cast their ballots on July 31, voting in the 89-year-old Robert Mugabe for another five-year term.

The leader of the Movement for Democratic Change-Morgan Tsvangirai described the 61 per cent win by the Zimbabwe African National Union-Patriotic Front (ZANU PF) as a "farce" but dropped a court challenge that paved the way for Mugabe's inauguration on 22 August.

The Zimbabwe Electoral Support Network (ZESN), the United States of America, Britain and Australian observes questioned the credibility of the election.

The African Union (AU), SADC and Chinese observer missions deemed the election process free but reserved judgement on fair, noting challenges and irregularities.

The gender dimensions of the elections provided much food for thought. On a positive note, the Zimbabwe Electoral Commission (ZEC) for the first time captured gender-disaggregated data

for voter and candidate participation, which allows for a meaningful analysis of women's participation in elections.

Data compiled by the Women in Politics Support Unit (WiPSU) shows that women now make up 34 per cent of the 8th Parliament of Zimbabwe: 48 per cent of Senate and 32 per cent of the National Assembly. In the National Assembly, 26 women won constituency seats out of the 111 women who contested.

## Improvement

Compared to the 2008 elections, the number of female candidates who stood for elections dropped from 118 to 111, while the number of women who won dropped from 34 to 26.

Without the quota, the percentage of women in the National Assembly would have dropped from 18 per cent to 12 per cent. However, as a result of the 60 seats reserved for women and distributed among parties on a specified basis, women now constitute 86 of the 290 seats, or 32 per cent of the total.

Women won 38 of the 60 Senate seats, or 48 per cent of the total (one represents women with disabilities). In total (Assembly and Senate) women comprise 124 of the 360 or 34 per cent of the legislators in Zimbabwe, up from 19 per cent after the 2008 elections.

Unfortunately, the quota did not extend to local government. Though the ZEC is yet to compute the gender-disaggregated figures for local government, for now, WiPSU is able to confirm that the Binga District in south Zimbabwe, which has never had any female councillors, now has two women in local government.

Calculations in the 2013 SADC Gender proto-



Members of Zanu PF Women's League sing party slogans outside Zimbabwean parliament.

PHOTO: AARON UFUMELI.

col barometer published by Gender Links and the Southern Africa Gender Protocol Alliance show the importance of quotas in increasing women's representation.

Within the SADC region, women constitute 16 per cent of parliamentarians and nine per cent of councillors in countries without quotas, compared to 38 per cent of parliamentarians and 37 per cent of councillors in countries with quotas. Thanks to a quota in Mauritius, local government representation rose dramatically from six per cent to 26 per cent in only one election.

After weighing up the gains and losses, the lesson is clear: quotas are crucial, but they are not an end in themselves. There is need to pair the provi-

sion of quotas for women with genuine cultural and social transformation of the perceptions of women's leadership.

The argument that women do not want to participate in politics is no longer valid as women continue to put themselves forward as leaders, as mobilisers and voters in the electoral process.

## Involvement

For now, the reality is that Zimbabwe has failed to achieve the 50 per cent target set by the SADC Gender Protocol for 2015.

Between August 2013 and the end of 2015, nine other SADC countries - Botswana, Malawi, Madagascar, Mauritius, Mozambique, Seychelles, South Africa, Swaziland and Tanzania are due to hold elections.

May these countries heed the lessons learnt from Zimbabwe, because elections present a vital opportunity for the region to ensure 50/50 in government structures.

Tsitsi Mhlanga is the Information Campaigns and Advocacy Officer for Women in Politics Support Unit. \_Courtesy of Gender Links Opinion and Commentary Service

Election	Total Positions		Number of Women		Percentage women		Comment
	2008	2013	2008	2013	2008	2013	
Presidential	1	1	0	0	0	0	
National Assembly	210	290	30	86	14%	32%	12% before the additional 60 quota
Senate	60	80	20	38	33%	48%	18 male chiefs, MCT 13, MDC-2, ZANU-22
Combined lower and upper house	270	360	50	124	19%	34%	

## Discrimination Against Women: Far-Reaching Implications for Food Security

...By Tess Antrim-Cashin

According to the U.N Food and Agriculture Organization (FAO), while "women produce between 60 and 80 percent of the food in most developing countries and are responsible for half of the world's food production, their key role as food producers and providers, and their critical contribution of household food security, is only recently becoming recognized." FAO cites limited access to resources and insufficient purchasing power as two of the main reasons that women are unable to better contribute to food security, and recognizes that the causes of this stem from "a series of inter-related social, economic and cultural factors that force them into a subordinate role."

A report released by the Human Rights Council's Special Rapporteur on the Right to Food listed increased access to employment, social pro-

grams, and productive resources as three essential areas that must be addressed to reduce food insecurity among women. Currently, women employed in agriculture often have more temporary positions than men, and are paid by the amount of crop harvested instead of by the hour. This encourages women to enlist the help of their children in order to harvest more.

According to the report's author, Olivier de Schutter, off-farm employment is very difficult to obtain because of educational differences between men and women, and time constraints associated with household duties that are normally performed by women. Social programs include social transfer programs, like food stamps and childcare subsidies, and public work programs that give participants government funded jobs.

The Human Rights Council report notes that current social transfer programs can have an unintention-

ally negative effect: programs seek to provide cash transfers explicitly to women in households.

By giving money directly to women, these programs increase women's purchasing power, and can increase nutritional outcomes in households (households where women control the budget have been shown to have better nutrition).

## Burden

With these benefits, however, comes a disproportionate burden on women to be in charge of contingencies like health check-ups and proof of school enrollment. Public work programs should include high quotas for women employment, and should also provide access to child care - this would help to increase a woman's ability to leave the household and work for money. Finally, according to de Schutter, women need better access to productive resources, specifically: land, extension services, and finances.

By providing women with opportunities to gain an income; reducing time spent on household activities; and increasing women's ability to maximize their productivity through access to resources like microcredit, extension services, and land rights, women can find themselves in less marginalized positions - and as a result, women's food security can be increased, as well as the food security of their households.

In order to address such a multifaceted problem, the U.N. report recommends that states trying to increase food security among women take a multi-sectoral approach. For example, improving water provision and childcare services would reduce household burdens, and make time for employment and education feasible.

Additionally, placing an emphasis on gender-sensitivity training and the rights of women will also help to pave the way for programs that seek to gain women equal treatment in

school and the workplace. The report concludes that a successful strategy will address the status quo of women's disproportionate household burden, and will require intra-agency government programs, in which government bodies dictating health, agriculture, labor and education work together on empowering women.

As entrenched and complicated as addressing food insecurity and marginalization of women is, measuring changes in these problems is equally so. One way to mark progress in increasing food security for women? The Women's Empowerment in Agriculture Index (WEAI), recently created by the International Food Policy Research Institute, scores different areas of a women's life (like access to land and credit, and leadership roles), to come up with a quantitative measurement of how 'empowered' they are. Check out their initial case studies to see how IFPRI is working to document these problems.



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