

# Women's movement and the kenyan state



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## The Women's Movement and the Kenyan State: Cooperation or Conflict?

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### **Abstract**

State intervention in Kenya's women movement is inhibiting progress on women equality. This intervention has taken the form resources that aid and influence their activities as well as laws that essentially make women movements dependent on government to achieve their objectives. The resulting scenario is an association between women movements and the state that is more cooperative than conflictual. Hence any meaningful changes in gender relations are essentially slow as change is achieved through constant consultation and compromise. These were the conclusions made after an examination of women organizations and policies on women in Kenya. The Kenyan government aid women's organizations by availing various resources, like direct funding and government offices through the 1/3 gender rule on public offices. Data collected through an analysis of various women's programs show how this allows the government to influence the women's movement. In addition, data was collected on 10 women organizations between 2004-2014 indicate a diverse and vibrant women's organisation that is on the decline. This is because government policies curtail the development of women organizations into full time professional organisations. Therefore, cooperation between the women's movement and the government is institutionalised, has led to co-optation, minimizing conflict and curtailing any meaningful change in gender relations in Kenya.

Key Words: Women Movement, State, Conflict, Cooperation, Social movement.

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## Introduction

State intervention in Kenya's women movement is inhibiting progress on women equality. This intervention has taken the form of direct resources that aid and influence their activities as well as policies that essentially make women movements dependent on government to achieve their objectives. The resulting scenario is an association between women movements and the state that is more cooperative than conflictual. Hence any meaningful changes in gender relations are essentially slow as change is achieved through constant consultation and compromise. The Kenyan government aids women's organizations by availing various resources, like direct funding through the UWEZO fund and government offices through the 1/3 gender rule on public offices. This allows the government to influence the women's movement. The resultant effect is the apparent decline in a once diverse and vibrant women movement. This can also be attributed to policies made especially in the last decade that curtail the development of women organizations into full time professional organisations. The policies have made cooperation between the women's movement and the government institutionalised, minimizing conflict and curtailing any meaningful change in gender relations in Kenya. In this paper examine the effect state intervention has had on the women's movement in Kenya. How has government intervention contributed to the demobilization of the women movement? What are the effects of institutionalization of the Kenyan women movement? What needs to be done for the women movement in Kenya to achieve meaningful social change—equality? These are the fundamental questions that the paper tries to answer.

Since the study of women's movements is premised within the wider field of social movements, I start by critically analysing the definitions of movements. Emphasis here is on the definition of social movements as "outsiders" with respect to conventional politics, and utilise unconventional or protest tactics (Diani, 1992). The argument here, and which runs throughout the paper, is that social movements are formed to meet undefined or unstructured situations and mostly use unconventional means to achieve their objectives outside institutional channels. Once the state intervenes, most of these movements become institutionalized, the tactics become part of the conventional repertoire, large numbers of movement leaders co-opt and cooperation takes precedent over conflict. The resulting scenario is social change achieved through bargaining and compromise which is slow.

Second, I show data from 2004 to 2014 supporting the argument that state intervention has led to the decline in the women movement in Kenya. Data will show that the decline of the movement began the day Kenya declared victory against the repressive regime of its second president in 2003.

Subsequent regimes have provided aid to women's organizations by availing various resources, like direct funding and government offices through the 1/3 gender rule on public offices. This section will show how this aid has contributed to the demobilization of the women movement in Kenya. The section goes further to show how policies formulated to enhance women equality have worked against the movement and in the process weakened it. I then turn in a third section to a discussion of what needs to be done for the women movement in Kenya to achieve meaningful social change, focusing on both the conditions that help foster movements—like use of

unconventional means to achieve objectives— and traditional factors that lead to the decline of a movement.

## **Conceptualizing Movement-State Interaction**

Theory of social movement relies heavily on the assumption of a dichotomy between social movements and the state. Early studies on the subject were based on the assumption that movements had limited access to institutional resources like the state and hence confrontational towards such institutions, with the state being its main target. Multiple definitions of social movements underscored this position with the main principles being their location *outside* the state (Gamson, 1990); and the *target* being the state (Tilly, 1978). However, in the last three decades, scholars of social movements have observed a move that has seen social movements become more accommodating to the state, they have become institutionalized, tactics have become more routinized and have adopted cooperation rather than conflict in relation to the state (Costain & McFarland, 1998; Giugni & Passy, 1998; Meyer & Tarrow, 1998; Mcadam, Tarrow, & Tilly, 2001). Likewise, the state has become more accommodating to social movements (Banaszak, Beckwith, & Rucht, 2003). This has led some scholars to term this association as “conflictual cooperation” (Giugni & Passy, 1998), while others have introduced the concept of a “social movements society” (Meyer & Tarrow, 1998). In fact, to some scholars, this increased institutionalization of movements and the integration of social movement ideas and the state could be seen as a *success* of social movements (Gamson, 1990).

In the same line, there have been a number of works to show the mutual influences between social movements and the state. Topics such as framing

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protest issues (Gamson and Meyer; 1996), repression (Kurzban, 1996; Rasler, 1996), movement outcomes (Dalton, 1995; Misztal and Jenkins, 1995) and most commonly political opportunity structures (Kriesi, 1995; McAdam, McCarthy and Zald, 1996; Tarrow, 1996). The separation of movement politics from institutionalized politics was clearly illustrated in Tilly's 1978 works where he presented social movements as 'challengers' seeking to enter the institutionalized world where there is routinized access to power. Gamson (1990) who saw movements as 'outsider' groups whose challenges succeeded as such groups became recognized actors in institutional politics. Therefore, students of social movements commonly associate institutionalization with demobilization, as social movements are necessarily extrainstitutional (Katzenstein, 1998). The integration of movement and state is seen as co-optation and a de-radicalization process that equates to the *end* of protest politics.

### **Women's Movements, and the State: A Blurred Divide Between Protest and Institutions**

In the course of the 1980's 'autonomous' women movements started declining. States were displaying increasing openness to women's movements ideas and actors, a new vision of the relationship between women's movement and the state started to proliferate. Women movement scholars increasingly viewed the state as a possible and new arena for women movement action. This was against the dominant viewpoint that women movement and the state had an irreducible relationship (Ferguson, 1984). The viewpoint was generally referred to as 'state feminism' (Hernes, 1987). Three approaches have been used to explain how and why the

women movement and the state have increasingly interacted; the femocratic approach has associated state feminism with the presence of individual actors promoting gender equality within the bureaucracy, driving change from within the state. This approach argues that the state can 'empower' women (Hernes, 1987) through the presence of women activists within the state and individual advocates of women's rights working within the bureaucracy (Franzway, Court, & Connell 1989; Eisenstein 1990; Sawyer 1990; Watson 1990; Eisenstein 1995a; Eisenstein 1995b). However, the biggest criticism of the approach lays in the accountability notion. Indeed, what is to guarantee that once they rise to positions of influence and power, women will remain true to the interests of the mass of women? This is because working within state institutions itself imposes a number of constraints. The women activists within the state are first accountable to the government before the masses of women so as to maintain their position causing tension in the women movement.

The RNS approach, focuses on women's policy agencies as (potential) institutional relays of women's movements ideas and actors within the state. In this approach, women's policy agencies are at the center of the attention, focus is placed on the extent to which they will reflect women movement demands and achieve their integration into public policy (Revillard 2006b).

The main issue addressed by this approach to state feminism is whether or not public policies could integrate feminist perspectives and to what extent women's policy bodies were instrumental to the process.

The RNS research design proposed to study state

feminism by comparing the effectiveness of women's policy agencies in advancing women's movement goals in the policymaking processes of postindustrial democracies (RNGS 2006). Finally, the coalition approach, coalitions have drawn attention to the blurring boundary between social movements and the state with specific reference to the women movement (Mazur 2002; Stoffel 2005; Holli 2008). There is consciously initiated cooperation by women groups to further their aims or achieve goals perceived as important in a policy process (Holli, 2008).

### **The Kenyan Women Movement and the Kenyan State:**

The Kenya women's movement has played a key role as a change agent in respect to advancement of women's rights, gender equality, social justice and promoting good governance in general. However, its impact has varied over time and in different contexts. Hence I seek to locate the women's movement in Kenya during the different periods of Kenya's history while analysing its relation to the Kenyan state over these periods. The periods that have shaped the women movement in Kenya are; the colonial period (before 1963); one party state (1969-1992); liberation movement (1992-2002); and, Kenya's transition to democracy (1992-2002).

After independence, between 1963 and 1992 there was little change in women's status and State support for women's empowerment initiatives was minimal at best. The government co-opted or controlled women's organizations, e. g. 1987 merger of MYWO with the ruling and only political party-KANU. The Kenyan state that was intolerant to such organizing, unless such a group condoned and promoted the oppressive political status quo

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(Nzomo, ). Capacity to organize and engage politically was lacking. The only three national women's organizations allowed to function at the time, namely, Maendeleo ya Wanawake (MYWO), National Council of Women of Kenya (NCWK) and the Nairobi Business and Professional Women's organisation operated strictly on government's terms: they had to be non-political and non-partisan in all their actions and had to limit their women's agenda, strictly to social welfare provisioning, promoting the role of women as homemakers, mobilizing and organizing women at grassroots level into women's groups to support agendas of male political elites.

The period after 1992 has been dubbed the " Second Liberation" in Kenyan politics, as it marked the return to political pluralism in Kenya and the beginning of opening up of political space for exercising basic and universally accepted democratic freedoms.

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