

## SOCIAL POLICY AND THE SUBORDINATION OF WOMEN IN KENYA

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## Introduction

The immense potential and actual contribution of women to political, cultural, and socio-economic development of Africa, as well as their special needs and problems in development have been reiterated in the expanding literature on women. Women's situations as affected by government policies, administrative studies and development planning are also fully recognised at the national and international level.

Women's fundamental contributions in their households, food production systems and national economies are increasingly acknowledged, within Africa and internationally. This is due mainly to African women's own energetic efforts to organize, articulate their concerns and make their voices heard. At both grassroots and national levels, more women's associations were formed particularly in the 1990s which took advantage of the new political openings to assert their leadership roles. They are currently pressing for an expansion of women's economic and social opportunities, and the advancement of women's rights.<sup>1</sup>

But women continue to face enormous obstacles. The growing recognition of their contributions has not translated into significantly improved access to resources or increased decision-making powers. Neither has the dynamism displayed by women in the economic, cultural and social lives of their communities through their associations and informal networks been channelled into creating new models of participation and leadership. This highlights the big step needed for advancing the position of women: strengthening their capacities and skills and expanding the opportunities for them to more fully develop their leadership roles.<sup>2</sup>

Beyond such political challenges, the material conditions under which most women live and work continue to deteriorate due to economic and social decline, wars and conflict, and the spread of HIV/AIDS. They constitute the majority of the poor and the illiterate in both urban and rural areas and many young women between the ages of 15 and 25 have been pushed into sex work and face the risk of HIV/AIDS infection.

Against this background the 1994 Dakar women's conference articulated an African position for the Beijing Fourth Women's World Conference, the African Platform for Action which identified several priorities. These included combating the increasing poverty of African women; improving women's access to education and health services, addressing women's relationship to the environment; increasing the involvement of women in the peace process; advancing the legal and human rights of women; highlighting the special concerns of the girl-child; and "mainstreaming" gender concerns within economic and development policy-making by disaggregating data along gender lines.

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<sup>1</sup> Takyiwaa Manuh Women in Africa's development: *Overcoming obstacles, pushing for progress*, [Africa Recovery Briefing Paper](#) Number 11, April 1998

<sup>2</sup> Ms. Soukeyna Ndiaye Ba, President of Women's Development Enterprise in Africa, a Dakar-based non-governmental organization (NGO).

The Beijing conference in 1995 stressed the empowerment of women as one of the central development goals of the 21st century and adopted a Platform for Action which called for the mainstreaming of a gender perspective in the design, implementation and monitoring of all policies and programmes, including development programmes. It committed countries to design their own specific programmes and activities in consultation with women's groups and other NGOs to implement the Beijing Platform for Action.

A March 1997 survey by the Women's Environment and Development Organization (WEDO) found that only 10 African countries had drawn up action plans and indicated that there was insufficient political will and sustained commitment to meeting the needs and interests of women by local authorities and governments. While many countries have ratified UN agreements such as the Convention for the Elimination of Discrimination Against Women, which guarantees women equal rights and protection from discrimination, these have not informed policy-making or translated into better living and working conditions for women. Without meaningful commitment in the form of policy changes and the provision of resources to deal with the root causes of women's conditions a breakthrough in development and renewal cannot be hoped for.

In her book *Gender Planning and Development: Theory, Practice and Training*, Caroline Moser differentiates between policy, planning, and implementation. She states that "If policy is about what to do, then planning is about how to do it, the organization of implementation is about what is actually done" (Moser 1993, 6). She further states that "Policy-making is the process of social and political decision-making about how to allocate resources for the needs and interests of society, concluding in the formulation of a policy strategy" (Moser 1993, 6). Hence, policy for women issues concerns what should be done about gender issues in the sectors in which they are involved. Policies should state goals and what must be done to achieve them. And it should elaborate on how women issues inform and enrich basic sector principles and policies.

If gender/women issues are not considered at any other level, as part of overall sector policy, it is likely that they will not be considered at the project level. Moser discusses the need to distinguish among different stages of the planning process. "Gender blindness" may be present during the policy formulation process, with women's roles not recognized along with men's. Or problems can arise during attempts to translate gender aspects of policy into implementation. Even with "good" gender statements in a sector policy, unless potential constraints to implementation are identified and addressed, the process will be less than satisfactory.

The concern of this paper is social policy and the subordination of women in Kenya. Definitions of Social Policy are many and varied. It is a national government's course of action designed to influence the welfare of its citizens and the accepted guidelines for the changing,

maintenance or creation of living conditions conducive to human welfare. In general terms, social policy deals with social welfare, and its relationship to politics and society. Specifically, it also considers detailed issues in :- policy and administration of social services, policies for health, housing, income maintenance, education and social work; needs and issues affecting the users of services, including poverty, old age, health, disability, and family policy; and the delivery of welfare.

It is a mechanism that allows for collective state-led measures, implemented by the state and its partners - the private sector, civil society and international development partners. It is geared to ushering in the best possible socio-economic conditions, addressing the structural irregularities in wealth and means of production distribution, ensuring greater equality for all, and correcting market short-comings, thereby protecting the most vulnerable groups. Thus social policy is that part of public policy that has to do with social issues such as public access to social programs and aims to improve human welfare and to meet human needs for education, health, housing and social security. In some societies they regulate and govern human behavior in areas such as sexuality and general morality. Today social policies may deal with issues such as abortion, and the regulation of its practice, the legal status of euthanasia, the rules surrounding issues of marriage divorce and adoption, poverty, welfare and homelessness and how it is to deal with these issues

In some nations social policy also deals with health, unemployment, accident insurance, retirement, labor, education insurance. Social policy also often deals with issues which Rittel and Webber (1973) called **wicked problems**<sup>3</sup> which have incomplete, contradictory, and changing requirements; and whose solutions are often difficult to recognize because of complex interdependencies. Rittel and Webber stated that while attempting to solve a wicked problem, the solution of one of its aspects may reveal or create another, even more complex problem.

Classic examples of wicked problems include economic, environmental and political issues (e.g. solutions to terrorism, whose definition alone is highly controversial and difficult). Problems whose solution require large groups of individuals to change their mindsets and behaviour are likely to be wicked problems. According to Conklin, the defining characteristics of wicked problems are fourfold; the problem is not understood until after formulation of a solution, stakeholders have radically different world views and different frames for

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<sup>3</sup> H.J.Rittel (a pioneering theorist of design and planning, and late professor at the UC Berkeley) and M. Webber. Rittel, H., and M. Webber; "Dilemmas in a General Theory of Planning" pp 155-169, Policy Sciences, Vol. 4, Elsevier Scientific Publishing Company, Inc., Amsterdam, 1973.

understanding the problem, constraints and resources to solve the problem change over time, the problem is never solved.<sup>4</sup>

Perhaps the issue of women in social policy might be categorized as such because social policies are normally instituted to deal with issues that other policies have failed to tackle. But indeed given the above definitions of Social Policies, they affect all genders in society so understanding gender divisions is important for social policy, partly because issues affecting women are part of the agenda which social policy must tackle, but also because many of the concerns of social welfare - like poverty, health and old age - are related to gender. Feminist critiques of welfare have argued that social policy is strongly 'gendered'. The three main classes of feminist theory: liberal, marxist and radical share a common concern with gender as a focal issue in social policy. *Liberal feminism* emphasises the rights of women as individuals and argues against discrimination and stereotyping, and calls for equality of respect and opportunity. Arguments against limits to opportunity, like complaints against a "glass ceiling" to women's careers, are classically liberal: they suggest that women should benefit from the same inequalities as men. *Marxist feminism* views the oppression of women as the result of the economic structure of society. Domestic relationships are seen in class and the relationship of the household to the means of production. *Radical feminism* argues that society is dominated by patriarchy, a structure of power in which men dominate women. Patriarchy is "sexual politics whereby men establish their power and maintain control".[9] This analysis is combined with the moral position that women should be able to live and act autonomously. This implies that if social policy is genderblind then it leads to the subordination of one gender.

While there is enormous debate on the scope and values of social policy, gender has been the silent term in these debates. From a development perspective, the goal of social policy is to promote universal social protection and equity. UNRISD defines social policy as public policies and institutions that aim to protect citizens from social contingencies and poverty, and ultimately to enable them to strive for their own life goals. During the past three decades, such a view has been marginalized by policy approaches that emphasize safety nets and the targeting of vulnerable groups.

The past decade has witnessed a renewed interest in social policies, and some governments have increased social spending to soften the impacts of economic reform. These changes have come due to stunted economic growth and dynamism, and the persistence of poverty. At the same time, processes of political liberalization have opened spaces for social movements in many parts of the world to articulate demands for more effective social policies that mitigate the effects of market failures and reduce inequalities.

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<sup>4</sup> Conklin Ph.D., Jeff; "Dialog Mapping: An Approach for Wicked Problems," CogNexus Institute, 2003.

But despite renewed interest, there is little agreement on a number of critical issues. These include the scope of social policy (universalism versus residualism and targeting); the appropriate interface between social and economic policy; the role of the state (not just as regulator but also as a provider of social welfare); and the values underpinning public policy, in particular core values of equality (and redistribution) which seem to have been displaced by the emphasis on poverty.

A gender perspective on social policies in the South, as in the North until quite recently, has remained on the margins of these debates. Attention to gender also reveals the extent to which inequalities (of class, gender and region) are being intensified as a consequence of shifts in the global economy, and processes of privatization and commercialization taking place within countries. Women's unpaid care work continues to form the bedrock on which social protection is subsidized, with erosions in state provisioning impacting most strongly on women. Despite women's increasing participation in paid work, labour markets continue to reproduce gender-based segmentations and inequalities in wages/income, work-related social benefits, and social<sup>5</sup> security.

Areas of concern for women in social policy would be five types: welfare, equity, antipoverty, efficiency, and empowerment (Moser 1993, 56-57). The **welfare approach** came first, starting in the 1950s, and is still widely used. Its main goal has been to bring women into development as better mothers, through meeting women's practical needs relating to food, nutrition, and family planning. With this approach women were seen as passive beneficiaries, with an emphasis on their reproductive role.

The **equity approach**, which was most popular between 1975 and 1985, viewed women as active partners in development and strove to gain equal status for women in the development process. The focus on equity for women in development was greatly influenced by the work of Ester Boserup, which detailed how modernization efforts often had a negative impact on women.

**Anti-poverty** approaches have been utilized since the 1970s. Development policy in general was focusing on basic needs, equity, and antipoverty, and women in development approaches did the same. The antipoverty approach sought to increase women's productivity. It was linked to redistribution to meet basic needs and achieve growth. As such, the policy often led to an emphasis on income-generating projects. The 1980s championed different development approaches and women in development approaches followed suit. The decade saw a shift toward concentration on efficiency. Development policy began to focus on structural adjustment strategies. As achieving equity and meeting basic needs slipped from

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<sup>5</sup> Shahra Razavi and Shireen Hassim, **Gender and Social Policy in a Global Context: Uncovering the Gendered Structure of "the Social"**, Basingstoke: Palgrave/UNRISD, 2006

being the salient development issues of the day, the women in development movement also veered away from them.

The **efficiency approach** promoted women's involvement to ensure more effective and efficient development. This approach is now pre-eminent. The most recent approach has been defined by Moser as **empowerment** originated in developing countries in women's feminist writings and grassroots organizations. The approach, which recognizes that women's subordination is partly attributable to colonial and neo-colonial oppression, encourages greater empowerment of women through self-reliance. It seeks to mobilize women to work together to meet their needs. This approach still has limited popularity, and is utilized mostly by developing country women's nongovernmental organizations and their supporters.

This paper specifically examines the relations between the state and social policy which lead to the continuing subordination of women. It is assumed that the Kenyan state was involved in the mobilisation of women for development initiatives right from colonial times. But as Pala (1974) says it should not be taken for granted that these groups were necessarily committed to bettering the conditions of all women. The central contention is that government policy both in the colonial and post colonial times did not seriously challenge the basic structure of gender relations, although the rhetoric of the leaders emphasised the need to change the position of women. Inequality between men and women remained rooted and perpetuated.

### **The Colonial Social Policy and African Women 1940-1950**

Right from its inception, the colonial state concentrated upon men in the institution building process under colonial rule. Male hierarchies were used for direct or indirect forms of colonial rule while female hierarchies were atrophied or were actually suppressed particularly by missionary organizations (Reiter 1975). Colonialism did not therefore improve the condition of African women as it is often claimed. It was by itself patriarchal and therefore discriminative.

In the British colonies, for example, an Order in Council was passed in 1921 "to reserve to men any branch of or posts in the civil service in any of His Majesty's possessions overseas or in any foreign country." This followed on the heels of the 1919 Sex Disqualification (Removal) Act, which ruled that women were to be allowed to assume or carry on any civil profession or vocation. By the time women were officially admitted to overseas civil service in 1946, the Empire was coming to an end and the number of women serving in very junior posts was negligible. The glamour of the colonial empire, in fact, helped to boost the hegemony of men. Extreme domestication continued to be imposed on women whose main responsibility was to look after the household. The official attitude towards women in the urban areas was unfavorable and quite often abusive. African households were equally influenced.

The state played an important historical role as a social actor. The high point of the development of the social state came in the period immediately after the Second World War with emergence and spread of different variants of social democratic and welfare regimes in response both to popular domestic pressures by the working poor in Europe.

The post-War context of the consolidation of the social state coincided with the period of late colonialism which also witnessed for the first time in the colonial experience, a deliberate and conscious investment of effort in the promotion of "development" which included greater attention to the promotion of infrastructure, the nurturing of local industrial processing and the expansion of health and educational facilities and expenditure.

Towards the end of the Second World War the Colonial Government became concerned about African life. In Kenya, it was realized that the social and economic life of a people was also bound up with its political life and yet African life was unsatisfactory hence as early as 1942 the Legislative Council resolved to pressurize the government to initiate a programme for native production and welfare policy. A committee was, therefore, appointed to develop a five-year development and welfare programme designed to improve the standard of living of the Africans. This was to evolve around planned development of natural resources (land, water and forests) and balanced development of social services. This could have been influenced by the British government's declaration concerning mass education in African colonies in 1944 (Report No. 186 of 1944, KNA).

The policy on social welfare was laid down in 1945 and white papers on Mass Education and on social welfare in the colonies were produced as broad outlines (MAA 7/499, KNA). Subcommittees created recommended that welfare activities could be spread by means of community centres established at the local level (MAA 7/585 KNA) run by committees composed of a *mruka*, marketing officer, welfare worker, assistant chief, two traders, five teachers, two ex-chiefs, twelve peasants, three chiefs, eleven tribunal presidents (CD9/38, Sept. 1948 KNA). Moreover Dr. C.R. Philip was sent to South Africa to take a course in social science with a view to advising the government on social welfare generally. Yet studies on the role of women in the colonial government remain scarce. The gender question must be recognized not only as a crucial component of social relations but as an integral element in the formation and operation of just legal, political and economic frameworks of society.

The Social Welfare Department was created and District Welfare Officers appointed (henceforth DWO) to be a member of the Provincial or District team and took his/her place along side the agricultural, social conservation, veterinary, medical and other specialist officers whose duties were clearly defined in Government Notice No. 359 of February 21, 1950. The DWO was to work in African areas, travel a lot within his district, be proficient in the local language of the District, acquire knowledge of ethnic African laws and customs to enable him to assist departmental officers in putting plans into effect.

In the early 1940s, the colonialists began to show concern for the African women. They had to redress the situation of African women due to pressure from the international community as well as the

European women in Kenya. The only body fighting for African women at this time was the East African Women's League. One correspondent of *The East African Standard* asked; "What will be the position of women in our post war arrangement?, did they not gain stature as a result of the war?" (*E.A. Standard*, Monday 9 July 1945). In 1945 Major H. Sharpe expressed his concern that in a study of the magnitude by Major Orde Brown (1946) that no mention of African women had been made either by Orde Brown or Mr. Wynn Harris. He stated that unless the standard of African women was raised appreciably, the men would not improve and "one could not expect a sense of responsibility in the African male unless and until the woman's side was improved" (*E.A. Standard*, February 23, 1945).

Olga Watkins complained that a third of the colonial administration was chained to the office desks in Nairobi consequently leadership was lacking in the reserves and decried the condition of African women in the "reserves". She made an impassioned appeal for the freedom of the African women from slavery. She said that men had formed a union to do no work and this had dragged the women to slavery. The most disgusting site was to see women with babies strapped on their backs and probably in the advanced stages of pregnancy doing all the work on the farms. Indeed the government could do something about this.

A month later D.K. Williams (P.C. Nyanza), in an Electors conference, expressed the thought that the African male was "inclined to add to the four freedoms of the Atlantic Charter, a fifth - freedom from work." (*E.A. Standard*, Wednesday March 7, 1945). This situation could only be salvaged by the colonial government since her policies had ignored women. European male administrators had forgotten that any society depended on their women for progress and so did Africa. Olga Watkins went far to suggest that the 40 European males in the Legislative Councils should be replaced by women, since they had for many years neglected the education of girls and women (*E.A. Standard*, Saturday March 24, 1945).

On March 22nd 1946, The Jeans School opened its doors to train African social welfare workers initially for ex-service men. Later in the year, community centers were established in local markets for spinning, weaving and literacy classes. Women institutes were an aspect of this colonial interest in African welfare and by 1946, they scattered throughout the colony, run on canteen lines by European volunteers interested in African social welfare. Small groups of African Women converged to learn spinning, weaving as well as simple domestic duties under a few European ladies. Although the work was sporadic such was the enthusiasm that the government stepped in to guide, control and assist the movement. The purpose of this was to raise the standard of living among African women by teaching them skills in housewifery and motherhood and literacy either in their own languages or Kiswahili and English (CD5/244, 1954, KNA). The history of women's activities needless be posed only in terms of changes and continuities of affective relationships of housewifisation in the name of welfare.

By 1948, welfare activities at local centers were established in several Districts of Kenya. They got an annual grant from the Local Native Councils towards their running expenses and some support from the Red Cross and East African Women's League but local initiative was also encouraged.

Each hall, for which the government made a grant for building, equipment and the first years of upkeep, had an African Welfare worker in charge. Each Centre, generally, had a wireless film strip projector, a library and football ground. The mobile cinema paid periodic visits and classes, demonstrations and discussions were arranged. The subordinate role of women in the cinematography of the time was hardly challenged. Painted as a beast of burden, passive in the face of abuse, her respectability was in labouring for the maintenance of a stable marriage and family.

The female component in the newly established centres was spinning and weaving meant to prepare women to start their own industries and later form cooperative societies for the purchase of equipment and sale of products. The twelve month course prepared women in numerous domestic programmes as well as reading, writing, general hygiene, child care, knitting, sewing, debates and discussions on various issues. In these societies women were still expected to operate within the framework of the so called real African women, content with their subordinate position.

These initial efforts to raise the standard of women before 1950 failed because they were an afterthought. Due to this, the colonial government was not sufficiently prepared for it and intimation that between 1945 and 1950 a proper sense of direction had not been established. Most women were left untouched and unaware of the existence of such developments. Despite this failure, groundwork for later African women's movements were laid in the 1940's. They realized late that the African women "so often maligned and so often misunderstood plays a far greater role in the day to day life and behaviour of the Africans than is generally understood" (E. A Standard 12 June, 1950). The temperament and ability of the housewife left the mark not only on the character and behaviour of the children but affected the actions of her husband. It had been said with great wisdom that "when you educate a man you educate an individual but when you educate a woman you educate a family." It is this concept which inspired the authorities to establish centres. In essence the scheme was an excellent one and could prove to be invaluable in the struggle to raise the living standards of the people. But the African women barely understood their place within the organizations and the men did not understand theirs either (DC KSM/1/2/154, 1948, KNA). Moreover they failed to address women's immediate needs and availability of market for their products.

European women understood the plight of the rural women; confined by many children, daily farm chores and meagre cash resources and isolated from larger groups of women with similar interests. Part of the motivation to organise the groups was the realisation that African women were lagging behind African men in development. Eleanor Grant, prominent in the East African Women's League, pointed out this discrepancy in 1952 (E.A. Women's League, 1952). She stated.

The backwardness of African women is a menace to the balance of East African Society, from reasons humane, economic and hygienic; there are already signs that the advance of African women may come as rapidly and sporadically, as has happened in the past decades with men, and it is obvious that European planning, direction and sympathy must be forthcoming to meet the tide.

Lack of welfare services made the white elite females to initiate several philanthropic charitable services. Between 1945-1959, a flux of activities were initiated by the governor's wife and other administrators' wives to improve the lot of African women. These elite women had nothing conceptually revolutionary in their agenda. They spearheaded the general trend, providing sewing centres, hygiene and cookery lessons. The general impression from the available evidence, underscores the paternalistic attitude of these women in providing these typically Western services for African women. Their upper class Western bias was obvious, the poor African woman had to become clean and learn feminine tasks that could help improve life. These were the roots of state feminism in colonial Kenya which contemporary African feminism needs to historicize and interrogate.

Women's clubs were part of a colony-wide organization started under the auspices of the colonial government's Department of Community Development and Rehabilitation to promote the advancement of African women and to raise their standards in 1951. Nancy Shepherd, the Assistant Commissioner for Community Development who headed the programme gave these groups a more formal organisation. The Jeanes School which was to support the department was handed over to the Commissioner for Community Development for this purpose in 1950. After a series of meetings between the white ladies interested in African welfare and African Women training at the Jeanes School, the existence of the Women's Institutes was formalised in September 1951 (*E.A. Standard* September 10, 1957).

The Institutes were to be avenues for departmental officers to explain their individual policies (e.g. agriculture, animal husbandry etc.). They were not vehicular to the rising nationalist effort in which women participated. They were elitist and not well equipped to generate widespread and effective gender politics.

The main object of the organization was to promote better living conditions, to awaken the women to the need of good health and hygienic habits, to teach and encourage them to fully utilise the food and materials which they had close at hand and to guide them in fulfilling their roles as wives and mothers in the progress of their communities. The teaching of the practical application of domestic science (*E.A. Standard*, 12 June 1950) was recognised as a great step towards raising of the cultural and social standards of the Africans and a step forward for the long down-trodden women (Baraza 22 July, 1950). Selected women were trained at the home craft training centres in Kericho, Kisumu, Nakuru and Machakos, or at the Jeanes Schools with the hope that through them this knowledge could be made widespread (Monthly Report CD CN, May 1954, KNA).

The Department of Community Development and the Jeanes School visited the Districts to hasten the formation of women/clubs and institutes. At the local level the DC and the members of the African District Councils and then the chief were engaged in the choice of sites for the clubs. The ADC provided money for buying the materials to sell to the women, and also paid salaries of the African women instructresses.

At its inauguration, this movement was enthusiastically accepted all over and those wanting to attend the courses increased (CD/5/242, 1952, KNA). A major advantage was that these groups fostered the spirit of self-help and self-reliance and held out a much better hope for sound development. It also simplified the task of the government officers wishing to contact the women to persuade them to accept better methods of agriculture, animal husbandry, health, nutrition and child welfare. The possibility of mutual understanding developing between European and African women was a cherished factor. (CD 5/203, 1951, KNA).

In most areas the period between 1952 and 1963 was marked with numerous contradictions and ironies. In areas like Central Kenya the Emergency was underway making it hard for the women to operate freely without suspicion and interference. In other areas, there were numerous fluctuations, with expansion in some years and lack of enthusiasm in others. (CD5/224, 1954, KNA).

Contradictions and ironies were also experienced in that despite the remarkable progress in the clubs and formation of new clubs, some old and promising clubs closed down due to poor leadership, mismanagement of funds and decrease in attendance. Chiefs and headmen failed to support, voluntary help for the women was not apparent and the instructresses only waited to earn their monthly salaries (MAA 9/981, 1955, KNA). The administration was, therefore, requested to take interest and to induce local chiefs to encourage the clubs (MAA 9/103, 1956, KNA). These Clubs were extraordinarily varied depending upon, the personality of the local chief, the amount of the money on the part of the District, and the proximity of a good girls school and as well, the personality of the instructress.

By 1960 the leadership of *Maendeleo Ya Wanawake* as the clubs came to be known particularly at the national level was intermittently being handed over to African women. Perhaps this was due to the move toward independence in the Kenyan political arena. It was reported that by this time *Maendeleo Ya Wanawake* organisation was now a quasi government movement and steps were taken during the year to make it independent. Its income was henceforth derived from dues levied from member; It met much of its own expenditure. It only relied on the Department of Community Development for supervision, guidance and training of its leaders whose salaries were usually paid by the local authorities (Social Services Annual Report 1960:3).

This movement was the colonial state's vehicle manned by its personnel, run by its funds with minimal impact on women. Twelve years after its inception African women were still calling on the government to recognise the crippling difficulties they faced in their day to day life (Nyerere 1963: 10). Women were still desperately poor, had to walk long distances to fetch water, work hard on their farms using old fashioned methods and undertake household chores. When elitist spokeswomen without democratic mandate from the Kenya womenfolk embraced a state feminist agenda which did not challenge the patriarchal character of the colonial state, how beneficial was this?

In its efforts to improve the lot of women, the colonial state failed to address the women question. Such as the women's labour burdens, and the improvement of their living standards. Quite often as T.G. Askwith (1960) put it, the government tended to put down her reluctance to improve her

way of life to a prejudice, perception of idleness or obstinacy. At all levels, this movement was a failure and it was worse hit after 1959 when it became quasi independent. The interest of the government was to halt the perceived trend of social disintegration and restore the organic unit of the community. But its effort was plagued with numerous weaknesses. First, the entire programme was implemented rather too abruptly without proper planning despite colonial state awareness that the advance of African women would come as rapidly and as sporadically as had happened with the men. Indeed European planning, direction and sympathy had been forthcoming to meet the tide. And of course as one commentator put it "If not the European then what?" (*E.A. Standard July 3, 1952*). In spite of this knowledge, the personnel to supervise and give guidance to the African women was insufficient, entirely temporary and inadequate female staff. Activities were constantly interrupted due to the rapid rate of turnover of project staff and the field to be handled remained vast.

Moreover, the administration had to maintain control on all activities. A close supervision of all activities was a must because "Africans in charge are not *capable of* managing the money and very few of them cut out" (Annual Report, Ma Ya Wanawake 1953). This placed a clear limit on the extent to which local initiatives could be tolerated. The so called women leaders seem to have been handmaidens of colonial patriarchs whose goal was to prevent women from getting out of control. The training centre at the Jeanes School, was the only countrywide training centre for African -women but with poor facilities and inadequate staff. The number trained yearly was very low (annual output of 90). There were no proper follow-up services which meant that the few trained women had to do an exacting job without encouragement and stimuli. (CD5/203, 1951, KNA).

By introducing women groups that could only serve the needs ineffectively, of a small proportion of women, the colonial government was perpetuating and therefore contributing to the continuing subordination of women. Its failure to improve the lot of all women was lamented throughout the period.

With colonization, women continued to play important roles in both the urban and rural areas and added to their traditional roles in households the new roles that emerged with the colonial economy such as additional burdens of support for spouses and families incorporated into the colonial economy in disadvantaged ways and new forms of subordination, embodied not only in pre-capitalist patriarchal relations but also in those of European capitalist patriarchy. In my view, the failure of various development efforts substantially to improve the conditions of women's lives can be traced to the persistent and continuing unwillingness to pay more than lip service to the core issue of unequal gender relations at all levels of society. This failure was in turn reflected and obscured by the fact that women's programmes and projects were seldom or ever situated within a theoretical framework which explicitly addressed the nature and the causes of women's subordination. These attempts to incorporate them into the process of production were marginal and restricted and resulted in double exploitation of women (Vanie Vambirra 1986). In the

absence of such a framework, there has been a tendency by experts to confuse the symptoms and manifestations of unequal gender relations with either the problem or its causes. Thus women's self-help groups in a way contributed to the relegation of women to a much lower status or rank. Margaret Mead (1954) complained about the colonial government's persistence on the ideology of their women's domestic destiny - the women's place was the home so she could only be taught home economics or domestic science. She further attacked the UN doctrine of maternal deprivation in 1954 as "a new and subtle form of anti-feminism in which men under the guise of exalting the importance of maternity are tying women more tightly to the children (Mead, 1954: 471 -81).

### **Social Policy and the Subordination of Women 1963-1985**

At independence, African states were, invested with broad-ranging social responsibilities which were integral to the anti-colonial social contract on the basis of which the nationalist politicians mobilized the populace for the independence struggle. Central to the contract was the promise of the expansion of social policy in a direction which would significantly improve the health and nutritional status of the populace, expand access to education and offer greater opportunities for employment. Women had to be included in this but as usual success would be varied.

Hence in the early part of the post-colonial period considered the development or building phase, the activities and roles of women's organizations were defined as essentially supportive of and cooperative with the state in the nation-building process, and in different parts of the continent their autonomy was attacked. In an attempt at explaining the process of demobilization of civil society in the post-colonial period, Ngunyi and Gathiaka (1993, pp. 31-32) identified three major elements that applied in the Kenyan case. These were; the beginning of a gravitation towards a "maximum leader" and the disintegration of the "nationalist coalition", the emergence of factional patronage networks; and "the enfeeblement of certain institutions of civil society as actors on the political stage."

This process embraced both formal women's organizations and other types of civil institutions. At the same time, as ordinary people saw that avenues for participation in formal associations were being blocked, they began to form informal, small-scale community and special interest organizations. These proliferated all over African cities around this period, because they more clearly served the needs of ordinary people for participation.

The main dimensions of state-women's organizations relations were essentially those of co-optation and domination or of neglect and indifference. The large, formal, broad-based national or sectoral women's associations were the target of co-optation and domination and were forced into supplementing and supporting the "development" and other goals of national parties and governments. The informal associations, which covered a wide range of needs such

as "mutual help," burials, childbirth, rotating credit, and disaster relief, were systematically neglected by the state.

Self-help was regarded as a special way of improving people's lives materially, socially and psychologically. It was viewed as the basis for democracy, in the sense that people had the freedom to decide and undertake projects which were of immediate need. This view did not comprehend the state as a site of contestation. Self-help was an acceptable social cultural attribute in the early periods. A mutual social responsibility was accepted by members of the community who came out to one another's aid or community aid when the need arose. This had weakened over the years. After the Emergency, it was no longer confined to housing and farming alone. There were other village projects that required this. Populist politics were employed to handle women question treating it opportunistically and exploitively. At independence in 1963 Jomo Kenyatta called it "Harambee".

The National Plan for Community Development was launched in 1964 to support and accelerate economic development, prevent social ills, promote the general welfare of the community and strengthen family life and improve the care of children and women. In 1964, a National Community Development Policy was released by the Government which laid heavy emphasis on self-help and people's involvement in achieving the type of change they themselves wanted.

With these new developments afoot what was the position and role of women's self help groups after Independence? After independence, the government did not emphasise the development potential of women's self-help groups so services as well as finances were cut down. The role of women's self-help groups declined. Most of the *Maendeleo ya Wanawake* leaders joined the government ministry as Community Development Officers. The leaders engaged in all sorts of community self-help projects such as building of social halls, health centres, schools, nursery schools, and rural access roads (O.I.; 7.2.93; B. Oyule). Hence the role of women's clubs in mobilising women in the rural area and elsewhere became insignificant.

Despite the realisation that women had a significant role to play in development, their participation seemed undetermined, for example, Sessional Paper no. 10 of 1965 failed to mention women in its contents. The First Development Plan also made no specific mention of women. Men in particular appeared to assume that women had not yet reached a level where they could effectively participate in development and nation-building. As far as they were concerned, women had domestic responsibilities which was their realm. This was a view taken to such extremes that men appeared to neglect or completely underrate the part which women could play in nation building.

Despite the attitude of neglect, the only African women's body, Maendeleo Ya Wanawake continued to exist under the oversight of the Department of Social Services. It faced chronic financial problems and lack of any forward looking strategy. Sometimes government interference in its activities caused them to participate in ventures not akin with its objectives (*Sauti Ya Mabibi*. Vol. 1 No. 8 1968).

In 1965, the Kenya National Council of Women was formed to create a body to which individual national women's organisations could affiliate to provide for coordination and cooperation. It was accepted that women could and had played a very important role in the development of African communities. Jointly with the men, they had spearheaded the self-help movement. Experience had also shown that there were more women involved in the projects than the men.

Furthermore, some of these projects had stemmed from *Maendeleo Ya Wanawake* where the club, besides its classes in homemaking and handicrafts, provided a forum for discussions of local problems. The government was beginning to realise that it was not possible to separate the role of women from development. Indeed, women were the prop of the communities and the nation as the welfare of the basic unit of the family depended on them. It was in order to strengthen this unit that officers of the Department of Community Development worked closely with *Maendeleo Ya Wanawake*. This, in turn, created enlightened development conscious groups which were able to contribute to the task of Nation building.

There were other bodies that engaged in organising women such as Young Women *Christian Association (YWCA)*, *Anglican Mothers Union*; *Girl Guides*, and *Dorcas Society*. Although the impact of women's activities seemed small, it was, however, evident that women had done a tremendous job in nation building. Their efforts and devotion had helped to inspire men to work harder.

In spite of the efforts made in 1967 to revive and reactivate women's groups there was insignificant success. The problem was two fold; first, there was lack of trained personnel. Before 1963, courses were offered for women at the Jeanes School and the Local District home craft centres. These courses ceased to the detriment of the groups. Second, in the past the county councils generously employed the Women's leaders, but while this still remained the case in some places, there were cases where a group leader depended on monthly subscriptions from members so when members failed to subscribe the club teachers suffered and consequently the groups failed. This means that there was insensitivity in gender.

Before 1975 Kenya development policies were gender insensitive. It was assumed that all development benefitted both men and women alike. It took the provocation of the 1972 ILO report on Employment, Incomes and Equality for the Kenya government to make its position known on the women question in the country. It associated the disadvantaged position of women with poverty, education, training and employment and recommended that rural women's living conditions be improved and workloads reduced. It was in response to the ILO recommendation that the government should begin to address the problem of access and equality for women in Kenya, the government retorted:

The government is not aware of overt discrimination against women in the country, women are employed in important positions in the prisons and in government as well as private sector (Nzomo, 1989). Up to the declaration of Women's decade in 1975 the government maintained the position that Kenyan women were not discriminated against and therefore did not need to

struggle for rights they were already enjoying. However, apart from one Special Rural Development Project set up in 1970/71, no more programmes were set up prior to 1975. Furthermore, except for the women's non-governmental organisation (Maendeleo Ya Wanawake) set up in 1951 and National Council of Women of Kenya set up in 1964, no other national machinery for women existed. It was only after the declaration of the Women's Decade that the government began to demonstrate an active interest in the existing women organisations and in addition created the Women's Bureau (Nzomo 1989).

The Third National Development Plan was the women's plan. For the first time women were referred to directly in the plan instead of being regarded simply as part of the general population. The plan provided for far reaching programmes in agriculture, health, water and education. These were to be backed by the necessary infrastructure. In general, the 1974/ 78 Development Plan set a new trend in Kenya's development planning by having a bias towards activities which promoted directly or indirectly women's integration in development. The subsequent plans merely re-emphasised the trend.

In 1977, Kenya was one of the first member states of the ILO to take up a "basic needs" approach to development with poverty alleviation as the main theme in its Fourth Development Plan and with women apparently acquiring definite though not clearly specified, importance as a target group of the Development policies. The plan gave specific ways to create income-earning opportunities.

The ILO Report on "Employment Incomes and Equality" had seen women as heads of rural households and therefore, a problem group requiring specific action to improve their condition as part of any employment strategy. The plan indicated the governments commitment to alleviate male/female differentials in earnings and also to ensure diversification of women's participation in the modern sector. It also advocated for the redefinition of the roles of men and women though it did not specify how this was to be done (Feldman 1984:67; Govt. of Kenya Development Plan 1979-1983; 1989: iii).

A positive attitude towards women groups on the part of the government established a favourable setting in which the groups could function. The government support derived from the relevance of women self-help groups to development objectives, women-related international interests and from increased donor aid for women activities and the obvious public contribution which a number of women's groups had made. And of course the government could whole heartedly endorse this endeavour because they constituted a safe commitment. The women were not yet competing in the public arena for rewards of economic and political power.

From mid 1970s, the government and political leaders began to actively support women. National government policy also supported the continued formation of women groups. This policy derived from a growing international interest in women's issues drawing from the UN impetus behind the international year of women, (1975) and a worldwide strengthening of women's organisations. Interest focussed on the differential impact of various modernisation

processes on women, the ways women could be more fully involved in the development process and their roles in economic and social change (Thomas 1985:173). In addition opportunities for funding women's programmes became available through increased interest of international aid organisations. The Ministry of Housing and Social Services responded to these opportunities and pressures by reassessing and restructuring its efforts to organise and assist rural women.

The World Plan of Action adopted at the first Mexico World Conference called for the establishment of national machinery by the government for accelerating the achievement of equal opportunity for women. Through the Cabinet Memorandum 78(b) of 1975, the Women's Bureau was mandated to formulate policies affecting women's programmes, coordinate and harmonize activities performed by other government ministries, collect and analyse data and information on women as well as monitor and evaluate women's projects.

From the onset, the Bureau was concerned with the formulation of programmes and projects to ensure that women's needs and interests were cared for. The objectives of the Bureau were fivefold; to create awareness of the potential in national development and enlighten women about the obstacles they face in realizing this; to mobilise women to take part in their own development, that of their families, and the nation at large; to orient and train voluntary leaders and government extension personnel to better assist women in national development; to facilitate coordination between the women's groups, government, and the non-governmental organizations; and finally to carry out research on the problems related to women programmes and to evaluate activities already undertaken with the aim of improving the programme for the benefit of women.

The structural units of the Bureau included administration, research and evaluation of handicrafts development, small-scale industries, business and appropriate technology, training, planning agricultural projects, communication and information and liaison with non-governmental organisations. In order to implement its programmes, the Bureau operated through the network of the ministry's staff at the field level. The staff coordinated training activities and mobilised women for various socio-economic projects. District women's development committees were formed in each district due to increase in number of women groups. The committees were to identify project priorities for funding, coordinate and harmonise women's activities in the district, advise the District Development Committees (DDCs) on women's projects and programmes to be funded and monitor all women's projects and programmes in the district ensuring that funds disbursed to groups were appropriately used and that the activities were within the country's development plans.

The Bureau became the effective focus for policies towards women and a major means of acquiring international funds for aid specifically directed at women. Such funds were welcomed by the government and were relatively easy to come by due to the Western enthusiasm for women's development projects as a new object of third world charity. It was also established by law that support and financial aid could only be afforded to associations

registered with relevant government authorities and which had properly elected leaders and properly audited accounts. The associations had to ensure flow of registration fees from the members and have a bank account deposit. Before donor aid could be obtained the association had to be seen to be successful mostly by presenting a well written constitution and achievable objectives it also had to show a good and growing bank account. This was indeed a factor that contributed to the failure of most of the groups.

Between 1975-1976, the government gave the Bureau KShs. 168,000 which was 0.54% of the ministry's recurrent budget for women groups. Between 1978 and 1982 government allocation was about 0.1 % of government total expenditure. In the meantime government grants to women's groups continued to drop significantly from KShs.3.3 million in 1986 to KShs.2.6 million in 1987 and KShs. 1.7 million in 1989. The number of groups also increased during the period. While in 1976 there were 4,300 women groups in Kenya with a membership of 156,892 women by 1984 the number of groups had risen to 16,232 with a total membership of slightly over, 630,000 women (Nzomo 1993, 138). Was this increase indicative of increased awareness of women's crucial role in development?

Despite the existence of the Bureau, support of the Kenyan government was primarily verbal, focussing on staffing at the district level rather than specific resources which actually reached all women. The Ministry placed a female officer in most districts to foster programmes and to assist women in their organisational efforts. These officers were often energetic and dedicated, but work was hampered by extremely limited budgets and resources.

The ministry sponsored seminars to train female leaders and provided guidelines for group registration and for financial accountability. The Department of Community Development also encouraged chiefs and Assistant Chiefs to support women groups. Such support most frequently consisted of exhortation to form women self-help groups for development purposes. Occasionally, Chiefs and Assistant Chiefs allocated specific resources such as land for the use of a group. They also used these groups for political and personal purposes. In sum, the government was a key factor in the formation of women groups although most often it did not provide them with resources.

Despite the use of all these other means, the Women's Bureau remained the government's official means of reaching women. The significant feature of the Women's Bureau is that it served to legitimise certain kinds of special treatment for women. The effects of feminism, as well as the government's approach to basic needs made it acceptable to single out women as an especially disadvantaged group. In this view, women had been left out or behind in the development process and therefore required special programmes initiated and controlled or coordinated by government agencies. Given women's the disadvantaged position, all the activities introduced were seen as remedial. Women groups were viewed as chief means of improving the position particularly of rural women in Kenya.

In 1980, the world conference of the UN Decade for women admitted that the economic and social situation of particularly rural women had not improved much since the first half of the decade. A small section of the rural population had benefited through technological advance; access to better education, land services and inputs but most rural people remained poor and cut off from these opportunities. Admittedly, while there was a marked increase in the number of self help groups, evidence showed that their activities did not have a marked impact. In any case, the largest number of women was rarely aware of their existence and their value.

In 1985, Kenya hosted the end of UN Decade for Women Conference in Nairobi. Kenyan women participated effectively in all stages of preparation for the conference. This was a very rewarding experience. However, before this conference recruitment of women groups had been intensified, seminars to assess the achievement of women were held from the grassroots to the national level. Feasibility studies were also done. There was excitement among the groups involved. But were the majority of Kenyan women even aware of the decade? Was the end of the Decade Conference an exciting episode for the majority of Kenyan women or did it just pass through the cloud of time like other unimportant events? Nzomo clearly states that many Kenyan women were indeed unaware of the entire decade devoted to them (See Nzomo 1993 for elaboration on the impact of the Decade).

### **Women after the Nairobi Conference 1985 to Present**

After the UN Decade for Women (1975-1985) and the rise of a highly articulate international women's movement, governments found it expedient to display a certain level of commitment to the participation of women in development. Concern over the marginalisation of women in African societies only really took firm root in the consciousness of Africans when the decade for women ushered in a discourse which did not challenge the gross inequalities of prevailing gender relations, under the rubric of 'women in development'(WID). WID did not directly challenge patriarchy and capitalism and demand the confrontation of women's oppression, instead it targeted women as a group to be 'integrated into development'. Under this rubric, governments of whatever political colour were called upon to mobilise women for their vaguely defined development agenda, in the name of the equally vague notion of national interest. This call gave rise to the establishment of regional and national governmental machineries for women all over the region, ranging from women's desks in ministries of social welfare, to departments of women's affairs, to the grandly named ministries for women and development. Indeed many of these high-profile structures were pioneered in Africa, and became a source of regional pride (see Snyder and Tadesse 1995). However, by 1995 there was

little evidence that government structures for women had become effective vehicles for the articulation and defence of women's collective concerns and interests.

Since 1985, there have been several important international conventions ratified by governments that confirm the rights of women, their participation and due place in socio-economic and political arena and the need for guaranteeing their safety and protection. Among these the 1985 Forward Looking Strategies for Women held in Kenya, the Beijing Platform for Action developed at the Fourth World Conference on Women in September 1995 (itself based on the Elimination of all forms of discrimination against women), the Millennium Development Goals, the African Charter on Human and People's Rights. For example the Beijing Conference called upon all governments to adopt "gender-sensitive multi-sectoral programmes and strategies to end social subordination of women and girls and to ensure their social and economic empowerment and equality" and the Millennium Development Goal includes targets meant to increase access to resources such as health and education for women (targets 3 and 6). In addition to these, many governments in Africa have policies and strategies for the advancement of women and the protection of their rights.

Although the year 1985 was a landmark and changed attitudes of the Kenyan state towards women the state used *MaendeleoYa Wanawake* as a tool to mobilise women into groups. This position changed after 1993 with *Maendeleo Ya Wanawake* reverting to its former position of non governmental organisation. The women's self help groups also increased in numbers and with new strategies several were beneficial to the women. The impact of Beijing Conference in 1995 remains under observation. Since 1985 it has to be stated that women particularly in urban areas have been very vocal and have articulated many issues quite effectively in the political, economic and social arena.

However, Nzomo (1993) concludes that Kenyan women's movement were 'muzzled and toothless'. She observes that despite their numerically high membership, the Women's Bureau (MYWO) and the National Council of Women of Kenya (NCWK) remained ineffective in empowering women and advancing their participation in decision-making attributing this to the fact that these organisations are controlled by conservative leaders who consistently supported the ruling regime.

Despite the traditionally low status of women in Kenyan society, the Government of Kenya (GoK) is one of the African governments which has tried to address issues around gender inequality. In the past two decades, legislation has been passed which outlaws discrimination on the basis of sex and many policies which perpetuate inequalities have been amended. In law, women and men in Kenya have equal access to political participation, health and education services, employment and property ownership. Key legislative changes have been made with the potential to greatly improve the situation of women. The 1981 Law of

Succession Act gave women and men equal rights to inherit, own and dispose of property. Discriminatory social policies which deal with housing, contracts and conditions of employment and tax relief have also been modified.

However, many inequalities remain, including those which continue to be enshrined in national legislation for instance citizenship rights in which the father determines citizenship of the child at birth. Moreover, in order to apply for a passport, women require permission from fathers (if single) or husbands (if married). Greater discrimination is evident under customary law, particularly regarding property ownership which dictate that a woman cannot inherit land, and lives on the land as a guest of her husband or male family members. Customary law also states that a widow cannot be sole administrator of her husband's estate without the consent of her children (AFROL).

The constitution of Kenya's Bill of Rights guarantees complete equality in the protection of human rights and fundamental freedoms (GoK, 2000). In November 1997, the definition of discrimination in the Kenyan constitution was amended to include discrimination on the basis of sex. But due to the complex and varied nature of customary practices, the constitution reserves the right to discriminate in matters of adoption, marriage, divorce, burial, devolution of property on death, customary and personal law. Thus legislative protection and recourse is restricted in this familial and domestic sphere in which women's subordination is primarily located (GoK, 2000). Furthermore, the identification of such exceptions on the basis of 'culture' serves to entrench and reify cultural difference as something which is out of the reach of state intervention. This is a fundamental challenge in the creation of gender equitable policy and practice.

On the constitutional review Kenyan women's organisations actively involved in lobbying to ensure that the long-awaited constitutional review process took place. The entire process began in earnest in 1998. Women secured seven out of twenty five positions for Commissioners in the Constitution of Kenya review Commission (CKRC). The CKRC draft constitution of September 2002 had proposals that if enacted, would have advanced women's human rights in Kenya. These included recognition of women's equal inheritance rights in the Bill of Rights and a provision for one third representation of women in all levels of government.

Gender policy in Kenya was initially introduced along the lines of WID approach which focussed on women-targeted projects. Initiatives were largely concerned with health and education and were in the form of support for small projects in welfare and income generation (GoK, 2000; Were and Kiringai, 2003). With the advent of Gender and Development, a more sectoral approach was adopted, which aimed to incorporate a gender perspective in mainstream development planning (GoK, 2000). Key documents on national development which currently include gender policy are: the Social Dimensions for Development Programme, the

Poverty Eradication Plan (1999 - 2015), the Kenya Demographic Health Survey and the Kenya Economic Surveys.

Gender Mainstreaming is an ongoing process in national planning spearheaded by the Women's Bureau who works in consultation with ministerial gender units. Networking with NGOs is also an important part of this process (Women's Bureau, 2001). A joint GoK/UNDP national project Gender Mainstreaming and the Empowerment of Women has worked to promote greater gender sensitivity among all Permanent Secretaries. The project also runs gender interventions at the community level to combat poverty and raise awareness on gender issues. Despite the seeming strides Monitoring and evaluation of interventions to achieve greater gender equality is limited due to lack of resources and statistics.

Kenya has also made international commitments on the issues of women and gender. Specific documents/treaties related to gender are the Beijing Declaration and Platform for Action and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which Kenya signed up to in 1984.<sup>6</sup> The Women's Bureau submitted its proposal for implementing the Platform for Action in October 1997 (Women's Bureau, 1997). In January 2003 Kenya submitted its third and fourth periodic report to CEDAW outlining measures put in place by the GoK in implementing the convention (GoK, 2000). In Kenya, International Law does not affect the laws of the country unless specific legislation passed by parliament exists to this affect. Therefore the obligations of the convention are implemented through legislative, judicial and administrative measures which require time to be incorporated into domestic law and policy (GoK, 2000).

In 1998 the government tabled the Draft National Policy on Gender and Development which was subsequently approved (GoK and UN, 2003). The aim of the policy is to provide a framework for transforming the international instruments into the 'reality' of the domestic context. The policy outlines pragmatic strategies for removing gender inequalities which understand the links between productive and reproductive roles and responsibilities (GoK, 2000). It also focuses on analysing the social, cultural, economic and political factors that influence control over and access to development resources.

The government has also established Institutions and Organisations to deal with such issues. In 1976 the Women's Bureau was established as Kenya's National Machinery for Women in the Ministry of Culture and Social Services. Since early 2003, the Bureau is located in the newly formed Ministry of Gender, Sports Culture and Social Services. The Bureau's objectives remain the formulation, implementation and evaluation of policy; coordination of government

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<sup>6</sup> Following the ratification of CEDAW in 1984, the GoK set up a task force to look into laws relating to women in the light of CEDAW recommendations.<sup>6</sup> The aims of the task force were to: review laws, practices, customs and policies which perpetuate gender inequalities; make recommendations to amend or abolish such policies and practices, consider a gender equality bill

initiatives regarding women; research and data collection and support to NGO projects and women's civil society organisations.

The Bureau collaborated with the Central Bureau of Statistics to develop sectoral gender statistics for advocacy tools and the production of guidelines. These include the *Women and Men in Kenya Facts and Figures 2000*, *The Health Monograph*, *The Agriculture Monograph* and *The Gender Fact Sheet* (Women's Bureau, 2000). A census of women's organisations has also been conducted with a view to gender mainstreaming and capacity building.

Currently there is a proposal to transform the Women's Bureau a full-fledged department under the Ministry of Gender, Sports and Culture. This could make the work of the bureau more effective and consolidate its position as coordinating instrument for gender mainstreaming in sectors and in working with and through the international conventions.

Efforts to mainstream gender in the government budget began in the 1990s with a three-year initiative which brought together the Women's Bureau, CCGD, the Canadian International Development Agency (CIDA) and FIDA. The project aimed at mainstreaming gender into investment, expenditure and planning, and developed tool kits for ministries. Efforts were targeted at the Agriculture, Health, Education, Public Works, Industrial Development and Local Authority ministries. Despite the lack of support from some officials, some results of the initiative were incorporated into the 1998 budget. (Budlender *et al*, 2002).

Since women make up slightly more than half (50.1%) of the population in Kenya (Were and Kiringai, 2003) they are involved in all political parties. However, in the 1997 elections, though they made up 51.1% of voters, women comprised only 5.7% of electoral candidates and 3.6% of the National Assembly. In 2002 this made Kenya one of the countries with the lowest level of achievement in gender equality and women's empowerment in terms of parliamentary seats in Progress of the Worlds Women 2002 (UNIFEM, 2002).

The participation of women in the civil service has been disproportionate. In 2001, only two out of 70 District Commissioners were women and women held between 7 and 10% of elective positions in local authorities (GTG, 2001). Since 1991, the Permanent Secretary in the Ministry of Foreign Affairs has been a woman. However, in 1998 women made up only 26% of employees in the Foreign Services and 6.1% of ambassadors.

In the Kibaki government women hold 8% of the parliamentary seats, up from 3.6% in September 2002 (Were and Kiringai, 2003) but it should be noted that the majority are through affirmative action. Kibaki also appointed six women to his government team, three ministers and three assistant ministers (Tabriyyeh, 2003). However, there is no policy regarding the exact slots for women in the Kenyan political arena. The government also introduced measures to facilitate women's labour market participation in the public sector through paid maternity leave, housing allowance and equal opportunities policies.

Despite these efforts, the living condition of men and women in the most marginalized parts has not changed. One of the key challenges in all this is the implementation of these good intentions and the system of accountability. The lack of political will at the highest level, lack of ownership because of the top down approach of most of these conventions, the lack of contextualization, inconsistencies with existing customary and formal laws and practices, limitations in capacity to implement, the absence of claim on these rights by people (mainly due to lack of awareness) are the causes for the rather slow progress. The instrumentalist approaches of some of these declarations for economic growth rather than issues of human rights have also been an obstacle.

Grassroots movements that advocate for the right women are lacking in many areas. Where they exist they are vulnerable due to weak capacity, co-option by those in power and donors and limited in scope. Most gender movements are urban based, are exclusive (only women and therefore often stigmatized) and criticised for being 'elitist' and exclusionary. The challenge is understanding the aspirations and wishes of marginalized women and men and how external interventions harness their ability to articulate their needs and act on them.

Along with the effects of poverty, conflict and globalisation processes, the vulnerability of women is compounded by unequal access to power and resources underpinned by institutionalised patriarchal norms and structures.

Whereas both the colonial and post colonial state made great strides in bringing men and women at par in development, the issue of integrating women into development has been a public debate since independence. One side of the debate maintained that women could not be reached unless separate institutional arrangements were made to deal with their needs. It was argued that development activities which did not include the inequalities between men and women tended to reinforce existing inequalities between them and therefore, a more direct focus on women was necessary.

Loutfi (1983) noted that since the overall objective which provided the context for a discussion of strategies for women's advancement and rural development was growth with equity and participation, strategic separation of the sexes was necessary. The idea was also put forward by the CIDA Project (1983) which stated that separation is sometimes necessary under patriarchal structures for women to gain experience and confidence enabling them to integrate with men on more equal terms.

If the groups were the most useful tools to be used to bring parity in standards then what was their impact on the position of rural women? Whether as conceived and constituted could they be a solution of women's problems of poverty and unemployment? After studying them some scholars have concluded that they have done an excellent job, or that with some improvements they are the best avenues for reaching, empowering and organising all women. But these groups have been plagued with numerous difficulties. Both from colonial to post colonial times, problems facing women

particularly in the rural areas were posed on terms of integrating them in development. Their disadvantaged position was a consequence of their own backwardness. However, women's position or status cannot be observed from the view point that the problem is women but, rather, both men and women; specifically the socially constituted relations between them. Women were oppressed or disadvantaged with respect to men. General relations of dominance and subordination were implied.

This whole idea of women's clubs (later self help groups) stemmed directly from the mistaken belief that women were underemployed and were just waiting for someone to teach them how to make pretty things but useless financially. A relevant approach was necessary to identify which activities rural women were already involved in and to raise productivity of labour so as to increase existing earnings or help transform a subsistence activity into an income generating one. When attempts were made to introduce improved techniques or technologies aimed at increasing productivity, the result was that the men took over the traditional women's industry (Carr 1984: 25).

The government's assumptions of dependence effectively discriminated against women. Assumptions of dependence interfered with women's access to economic resources, and involvement in education. The long standing patterns of male dominance were not addressed by the state. In addition to overall economic and political problems faced by Kenyan peasants, the existing division of labour within the household as well as patterns and assumptions of dependence by women or men placed women in a position of economic subordination. It is their particular relationship to men in respect of problems of development or underdevelopment which determined the relatively disadvantaged position which government policies towards women claimed to seek to rectify. Such policies needed to demonstrate that they were providing or encouraging transformation of the subordinate relationship of women to men as a necessary condition of improving women's position in society. This would have meant among other things facilitating women's access to land on equal terms with men and breaking down the structure of gender relations which gives men, but seldom women, access to unpaid labour. It would have meant encouraging and enabling women, whether married or not, to be independent members of cooperative societies and to raise crop loans as well as train women in further skills as farmers rather than as cooks.

This analysis and these kinds of criteria were not shared by the state and other agencies who only saw lack of integration in the development process as the central problem facing women and special programmes of training and income generation as the means to solve this. Specifically, women groups particularly after the 1970s were seen as a means to supplement individual incomes.

The emphasis on women groups by the state through *Maendeleo Ya Wanawake* in early years and Women's Bureau in later years meant that most women were actually ignored in terms of women's programmes even from the point of view of government concern, let alone any kind of financial aid. Women from Central and Eastern Provinces were likely to have five times as much attention per head from the Women's Bureau than women in the remaining provinces simply because of their greater membership of women groups.

There was evidence of further bias in that women groups tended to be composed disproportionately of the slightly better off women. Monsted (1978) for instance claims that "it is evident even from the present meagre information that the poorest families, the landless labourers and the single women are underrepresented in the women's groups." Both because of the demand on time and the membership contributions it was obvious that poorer women were excluded from the membership. By concentrating on existing women groups, the Women's Bureau in particular excluded nearly 90% of rural women from its attention and was also biased in the assistance it gave in favour of women in certain regions above a certain age and relatively better off (Feldman, 1984).

If the Bureau was interested seriously in women gaining greater access to income generating opportunities, then it needed to question whether handicraft projects without markets, consumer shops without wares to sell, buildings constructed with government grants to set women up as landlords for cheap housing, exotic poultry projects and other uncompetitive or unproductive enterprises - all affecting only a small proportion of women, were really a solution. It should also have examined whether the heavy financial commitment to individual women participating in such undertaking and the consequent exclusion of women who could not afford contributions, did not actually serve to destroy the important mutual welfare contribution which women groups had the potential to make.

According to the ILO Report of 1985, the solution to the situation of women especially rural women was a must. The report noted that the plethora of anti-poverty and development programmes launched for and by developing countries failed to improve the lives of rural working women and in some cases had actually worsened them. Pala (1984) stressed that the solution for women problems was a must because of women being a vital resource and that the oppression of women was a violation of human rights and that women needed not to be regarded as mere mothers, housewives or producers but as human beings.

The economic social and political problems facing women and especially rural women are becoming increasingly obvious and better documented now. The gap between policy, legislation and practice; between good intentions, rhetoric and reality is felt by many women. Given the knowledge of these factors, why are solutions not obvious? The reason appear to be in the failure to distinguish between symptoms and causes and in the choice of ineffectual means of achieving unclearly perceived ends and in an underestimation of the rigidity of the established structure of society. The women's self help groups, were, therefore, like reforms without progress. For progress to be achieved women should have been seen as the core of a rural development strategy, given their key role as producers and deliveries of basic needs. Sustained improvement in the health and well being of poor families was inconceivable without the active participation of women.

The income generating activities introduced mainly in the post-independent period had numerous pitfalls. Their characteristics were: activities and products which were marginal and or irrelevant to women's needs and were outside the mainstream of development, not touching on rural women's basic roles. They were normally planned from above without women participation and were not based on women's own

needs and skills. One can hypothesise that the cause might be either a weak commitment to improving the condition and status of women or even the desire to create an illusion of support without addressing the fundamental areas where change was necessary. Conclusively what we are saying is that changes brought about or encouraged by the state were not necessarily or unilaterally beneficial to women. The development programmes disseminated information and skills intended to improve homemaking and child care-abilities. Yet this traditional nurturing role had a reduced value by the standards of the modern society. This debasement was due in part to a change in the function of the home maker for co-ordination of household production and the consumption of wage income.

The marginalisation of women both in theory and practice has been the essence of their situation in society. It has been reflected in society in terms of differential economic benefits, dependent relations, and social inferiority. These features have often been perpetuated with increasing contradictions. Strategies of development served as tools of this perpetuation of oppression if they did not take these specific features of historical developments into account. It was necessary to recognise the specificity of both relations of production and reproduction and their interconnections in order that programmes for transformation could be progressive (Kurian 1978).

## Conclusion

In this paper effort has been made to examine the effects of public policy and the determinants of public policies on women. In colonial and early post-colonial times the main purpose of the women in groups was not income generation but home economics. With only a few exceptions, these projects could not be made profitable in any durable or substantial manner. These projects were set up as an extra activity in addition to their already overstretched workload and tended to concentrate on development of crafts (e.g. seeing, basket making, embroidery, spinning and weaving) understood to be female activities. These crafts introduced were not those traditionally carried out by women so the shrewd women who had to select survival strategies often did not wish to participate in the soft options which were not marketable, they could not afford to risk.

The process of state targeting of women groups intensified in the post-colonial era. The training programme formalised women group committees at various administrative levels and facilitated interaction of women groups from a wide geographical area. This led to what may be called a large scale women movement. On the other hand, the same process had inhibiting effects on women groups. The process entailed getting people and in this case women groups to implement agency plans and policies. But agency orientations and goals could be in many instances in conflict with the needs and interests of the people. In general, planners were concerned with poverty within which most women lived, as a purely economic problem which

could be overcome by carefully planned and implemented development programmes. But economic activities of women's groups performed poorly.

From another perspective one may question the seriousness of government programmes which aimed to emancipate women. These projects were deemed as social and the staff assigned to them particularly in later years by the Department of Social Services were not competent or interested in the technical and managerial task necessary to make these projects viable. Consequently, inappropriate activities were proposed.

Often women's projects were funded without the necessary project appraisal or feasibility studies that normally precede many other programmes. At this level, two issues were at stake. On the one hand there was the bureaucratic incapacity to effectively handle these kinds of projects, for example, the Women's Bureau had only a skeleton staff with little relevant qualifications to deal with the projects planned and implemented. There may have indeed been little serious political will and commitment to programmes which would facilitate the emancipation of women. Hence such programmes and structures simply enhanced the patronising of women by male politicians within the dynamics of Kenyan politics, and indeed the exploitation of women's groups by politicians was common.

There may also have been the administrative convenience in assuming that the beneficiaries were a homogeneous group and the assumption that all members of the family (men, women, children) will benefit from the project. For donors, there was the basic assumption that women in developing countries are prototypes of their farm wives. Moreover, these groups had no legal protection or recognised under any existing Acts of the Laws of Kenya. They were not registered under the Company's Act, Partnership Act, Cooperative Act or the Societies Act so that a problem arose as to who owned the assets if there were any. The Ministry of Culture and Social Services only registered them so that they could be able to get grants, but the ministry had no power to represent a group in a court of law. Since the groups did not constitute a legal entity, they could not be sued. There should have been further legislation to protect women self help groups. An Act should be enacted. The women's Bureau should also develop a standardised method of giving grants and rewarding good work.

What we are saying is that the most important institution with respect to the shaping of women collective participation during this period was the state. The state is, however, a part of a complex of national and international activities. The specific historical relationships of dependence between national and international governments and agencies define the process of development and its orientation. In turn, this relationship shapes women collective activities. At the local level there are two related features. There is the government bureaucracy which has regular and formalised interaction with women groups. There are also political forces which could influence the women. The major factor is perhaps the use of women groups as targets for implementing government policies and programmes. However, most of the agency programmes are usually antagonistic to women's interests and concrete needs.

Although women shared initially in the promises of independence and saw gains in their access to education, formal sector employment, health care and nutritional profiles the end of 1960s the development plans continued to be formulated and implemented without an adequate understanding of women's contributions to African economies. They also remained absent from formal positions of decision-making and power.

It is critically important for policy-makers to listen to and work with women to improve their positions and thereby accelerate development. A comprehensive approach by the government in conjunction with development agencies and women themselves to remove the social, economic and legal constraints on women. National action plans designed in broad consultation with women's groups are significant particularly if adequately funded and staffed. An important issue raised in the Beijing Platform for Action is equality of responsibility between men and women for gender equality to become a reality.

It would also be requisite for the government and local authorities must demonstrate commitment to removing legal impediments and socio-cultural obstacles against women, especially in the rural areas where the majority of women live and are economically active. The constraints on women's access to land, credit, extension services, inputs and new technologies would need to be removed, opportunities created for their enterprise, measures to improve their access through institutional reforms pursued and monitored for effectiveness.

Gender biases in the educational system, training and employment would also need to be consistently attacked to give women new opportunities for achievement and their leadership skills in their communities, groups and associations harnessed and formalized to give them political and decision-making power. Implementation mechanisms would have to harness women's energies, through their bodies. The viability of women's institutions and mechanisms for decision-making in the community, market places and trades would also be recognized and utilized to increase women's participation and decision-making power in society. All of these taken into consideration would reduce the subordination of women. These require social policies with all the monitoring and evaluating modalities.

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