GENDER QUOTAS IN NATIONAL PARLIAMENTS: AN ANALYSIS
OF THE CONTRIBUTION MADE BY NOMINATED FEMALE
LEGISLATORS IN KENYA AND TANZANIA

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DECLARATION

I, the undersigned, do hereby declare that this thesis is my original work, and has not been submitted to any other college, institution or university other than the United States International University-Africa, for academic credit.

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Amb. Prof. Ruthie Rono
DEDICATION

I dedicate this thesis to my family who always stand by me through all the struggles of life and encourage me to be a better person each day.

To my mother, Susan Waweru, you inspire me to be a strong and courageous woman.

To my father, Stephen Waweru, thank you for believing in me.

To my siblings Mary and Japhlet, I am forever grateful for the support you always provide.

“You may see me struggle, but you will never see me quit. Neither should you.”
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ABSTRACT PAGE

Despite the gradual increase in the number of women leaders at national parliaments, their influence to national politics and policy remains low. The purpose of this study was to investigate the substantive contribution made by gender quotas in national politics in Kenya and Tanzania. The study was guided by two theories, the feminist theory and the liberal feminist theory. The feminist theory enabled the study to understand and evaluate the existing gender parity in a patriarchal political system. On the other hand, the liberal feminist theory enabled the study to assess whether gender quotas, a legal remedy to gender discrimination, were useful in providing gender parity in a political process. The study adopted a mixed method research approach by applying both qualitative and quantitative research methods. The quantitative research method was useful in illustrating the descriptive gains made by the adoption of gender quotas while the qualitative research methods was applied to the descriptive assessment of substantive impact made by gender quotas. The study employed content analysis of existing secondary data, relevant to the study. The research findings illustrated that beneficiaries of gender quotas have made notable contributions to legislation and political leadership in both Kenya and Tanzania. The study also identified common challenges that affect the effective engagement of nominated female representatives at the national parliaments. The study, therefore, concluded that gender quotas have influenced substantive representation of women in national parliaments, beyond the quantitative increase in representation. To counter the remaining challenges in the effective implementation of gender quotas, the study recommends the adoption of a more holistic approach to the implementation of affirmative action provisions aimed at addressing the structural barriers that exist. The study findings are significant to the policy-makers, nominated women leaders, academia and other stakeholders who are keen on realizing equal representation of women in political processes.
LIST OF ABBREVIATIONS AND ACRONYMS:

AU: African Union

APK: Alliance Party of Kenya

CEDAW: The Convention on the Elimination of all Forms of Discrimination against Women

CCM: Chama Cha Mapinduzi

CHADEMA: Chama Cha Demokrasia na Maendeleo

EAC: East African Community

EISA: Electoral Institute for Sustainable Democracy in Africa

FIDA: Federation of Women Lawyers, Kenya.

HG: Head of Government’

HS: Head of State

International IDEA: International Institute for Democracy and Electoral Assistance

IPU: Inter-Parliamentary Union

KANU: Kenya African National Union

MP: Member of Parliament

NARC: National Rainbow Coalition

PNU: Party of National Unity

SADC: Southern African Development Community

TAWLA: Tanzania Women Lawyers Association

UN: United Nations

UDP: United Democratic Party

URP: United Republican Party
OPERATIONALIZATION OF KEY TERMS

Quotas are limits set on the minimum number of female legislators that should constitute the national parliaments. In this study, it refers to the 30 percent gender rule in Kenya and Tanzania.

Gender Quotas: These are quantitative limits set to require the inclusion of a certain number or percentage of a particular gender. The focus of this study is on quotas that lead to increases in the proportion of women in the legislature through the use of affirmative action such as nomination of women.

Affirmative action in this study refers to a form of positive discrimination in favour of women. The concept behind this is that women need to be given a 'helping hand' to compensate for the de facto discrimination they suffer, pending the achievement of a proper balance.

Political Representation: refers to the activity of making citizens' voices, opinions, and perspectives "present" in public policy-making processes. Political representation in this study refers to the deliberate increase in the number of women in parliaments through nomination to ensure that women’s voices are included in legislative processes.

Contribution: in the study, this means the part played by female legislators in policymaking, as exemplified by influence they have on legislation and policy formulation. This is synonymous to the terms performance and impact, as used in the research objectives.

Legal candidate quotas: refer to quotas that set a minimum share of women on the candidate lists as a legal requirement

Political party quotas: relates to quotas that set a minimum proportion of women on the candidate lists as a measure written into the statutes of individual political parties.
CHAPTER 1: INTRODUCTION

1.1. Background of the Study

According to World Bank data (2015), women constitute 49.56 percent of the world's population, an average that has been consistent for many decades. However, female suffrage did not exist anywhere until the 1890s when New Zealand granted national-level voting rights to women in September 1893 (Women's Suffrage Movement, n.d). Full suffrage was only realized in 1894 when the British colony of South Australia granted women the right to vote and vie for parliamentary positions. The Nellie McClung Foundation (n.d) illustrates a timeline within which other countries followed in the trend to grant women the right to vote: Finland attained suffrage in 1906, Norway in 1913, Denmark in 1915, among others. The late entrants in giving women this right include Oman in 2003, Qatar in 2003, Kuwait in 2005, the United Arab Emirates in 2006 and Saudi Arabia in 2011 (Hjelmgaard Kim, 2018).

However, women remain underrepresented in leadership positions in politics and business across the globe. According to the International Parliamentary Union (IPU) and UN Women (2017), the percentage of women in the highest rank of State remains low with only 7.2 percent women heads of state, 5.7 percent women heads of government, 19.1 percent women speakers of parliament and 26.6 percent women deputy speakers of parliament, worldwide. The world average for the number of women in parliament is 23.3 percent for both houses combined, 23.4 percent for the single or lower house and 22.9 percent for upper house or senate (IPU and UN women, 2017). Although the global averages are yet to reach the recommended 30 percent target, women's share of all parliamentary seats has consistently increased by 0.6 percentage points per year (IPU, 2017).

The emergence of gender quotas is traced back to the United Nations (UN) fourth World Conference on Women, Beijing Platform of Action, held in September 1995 (Beijing
Declarations and Platform for Action, 1995). The Beijing Declaration and Platform for Action, which was signed by all 189-member states, called for governments to adopt policies that would ensure women's equal access and participation in power structures and decision making while taking measures to enhance their capacity to engage in decision-making and leadership processes. According to Krook (2009), gender quotas did exist before the Beijing conference, but the meeting was very critical in spreading the adoption of gender quotas worldwide. She noted that only ten countries had adopted gender quotas between 1930 and 1980, then twelve more had joined in the 1980s, and there were more than 50 by the 1990s. However, forty more had joined by 2009, and more countries keep joining after that.

According to Bauer (2003), only 15.2 percent of members of parliament (MPs) around the world were women in 2003. Significant differences exist between regions such as the Nordic countries who were leading, the Sub-Saharan region who constitute the world's average and the Arab States trailing behind. According to the Quota Project Database (n.d), 128 countries have currently adopted gender quotas with an average level of women representation at 23 percent worldwide. Bauer (2003) states that the first Sub-Saharan Africa countries to apply gender quotas in the 1990s and early 2000 were post-transition or post-conflict countries. These include Burundi, Eritrea, Mozambique, Namibia, Rwanda, South Africa, Tanzania, Uganda and finally Angola. Most recently, the second wave of sub-Saharan countries to follow suit include Kenya, Lesotho, Sudan, South Sudan and Zimbabwe, and Francophone/West African countries such as Burkina Faso, Cape Verde, Senegal and Togo.

Nzomo (n.d.), argues that African governments have experimented on various mechanisms to implement gender quotas but have made minimal progress due to lack of a democratic culture, values and norms that can advance gender equality and social justice. She
notes that it is increasingly becoming clear that women's mere presence in political institutions does not translate into power and influence in governance. Nonetheless, without affirmative action measures to increase the number of women in political office, numbers of women in political governance remains relatively low (Tripp, 2003). In Africa, the political representative electoral system has been the most effective for the attainment of gender quotas.

Bauer (2013) notes that the target for affirmative action in Sub-Saharan Africa is moving fast with countries like Senegal having enshrined parity in law, rather than say 20 or 30 percent, and South Africa and Tanzania are moving in that direction. Lax and Godia (2010), say that gender quotas have increased the visibility and effectiveness of women in politics and decision-making. However, this has attracted controversy and even resistance since it has challenged widespread patriarchal beliefs and practices.

Devlin & Elgie (2008) illustrates that studies on the impact of the increased number of women in parliaments have largely been based on case studies of individual Western Countries. They state that the results of these studies have been mixed where women are noted to add a new dimension to the policy agenda, but there is little evidence that increased women’s representation changes policy outputs. However, Chen (2010) states that gender quotas in developing countries have had an inconsistent impact on policy outcomes since they are usually introduced in new democracies that often have weak legislatures (as cited in, Bouka, Kamuru, Berry, & Moss, 2018). Nonetheless, Bauer & Britton (2006) states that African women legislators have an agenda that is demonstratably broader than the legislative platforms of their counterparts in the West. They note that these women legislators from Sub-
Saharan Africa have added issues such as land rights, poverty alleviation, HIV/AIDS, violence against women, issues which are generally more pressing in Africa than in the West.

The Effective implementation of gender quotas is influenced by various factors such as, external pressure on governments resulting to political goodwill for adoption of descriptive representation (Tripp, 2003); motivations behind the implementation of gender quotas (Krook, 2009); the design adopted for enactment of gender quotas (Bayer, 2009); among other factors. Yoon & Shin, (2017) note that one main factor that challenges the effectiveness of gender quotas is that party leaders initially agree to the idea of quotas to gain public recognition, but often lack commitment and show resistance when it comes to their actual implementation.

Kenya and Tanzania have had long histories of gender quotas in their legislative systems with Tanzania enacting their first legislation on reserved seats for women in 1995 while Kenya made a constitutional amendment to allow for the nomination of women in 1997 (IDEA, IPU and Stockholm University, n.d.). According to the Gender Quota Database by IDEA, IPU and Stockholm University (n.d.), the type of gender quotas adopted by both countries is the reserved seats. These quotas are embedded in both the constitution and electoral laws and apply to both their national and sub-national legislative bodies. In the 2015 General Election, Tanzania attained a higher percentage of women in parliament at 34.60 percent compared to Kenya's 21.8 percent, attained in Kenya’s 2013 election. The table below summarises the type of gender quotas adopted in the two countries and the legal frameworks within which the quotas are embedded.
Table 1:  
*Gender Quota type(s) and legal frameworks in Kenya and Tanzania*

<table>
<thead>
<tr>
<th>Country</th>
<th>Quota Type(s)</th>
<th>Legal Framework</th>
<th>Results last election</th>
<th>Percentage of women in parliament</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kenya</td>
<td>Legislated quotas for the National Assembly</td>
<td>Constitution, Electoral law, Political Parties Act</td>
<td>76 of 350</td>
<td>21.80%</td>
</tr>
<tr>
<td></td>
<td>Legislated quotas for the Senate</td>
<td>Constitution, Electoral law, Political Parties Act</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Legislated quotas at the Sub-national level – i.e. County Assemblies</td>
<td>Constitution</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Voluntary quotas adopted by political parties</td>
<td>Democratic Party [DP]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Safina Party [SAFINA]</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>National Rainbow Coalition [NARC]</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The United Republic of Tanzania</td>
<td>Legislated quotas for the Single/Lower House</td>
<td>Constitution and the Electoral law</td>
<td>145 of 390</td>
<td>37.20%</td>
</tr>
<tr>
<td></td>
<td>Legislated quotas at the Sub-national level</td>
<td>Electoral law</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Voluntary quotas adopted by political parties</td>
<td>Chama Cha Mapunduzi (CCM) party</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note. Data adapted from the Gender Quota Database (IDEA, IPU and Stockholm University, n.d.)

Tanzania is among the top 24 of national legislatures in the world that have women representation of over 35 percent, far above Sub-Saharan Africa and world averages of about 23.40 percent women in the single or lower houses of parliament (Inter-Parliamentary Union, 2018). Kenya, on the other hand, is ranked 87th out of 193 self-governing states in the world with 21.8 percent women in the national assembly (IPU, n.d.). While Kenya is struggling to realise its two-thirds constitutional gender provision, Tanzania is seeking to increase their quota to fifty percent in line with the SADC provision (Bauer, 2008). The two countries apply the first past the post electoral system for their legislative bodies and are members of the East African Community (EAC).
The study was assessing the qualitative impact of gender quotas through an evaluation of the contribution made by female legislators in Kenyan and Tanzanian national parliaments. A comparative analysis of both countries was feasible since the two countries have had gender quotas, embedded in their constitutions, for over two decades. The study provides timely data that will inform discussions around the effectiveness of these gender quotas as both countries seek to implement significant reforms to their women representation quotas. This study aimed to assess whether the nominated women legislators have made significant contributions in the two countries. Additionally, it identified challenges that continue to affect the performance of the nominated female legislators. Since Tanzania has had a constant lead in the percentage of women legislators compared to Kenya, the study sort to compare the contributions made in the two countries and common challenges that exist. The study, therefore, examined whether the numbers attained have translated to the substantive impact of the women in parliament and explored the common challenges that nominated female legislators encountered in contributions to policymaking.

1.2. Statement of the Problem

Women constitute the highest percentage of the total population in both Kenya and Tanzania with 52 percent and 51.3 percent respectively. Nonetheless, women representation in legislative bodies continues to remain relatively lower than the population average. Women in parliament constituted 21.8 percent after Kenya’s 2013 election and 37.2 percent in Tanzania after the 2015 election. Nonetheless, the enactment of gender quotas embedded in the legal frameworks in Kenya and Tanzania has resulted in a gradual increase in the number of women legislators in both Kenya and Tanzania over the years. It has been through the enforcement of these quotas, and not direct elections, that these countries have realized
quantitative gains in the number of women political representatives. This increased number of women in the politics of Kenya and Tanzania has created an opportunity for women to improve their political influence through legislation and policy formulation. In cases where political influence has not been attained, there is a need to identify the factors undermining the effectiveness of women in politics.

The effective and full implementation of gender quotas in Kenya and Tanzania have encountered various challenges. In Kenya, delays in the full implementation of the gender quotas as embedded in The Constitution of Kenya 2010, has elicited criticism of the value added by these quotas. In Tanzania, the progression towards the enactment of the fifty-fifty gender parity is also in question and has elicited debate on the impact of gender quotas on policy and legislation (Mushi D., 2014). These challenges illustrate the need for scholars to demonstrate the qualitative benefits derived from the quantitative increase of women representation in national parliaments.

The study, therefore, sort to assess the quality derived from the adoption of gender quotas beyond the quantitative increase of women representation in the political realm. Specifically, the study identified contributions made by nominated women legislators, separate from those made by elected women in national parliaments. The study focused on the assessing the value added by the enactment of these quotas. Consequently, the study identified the common challenges that affect the effectiveness of gender quota beneficiaries in parliament.
1.3. Research Objectives

1. To assess the impact made by gender quota beneficiaries on national policy in Kenya and Tanzania.

2. To identify the common challenges that affect the performance of nominated female legislators in Kenya and Tanzania.

1.4. Research Questions

1. What has been the impact of gender quotas beneficiaries on national policy in Kenya and Tanzania?

2. What common challenges have affected performance of nominated female legislators in Kenya and Tanzania?

1.5. The significance of the Study/ Justification of the Study

Introduction of gender quotas was a temporary measure to correct the gender imbalance in government. This research sort to assess whether the qualitative purpose behind the introduction of gender quotas has been achieved and if not, to identify the underlying challenges. The study is relevant to both policymakers and the academia since the findings can inform recommendations to improve affirmative action in Kenya and Tanzania. The study findings are useful to Kenya since it is still yet to identify the implementation mechanism of its constitutional gender quota, while it will enable Tanzanian policymakers to make informed decisions as they seek to increase their gender quotas to a fifty-fifty ratio. Specifically, the expected benefits of this research will be to assess the quality derived from applying gender quotas in parliament beyond the quantitative benefits that have been studied extensively. The study also provides a comparative analysis of the Kenyan and Tanzania context, which can inform best practices sharing within the region. Finally, the study contains
recommendations useful to the East African governments can improve their policies towards women empowerment.

The comparative analysis between Kenya and Tanzania provides contextual differences and similarities that will be useful for consideration by policymakers within the region and beyond. Although Kenya has been lagging behind in realising a 30 percent representation of women in the national parliament, the overall number of women in parliament is higher than that of Tanzania since Kenya has a bicameral legislature. It provides an ideal comparative study that will be informative. The study is useful to the academia since it will identify new elements of research such as the need to assess the quality of gender quotas at sub-national legislatures.

1.6. The scope of the Study

The study was limited to the analysis of legislative contributions made by female legislators who have been beneficiaries of the 30 percent gender quotas through nomination and will not attempt to assess impact by all female legislators. The researcher contends that the analysis forms a basis for other studies by researchers in the field of gender and politics. The research focus was on contributions made by the nominated female legislators in national parliament. These contributions are confined to efforts made within their role as legislators, which is representation, legislation and oversight. The analysis focused on the role women play in national legislative bodies.

The geographical scope of this study was Kenya and Tanzania and provided a comparative analysis of the effects of gender quotas in their political systems. The study was limited to the period from when each of these countries implemented gender quotas in their legislation, 1995 in Tanzania and 1997 in Kenya, to date. The content review of data sources
will be limited to this period and will focus on contributions that were formally documented in the parliamentary Hansard or through Gazette notices. The study period selected encompassed the scope within which gender quotas have been in force in the two countries, and thus provided for adequate time needed for newly elected legislators to have made progress in their leadership contribution.

1.7. Summary of all Chapters

The thesis is organized into five chapters. The first three chapters constituted the research proposal and includes the background, literature review and methodology sections. The last two chapters highlighted the findings, recommendation and conclusions.

Chapter one is the Introduction and contains The background of the study, statement of the problem, study objective, research question, scope of the study, and significance/justification of the study.

Chapter two is the Literature Review and provides an analysis of literature highlighting women in politics from a global level, regionally and specifically in Kenya and Tanzania. The chapter then discusses literature available on gender quotas, factors influencing the adoption of these quotas and the adoption of quotas in Kenya and Tanzania. It also provides a summarized analysis of literature highlighting the quantitative and qualitative impact of women parliamentarians globally, in Kenya and Tanzania.

Chapter three is the Research Methodology, which provides information on the research design, techniques of data collection, analysis and data presentation. It also illustrates the ethical considerations taken into account in this study.
Chapter four is the Data Presentation, Interpretation and Discussion of research findings. This section presents the analysed results of the findings of the study and discusses the interpretation of findings.

Chapter five is the Summary, Conclusion and Recommendations and provides the conclusions and recommendations drawn from the research findings to the implementation of gender quotas.
CHAPTER 2: LITERATURE REVIEW

2.1. Introduction
This chapter gives an overview of women political leadership globally at the highest offices and parliament. It then explores the adoption of gender quotas, the factors that affect their successful implementation of gender quotas and the effects of gender quotas on policy. Finally, it provides a brief analysis of the Kenyan and Tanzanian situations of participation and representation of women in politics.

2.2. Women in Politics: A Global Overview
Although female suffrage was achieved in the 1890s, the number of women in political leadership in the highest office has not only remained low but also took much longer to be attained. The first woman prime minister Sirimavo Bandaranaike of Sri Lanka took office in 1960, and the first female president Isabel Martinez de Peron of Argentina was elected in 1974 (Women Prime Ministers and Presidents: 20th Century, 2000). Currently, out of the about 152 self-governing countries in the world, eleven (7.2 percent) have women as heads of states and out of 193 self-governing states, eleven (5.7 percent) have women as heads of government (UN Women and IPU, 2017).

The number of women vying for elective positions from the highest office, parliament and other elective leadership positions has been on the rise globally (UN Women and IPU, 2017). This rise became more dramatic in the recent decades where twenty-six women obtained positions of top executive leadership in the 1990s, followed by thirty-six additional women by 2011, an upward trend that has been sustained (Inter-Parliamentary Union, 2018). Politics is the driver of influence in determining who gets what, when and how. Thus, political participation and representation of all facets of society is critical since regulation of the social and economic system is made through political processes (Maeri, 2014). Leisinger et al. (2002) states that women tend to be poorly represented in leadership organs of society.
although they contribute enormously to the country’s Gross Domestic Product (GDP). Parliamentary and political leaders fight for the interests of their constituents by making laws and by-laws, monitoring the work of governments and setting the national agenda. Therefore, politics is the basis of mobilisation of socio-economic and political capital for governance and decision making (United Nations, 2000). For this reason, it is critical for women to be among the policy and decision makers at all levels of government. The table below summarizes the current number of women in the highest offices of state.

**Table 2:**  
*Women In The Highest Positions of State Globally*

<table>
<thead>
<tr>
<th>Women as Heads of State (HS) (11/152=7.2%)</th>
<th>Bangladesh (HG), Chile (HS/HG), Croatia (HS), Estonia (HS), Germany (HG), Liberia (HS/HG), Lithuania (HS), Malta (HS), Marshall Islands (HS/HG), Mauritius (HS), Namibia (HG), Nepal (HS), Norway (HG), Poland (HG), Republic Of Korea (HS/HG), Switzerland (HS/HG), United Kingdom (HG)</th>
</tr>
</thead>
</table>
| Women as Heads of Government (HG) (11/193-5.7%) | Banglad
| Women Speakers of Parliament (53/278=19.1%) | Antigua and Barbuda, Argentina, Austria (2 chambers), Bahamas, Bangladesh, Barbados, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Bulgaria, Denmark, Dominica, Dominican Republic, Ecuador, Equatorial Guinea, Fiji, Finland, Gabon, Germany, Iceland, India, Italy, Lao People’s Democratic Republic, Latvia, Lesotho, Mauritius, Mozambique, Namibia, Nepal, Netherlands (2 chambers), Peru, Russian Federation, Rwanda, Saint Lucia, Serbia, Singapore, South Africa (2 chambers), Spain, Suriname, Swaziland, Syrian Arab Republic, Trinidad and Tobago (2 chambers), Turkmenistan, Uganda, United Arab Emirates, Viet Nam and Zimbabwe |
| Women Deputy Speakers of Parliament (158/595=26.6%) | Of The 230 Chambers In 172 Countries For Which Information Is Available, 102 Have At Least One Woman Deputy Speaker |

Note. Adapted from the Women in Politics 2017 Map (UN Women and IPU, 2017)
2.2.1: **Recent trends of women’s access to national parliaments.**

Nordic countries such as Finland, Sweden, Belgium, Denmark and Iceland have surpassed the goal set by Beijing World Conference on Women of having at least 30 percent women political representation in parliament (European Commission, 2010). The Nordic countries have a regional average of 41.7 percent women in parliament (UN Women and IPU, 2017). In Africa, women representation in parliaments remains low with a regional average of 23.4 percent. However, Rwanda and South Africa constitute the top ten countries with over 40 percent representation, with Rwanda taking the global lead of 61.3 percent and South Africa has 42 percent (UN Women and IPU, 2017).

The table below summarizes the number of women in parliament globally and highlights the current average for Sub-Saharan Africa, within which Kenya and Tanzania are located.

**Table 3:**

<table>
<thead>
<tr>
<th>Name of Region</th>
<th>Single House or Senate</th>
<th>Upper House or Senate</th>
<th>Both houses combined</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nordic Countries</td>
<td>41.7%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Americas</td>
<td>28.3%</td>
<td>27.5%</td>
<td>28.1%</td>
</tr>
<tr>
<td>Europe (Nordic Countries included)</td>
<td>26.4%</td>
<td>26.0%</td>
<td>26.3%</td>
</tr>
<tr>
<td>Europe (Nordic countries not included)</td>
<td>25.0%</td>
<td>26.0%</td>
<td>25.2%</td>
</tr>
<tr>
<td>Sub-Saharan Africa</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kenya</td>
<td>23.8%</td>
<td>22.1%</td>
<td>23.6%</td>
</tr>
<tr>
<td>Tanzania</td>
<td>19.4%</td>
<td>26.5%</td>
<td>21%</td>
</tr>
<tr>
<td>Asia</td>
<td>19.6%</td>
<td>16.3%</td>
<td>19.3%</td>
</tr>
<tr>
<td>Arab States</td>
<td>18.9%</td>
<td>12.6%</td>
<td>18.0%</td>
</tr>
<tr>
<td>Pacific</td>
<td>15.0%</td>
<td>37.1%</td>
<td>17.4%</td>
</tr>
</tbody>
</table>

Note. Adapted from the Women in Politics 2017 Map from UN Women and IPU (2017).
2.3. Women and Quotas: Use of Gender Quotas in National Parliaments

Dahlerup (2009) defines gender quotas as a certain number or percentage of one gender must constitute members of a body, whether a candidate list, a parliamentary assembly, a committee, or a government. There are different types of gender quotas adopted by states. According to Krook (2009), gender quotas are the most common form of provisions aimed at increasing the number of female candidates selected and elected to political office. The three most common types of quota measures include reserved seats, party quotas, and legislative quotas. Kelber (1994) describes two types of quotas. The first one is applied to elections and refers to the percentage of women candidates in relation to the total number of persons seeking election. The second is one applied to the election result and hence refers to the number of seats that must be occupied by women after the vote.

According to the Gender Quotas Database (IDEA, IPU and Stockholm University, n.d.), 130 countries have adopted gender quotas for their parliaments whether constitutional, electoral or political party quotas. These countries have an average of 23.9 percent representation for women in their national parliaments. In Africa, 42 countries have adopted gender quotas for their legislative bodies, whether at the national or sub-national levels. In 2017 elections, women won over 30 percent of seats in 24 parliamentary chambers, across 21 countries, where quotas are used. This is against just 15.4 percent of seats in 19 legislative chambers, across 16 countries, where no form of electoral gender quota is used (Inter-Parliamentary Union, 2018).

The circumstances or the reasons behind the adoption of gender quotas matter since it affects the effectiveness after implementation. Krook (2009) says that women pursue quotas when they feel that there is a lack of a natural trend towards change for normative and pragmatic reasons. It happens when women acknowledge that increased political
representation can only be achieved through specific targeted actions to promote female candidates. He, however, notes that political elites are often driven by other motivations to adopt gender quotas such as for strategic reasons to gain political mileage, while others adopt them if they align with existing trends or merge with notions of equality and representation.

From the literature reviewed here, studies on the use of gender quotas in parliaments are mainly focused on the quantitative use of gender quotas and not on the substantive use in the parliaments. This study seeks to fill this gap in literature.

2.3.1. Factors that influence effective implementation of Gender Quotas.

One of the factors that affect the effective implementation of gender quotas is the political goodwill of the government. Tripp (2003) identifies external pressure on governments from women movements both domestic and international and government initiative as some of the reasons that have led to the adoption of gender quotas. Women movements usually seek to increase women representation to meet targets set through international conventions while Governments and political parties' usually seek to appeal to the women votes, keep up with their competitors and to signal their interests in women's rights and voices. Other governments adopt the quotas to respond to international norms or to create a modern image for themselves to challenge the conservatives; this, for instance, is a common motivation among the Muslim countries.

Considerations made during the adoption and implementation of gender quotas is critical to their effectiveness. Krook (2009), says that the main factors that can be attributed to variations on the impact of gender quotas on policy formulation are the type of quota measure adopted, and the impact of 'fit' between the quota measure and other political institutions. He notes that there is no one way to achieve the adoption of gender quotas and there is, therefore, a need to acknowledge the interaction between the quota legislation and
the institutional and political context of the country. Bayer (2009) says that candidate quotas can increase women's representation, but the quotas' effectiveness depends on their design.

The terminology used to describe the quota may affect public buy-in or attract negative criticism and therefore needs to be taken into account. Dahlerup (2004) distinguishes between 'quotas for women' and 'gender quotas', saying that gender quotas are gender-neutral and help implementers to overcome the notion of discriminatory provisions. He emphasizes the need to assess under what conditions quotas work and when they do not, before adoption. He also highlights that gender quotas have proven to be highly effective instruments in achieving equality, provided they be appropriately implemented.

Enforcement of gender quotas is more effective if it is the law or constitutional provisions exist. Lax and Godia (2010), says that evidence from around the world has demonstrated that the most powerful tool to address the just and fair representation of women will be to legally institute ‘proportional representation tied to legal quotas' at all levels of elections – local, regional, and national with ‘sanctions for non-compliance.' Furthermore, funding agencies with a commitment to gender equality goals can and do play important roles by contributing crucial resources that support women's strategic needs such as media campaigns and political capacity building (Tripp, 2003). However, there is a need to obtain political will from the government apparatus, especially if external forces influenced the adoption. Goetz (1998) says that a numerical increase in women representatives does not automatically result to the representation of women's interests in government decision-making and attributes this to the resistance to gender equity within the apparatus of governance.
Lax and Godia (2010), reinforce the recognition of power dynamics before the implementation of gender quotas. While analyzing the impact of women's leadership in Eastern Africa, they conclude that politics and governance are closely associated with political institutions like parliament and the bureaucracy. There is, therefore, a need to take into account power dynamics in such institutions while developing gender quotas since they determine the effectiveness or impact of women's political representation. Ahikire (1994) says that a holistic approach to gender oppression implies that the focus goes beyond the gender ascribed relations to encompass male hegemony in its entirety. The strategy should be to counter the overall culture of male dominance rather than having a narrow focus.

Wallace, Haerpfer and Abbott (2009), found that although Rwanda has the highest representation of women in parliament, this has not necessarily resulted in changing in patriarchal attitudes and improved economic status of women in Rwanda. They, therefore, conclude that there is no convergence between gender attitudes and political institutions since in this case political institutions are more enlightened than the bulk of the population. Nonetheless, Rwanda's current successes in implementing the gender quota are attributable to their motivations for adoption, the establishment of an effective legal framework and political will where the government has continuously prioritized gender inclusion and equity.

Hughes (2011) acknowledges that the gender quotas adopted today are yet to challenge men's dominance of national legislatures. She, therefore, says that when developing policies for political representation of women, there is a need to consider the interaction of these policies and those of minority groups, to address the plight of the women as a minority group. According to Tripp (2003), African countries have had the fastest rise of women parliamentarians over the years, regardless of the type of the regime type in power.
Tripp notes that states, which have adopted gender quotas, are either democratic, semi-autonomous, or authoritarian. She concludes that there is no correlation between the type of regime and the adoption of gender quotas. Thus introducing democratic freedoms has not automatically improved women's access to political positions.

Tootell (2015) identifies various factors that influence the effectiveness of women leaders in government institutions. One factor is attributed to women’s leadership style, which is more concerned with securing social rights for the collective population than concentrating political power in the government. However, he notes that the life experiences of the women influences their policy priorities and thus contributes for the diversity of contributions they make.

From this review above, literature on factors that influence implementation of gender quotas is mainly on a macro level and does not delve into the factors that specifically affect the beneficiaries of gender quotas as they perform their role in the political arena. This study will seek to fill that gap by identifying the common challenges that hinder the effectiveness of women leaders in Kenya and Tanzania.

2.4. Gender Quotas in African Parliaments

Forty-two African countries have adopted gender quotas (IDEA, IPU and Stockholm University, n.d.). Since 2003, Rwanda has led the world in affirmative action and currently has 61 percent women representation in their national parliament (Inter-Parliamentary Union, 2018). There is also a high representation of women in other levels of government with 47.4 percent women in ministerial positions (UN Women and IPU, 2017). Rwanda's adoption of gender quota system can be traced from the post-genocide Rwandan political system that established a more democratic system of governance through the 2001 Constitution and various legislation (Hogg, 2009). The Rwanda system included multiple special interests
especially women's participation in political governance. The 2001 Constitution established a mandatory Constitutional quota of 30 percent women, elected through a women-only ballot, in all government bodies and institutions (IDEA, IPU and Stockholm University, n.d.). The political will and prioritization by the government to support the inclusion of women have also played an essential role in the success of the gender quota mechanism in Rwanda (Devlin and Elgie, 2008).

In Uganda, the government adopted several mechanisms to promote gender equality by redressing historical gender imbalances and has established legislative quotas at both the national and sub-national levels (IDEA, IPU and Stockholm University, n.d.). Following the introduction of gender quotas in Uganda, the number of women MPs had initially increased by 44 percent between 1996 and 2003 (IPU, n.d.). However, the numbers have since grown, and by 2015, the percentage of women in parliament was at 35 percent.

Falon, Swiss and Viterna (2002), while evaluating the effects of democracy in improving women's representation in developing nations conclude that women in non-democratic regimes often have high levels of legislative representation but little real political power. They, therefore, call for the need to analyze the democratization process rather than using democracy, as a measure for women's legislative representation. This conclusion has noted to be true for both Uganda and Tanzania.

The literature on gender quotas in African Parliaments is very limited to the analysis of the descriptive representation of women and mainly focused on Rwanda and South Africa. This study seeks to expand the scope of knowledge in this aspect by providing a comparative analysis of Kenya and Tanzania.
2.5. Gender Quotas and effects on policymaking

According to Franceschet, Krook and Piscopo (2012), women's increased presence in parliaments is typically evaluated using descriptive, substantive and symbolic representation effects. Descriptive representation refers to the numbers and kinds of women elected; substantive representation refers to the form and content of policymaking while symbolic representation refers to public attitudes towards women in politics and trends in the political engagement of female constituents. The descriptive effects of gender quotas, which has been the focus of most scholars, is criticized for focusing more on the numbers of women with little focus on the kinds of women elected through gender quotas. However, according to Pande and Ford (2011), gender quotas can and do increase female leadership in politics and female leadership do influence policy outcomes.

According to Pande and Ford (2011), persistent exposure to female leaders positively influences the voters' implicit attitudes and willingness to vote for women. Therefore, gender quotas may be an effective measure that allows the erosion of false negative attitudes that act as barriers to women's political participation. However, the political elite who are adversely affected by the quotas, such as male incumbents and party leaders, respond strategically to reduce the impact of gender quotas on leadership outcome.

Yoon (2011) found improvements to parliamentary culture following women’s greater presence, including the establishment of women’s legislative caucus and training for women members, better articulation of women's interests in parliament, notable increases in women's contributions to parliamentary debates and modest increases in women's appointments to cabinet positions.
Squires and Wicjkam-Jones (2001) reviewed the studies of increased female presence in the British House of Commons and noted their effects to policy style, agenda and outcomes (as cited in Devlin and Elgie, 2008). With regards to policy style, they found that women tend to work more behind the scenes, rather than delving in the direct challenges in the debating chamber; they were also seen to be more loyal to party lines, unlike their male counterparts. On policy agenda, they noted that the women were more likely to raise issue of equality, education, women’s relatively poor economic position, childcare, violence against women and integration of gender into the issues of employment and pay. However, there was limited evidence to support policy outcomes. The few initiatives that were considered a success for women, such as the National Childcare Strategy, were dovetailed with existing government policy.

Sainsbury (2004) noted a similar trend on the effects of increased women’s representation in the Swedish parliament. He noted that women reinforced ‘women issues’ as a broader strategy of gender equality and as a demand for a more complete democracy. Additionally, it was noted that increased representation of women in Nordic parliaments influenced party’s positions, mainly on issues such as family policy, gender equality and social policy.

Devlin and Elgie (2008) and Britton (2005) identified some of the same impacts of women’s greater presence in parliament in Rwanda and South Africa, respectively. In Rwanda, South Africa, Mozambique and Uganda, the advocacy and adoption of some new laws, in particular in the areas of gender-based violence, family law and land rights, is attributed to women’s increased presence in parliament (Britton, 2005). The same countries have introduced a ‘gendered perspective’ to the legislative process and use of a ‘gendered
lens' to analyze and monitor national budgets (UN Women, 2005). However, significant impact on policy outcome in the Sub-Saharan African countries, especially in Mozambique and Uganda that both have one dominant party, is yet to be achieved (Devlin and Elgie, 2008).

In South Africa, Meinjetes (2003) found that the women legislators had influenced the policy style, agenda and outcomes after their increase in the parliament. For example, the calendar of parliamentary sittings were aligned with the school calendar to make it more accommodative to the women. Moreover, the women legislators were crucial in passing the 1998 Domestic Violence Bill and made significant changes to laws in areas of adoption and employment equality. The focus for literature on other Sub-Saharan countries has been focused on the reasons why women’s parliamentary representation has been traditionally low and how it might be increased (Devlin and Elgie, 2008). Literature on the effects of gender quotas in Sub-Saharan Africa has also been focused on single-country analysis with limited comparative analysis.

2.6. Women in Politics: The Case of Kenya

Women in Kenya comprise 52 percent of the population, yet this demographic has not been reflected in their political participation (Federation of Women Lawyers (Fida) Kenya, 2013). Nzomo (n.d) indicates that for many years, Kenya had been lagging behind in increasing women's political representation compared to other countries in Sub-Saharan Africa and by 2003; women in Kenya's parliament were only at 7 percent. FIDA (2013), notes that the country's performance on women's representation has been dismal compared with her East African neighbours. In the 10th parliament, 2008-2013, women comprised only 9.8 percent of the parliament, compared with Rwanda's 56 percent. There has however been a
gradual increase in the number of women seeking elective public office since Kenya’s independence from seven in 1963 to six hundred in 2007 (Kamau N., 2010).

2.6.1: Towards Adoption Gender Quotas in Kenya

2.6.1.1: The Period from 1997-2007

The 1997 General Elections were the second to happen after the attainment of multiparty democracy in 1992, following the repeal of section 2A of the Kenya’s previous constitution (Institute for Education in Democracy, 1997). The elections conducted against the backdrop of political violence triggered by conflict in July-August, left scores of people dead, many others injured, leading the civil society groups, and international donors to pile pressure on the KANU government to accept certain electoral changes in preparation for polls that year (Africa Policy Information Center, 1998). The incidents paved the way for some minimal electoral reforms, key being the formation of the Inter-Party Parliamentary Group (IPPG), which initiated minimum statutory reforms.

Among the reforms vouched for included doing away with laws that restricted freedom of association, increasing the number of commissioners forming the then Electoral Commission and creating a mechanism for pursuing comprehensive constitutional reforms (Africa Policy Information Center, 1998). Additionally, the IPPG also insisted on the nomination of six women among the 12 nominated Members of Parliament (MPs) appointed by the then President Moi in the eighth Parliament (US Department of State, 1998).

The proposal by IPPG would have ensured a 50 percent increase in the number of nominated women legislators in 1997 up from three in 1992 (Parliament of Kenya, 2017). However, the total number nominated to join the eighth Parliament was five, three nominated by the ruling party and one by the opposition parties, making the number less than one from the previous parliament (Institute for Education in Democracy, 1997).
Additionally, the number of elected women parliamentarians in the eighth parliament was four, compared to 1992 when they were six. However, in the 2002 General Elections that followed, nine women were elected to the ninth parliament whereas eight were nominated, which was twice the numbers in the 1997 election, representing a positive step towards women empowerment (Heinrich Boll Foundation, 2003). Further, the 2007 elections witnessed a further increase in the number of elected women to 15, with a drop on nominated women by two thus bringing the total to 21 women in parliament (The Parliament of Kenya, 2013). The figure nonetheless only represented nine percent of the legislature at that point.

2.6.1.2: The Period after the 2010 Constitution

The 2013 General Elections marked a very important milestone in the history of Kenya since it was the first time the country went to the polls under a new dispensation: the Constitution of Kenya 2010. Some of the notable features of this law include the entrenchment of a comprehensive Bill of Rights, which, among other things, emphasises the promotion, and protection of the fundamental rights, freedoms and liberties of the marginalised groups, the minorities and other special interest groups such as the women (Constitution of Kenya, 2010).

More pertinently, it guarantees equality of rights, freedoms and liberties for both men and women and protects against discrimination whether on grounds of one’s gender, sex, race, religion, and ethnicity (Constitution of Kenya, 2010). Further, the Constitution entitles both men and women to equality of opportunities in respect of political and economic spheres of life and obligates the state to take positive steps to ensure that affirmative measures are established to uplift the status of women and other disadvantaged groups in the society (Constitution of Kenya, 2010)
To ensure gender parity in the composition of political positions, the Constitution lays down the rule that not more than two-thirds of the members of elective public body shall be of the same gender (Constitution of Kenya, 2010). In this regard, Article 97 (1) (c) of the Constitution of Kenya (2010), provides for the nomination of 12 members to the National Assembly to represent special interests whereas Article 98 (1) (b) requires that 16 women to be nominated to the Senate by their respective political parties in proportion to the elective posts garnered. Article 177 (1) (b), on the other hand, requires county assemblies to reserve special-seats as a step towards ensuring that not more than two-thirds of the members of their membership are of the same gender.

The 2010 Constitution established a bicameral system of Parliament composed of the National Assembly and the Senate and further devolves the legislative authority to the 47 county assemblies. In this regard, for the 2013 polls, all the 47 Senatorial seats were won by men representing zero percent women whereas of the 349 National Assembly elective positions witnessed only 63 elected women, including the 47 county women representatives translating into 19 percent. To correct under-representation of women in these elections, 18 were nominated to the Senate, five to the National Assembly while 680 of the women were nominated to the various county assemblies in Kenya (Kenya National Bureau of Statistics, 2016). However, although the provisions of the 2010 Constitution aimed at consolidating the decade-long struggles to streamline women’s involvement in political leadership in Kenya, the number of women in the eleventh Parliament both elected and nominated failed to satisfy Article 81(b) the constitutional requirement.

According to the National Democratic Institute (2018) report, the 2017 Kenyan elections saw a 29 percent increase in the number of women who ran for office compared to
the 2013 General elections. Women now hold 172 of the 1883 elected seats in Kenya, up from the 145 after the 2013 elections (National Democratic Institute, 2018).

While Kenya has not yet had a female president, several women have contested this position over the years. The late Professor Wangari and Charity Ngilu - the current Governor of Kitui County - were among the first women to vie for the presidency in the 1992 general elections. Nazlin Umar later competed for the presidency in the 2007 General Election while Martha Karua, former Minister of Justice, contested for the same position during the 2013 general elections (Mungai, 2015). Women representation in Kenya’s parliament since independence has gradually increased, even before the enactment of The Constitution of Kenya (2010), as illustrates in the table below.

Table 4:
Women Representation and Participation in Kenya: 1st to 10th Parliament

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of constituencies</th>
<th>Number of Women Candidates</th>
<th>Elected Members</th>
<th>Available for nomination on slots</th>
<th>Parliamentary nominations</th>
<th>Number of women in parliament</th>
</tr>
</thead>
<tbody>
<tr>
<td>1963</td>
<td>158</td>
<td>7</td>
<td>0</td>
<td>12</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1969</td>
<td>158</td>
<td>13</td>
<td>1</td>
<td>12</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>1974</td>
<td>158</td>
<td>11</td>
<td>4</td>
<td>12</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>1979</td>
<td>158</td>
<td>15</td>
<td>5</td>
<td>12</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>1983</td>
<td>158</td>
<td>7</td>
<td>2</td>
<td>12</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>1988</td>
<td>188</td>
<td>7</td>
<td>2</td>
<td>12</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>1992</td>
<td>188</td>
<td>19</td>
<td>6</td>
<td>12</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>1997</td>
<td>210</td>
<td>53</td>
<td>4</td>
<td>12</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>2002</td>
<td>210</td>
<td>44</td>
<td>10</td>
<td>12</td>
<td>8</td>
<td>18</td>
</tr>
<tr>
<td>2007</td>
<td>210</td>
<td>269</td>
<td>16</td>
<td>12</td>
<td>6</td>
<td>22</td>
</tr>
</tbody>
</table>


The Constitution of Kenya 2010 strengthened the political quotas for women in Kenya in Article 27, which, provides that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender (Constitution of Kenya, 2010). The
constitution introduced a bi-cameral legislature, women representative seats and increased the number of women nominated into the two legislative bodies. However, before the 2013 General Election, the Supreme Court halted the immediate implementation of this provision and instead called for gradual implementation by 2015 (Agutu, 2017). This deadline was postponed severally and is yet to be realised. While the two-thirds gender rule provision was accomplished at the county assemblies, the national legislatures are still lagging behind (NGEC, n.d). The table below illustrates women representation in Kenya’s national parliaments following the implementation of the 2010 constitution.

### Table 5: Women Representation in Kenyan Parliament following the implementation of The Constitution of Kenya, 2010

<table>
<thead>
<tr>
<th>Election date</th>
<th>Type of parliament</th>
<th>Number of Available Seats in the parliament</th>
<th>Available elective constituency/county seats</th>
<th>Available slots for nomination</th>
<th>Women only elective seats</th>
<th>Elected women @ constituency/county level</th>
<th>Nominated women</th>
<th>Total women in parliament</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 National Assembly Senate</td>
<td>350</td>
<td>290</td>
<td>12</td>
<td>47</td>
<td>16</td>
<td>5</td>
<td>68 (19.5%)</td>
<td></td>
</tr>
<tr>
<td>2017 National Assembly Senate</td>
<td>68</td>
<td>47</td>
<td>18</td>
<td>0</td>
<td>0</td>
<td>18</td>
<td>18 (27%)</td>
<td></td>
</tr>
<tr>
<td>2017 National Assembly Senate</td>
<td>350</td>
<td>290</td>
<td>12</td>
<td>47</td>
<td>23</td>
<td>6</td>
<td>76 (21.8%)</td>
<td></td>
</tr>
<tr>
<td>2017 National Assembly Senate</td>
<td>68</td>
<td>47</td>
<td>18</td>
<td>0</td>
<td>3</td>
<td>18</td>
<td>21 (30.8%)</td>
<td></td>
</tr>
</tbody>
</table>

Note. Adapted from the National Democratic Institute Report (2018).

The 2017 General Election resulted in a slight increase in the number of women legislators from 19.5 percent in 2013 to 21.8 percent in the National Assembly, and from 27 percent in 2013 to 20.8 percent at the Senate, as illustrated in Table 5. Despite numerical increase by women at the legislatures, the improvements have failed to satisfy the “not more than two-thirds” constitutional threshold (National Democratic Institute and Federation of Women Lawyers Kenya, 2017).

According to the World Bank (2014), Kenya's constitution provides a rare level of depth on women's rights. Expectations are that, once legislation implementing these
mandates is enacted and translates into realities on the ground, there is a higher potential for better economic outcomes for women.

2.7. Women in Politics: The Case of Tanzania

2.7.1: Towards Adopting Gender Quotas in Tanzania

2.7.1.1: The Period from 1985-2015

Tanzania has a unicameral National Assembly with 393 seats; 264 directly elected from the constituencies, 113 women directly elected by proportional representation, five indirectly elected by simple majority vote by the Zanzibar House of Representatives, ten appointed by the president and one seat reserved for the attorney general (Central Intelligence Agency, n.d.). Of this, 214 are on the mainland, and 50 are in Zanzibar covering Ugunja and Pemba. Also, Article 66(1) the Union Constitution provides that not less than 30 percent of the members of the National Assembly shall be women. To attain this threshold, political parties are expected to nominate women in proportion to the share of the votes each party obtains at the general election (Commonwealth Observer Group, 2015).

Progressively, over the years, Tanzania has been keen at implementing a gender quota system called special-seats to address the problem of women underrepresentation in politics (Global Partners Governance, 2018). At inception of gender quota system in 1985, the Tanzania’s Union Constitution required that 15 percent of the National Assembly’s seats be reserved for women, and this resulted into the nomination of 15 women translating into 15 percent of their overall composition in Parliament in the same year. This increased to 30 percent following the reintroduction of the plural politics in 1992 (Commonwealth Observer Group, 2015).
As a result, in the general elections of 1995, the country registered a slight increment of 1.73 percent on allocation of these special-seats proportionate to the number of seats won by a political party (Makulilo, Whose Affirmative Action is Affirmative? Lessons from Tanzania, 2009). The 1995 General Elections were the first elections after Tanzania reverted to multiparty politics in 1992 (Makulilo, Whose Affirmative Action is Affirmative? Lessons from Tanzania, 2009). The 1995 polls witnessed the nomination of 37 women and the election of the rest representing 16.40 percent of their composition of the National Assembly (Israel, Women and Political Leadership: Facilitating Factors in Tanzania, 2017).

The 2000 General Elections, on the other hand, resulted in the election of 17 women and nomination of 48 others (Israel, Women and Political Leadership: Facilitating Factors in Tanzania, 2017). The election of these women represented an increase of 5.80 percent from the previous 16.40 percent in 1995 bring their aggregate composition in the National Assembly to 22.2 percent. In 2005, the number of nominated women parliamentarians rose to 75 bringing the total number of women in parliament to 30.40 percent.

However, unlike the 1995 and 2000 general elections when the allocation of special-seats was based on the number of seats garnered by a political party, the nomination of women MPs in 2005 polls required that a party must have five percent of the total valid votes won in parliamentary election (Makulilo, Whose Affirmative Action is Affirmative? Lessons from Tanzania, 2009). These electoral changes greatly disadvantaged Civic United Front (CUF), a party that used to enjoy overwhelming support in Pemba and was always second after CCM to benefit from special-seats. Consequently, CUF did not get any nomination slot in the mainland Tanzania giving CCM more political control of Parliament (Makulilo, Whose Affirmative Action is Affirmative? Lessons from Tanzania, 2009).
In 2010, the country witnessed a significant increase in the number of nominated women legislators. From the 75 slots in 2005, 27 more special-seats were allocated bring their total to 102. Regarding constituency elections, three more female MPs were elected bringing the number to 20 up from 17 in the previous polls (Israel, Women and Political Leadership: Facilitating Factors in Tanzania, 2017). In overall, the percentage women composition in the assembly stood at 36 percent culminating into 29 percent increase.

The 2015 polls marked the fifth electoral cycle in Tanzania since the restoration of plural politics. It resulted into the election of 29 women to represent various constituencies while 116 others took up the special-seats in the National Assembly (Bunge La Tanzania, n.d.). Some election observer groups hailed these elections as being competitive and a remarkable development of the country compared to those of 2010; a fact they have attributed to the improvement in the political climate (International Republican Institute, 2015). While the 1995, 2000 and 2005 polls were characterised by last-minute changes to the electoral framework by the ruling party CCM, the last two elections were conducted in a politically stable environment (Commonwealth Observer Group, 2015).

**Table 6:**

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Nominated Women Leg</th>
<th>No. of Elected Women Leg</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>37</td>
<td>8</td>
</tr>
<tr>
<td>2000</td>
<td>48</td>
<td>12</td>
</tr>
<tr>
<td>2005</td>
<td>75</td>
<td>17</td>
</tr>
<tr>
<td>2010</td>
<td>102</td>
<td>21</td>
</tr>
<tr>
<td>2015</td>
<td>116</td>
<td>29</td>
</tr>
</tbody>
</table>

2.7.2: Women and Political Leadership in Tanzania

The National Bureau of Statistics (2017) report, women constitute 51.3 percent of the total population in the United Republic of Tanzania. However, their participation and representation in key leadership positions, governance and decision making organs within government remains lower than men, as illustrated in the table below.

Table 7: Representation (number) in Key Decision-Making Positions in Tanzania Mainland 2004–2015

<table>
<thead>
<tr>
<th>Position</th>
<th>Number of women</th>
<th>Percentage of women</th>
<th>Number of women</th>
<th>Percentage of women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minister</td>
<td>4</td>
<td>15</td>
<td>10</td>
<td>31</td>
</tr>
<tr>
<td>Deputy Ministers</td>
<td>5</td>
<td>29</td>
<td>6</td>
<td>24</td>
</tr>
<tr>
<td><strong>Member of Parliament</strong></td>
<td><strong>62</strong></td>
<td><strong>22</strong></td>
<td><strong>126</strong></td>
<td><strong>36</strong></td>
</tr>
<tr>
<td>Nominated</td>
<td>12</td>
<td>5</td>
<td>21</td>
<td>9</td>
</tr>
<tr>
<td>Appointed</td>
<td>2</td>
<td>20</td>
<td>4</td>
<td>40</td>
</tr>
<tr>
<td>Special-seats</td>
<td>48</td>
<td>100</td>
<td>102</td>
<td>100</td>
</tr>
<tr>
<td>Permanent Secretary</td>
<td>7</td>
<td>28</td>
<td>4</td>
<td>18</td>
</tr>
<tr>
<td>Deputy Permanent Secretary</td>
<td>1</td>
<td>13</td>
<td>11</td>
<td>41</td>
</tr>
</tbody>
</table>


The table above illustrates a gradual increase in the percentage of women in key decision-making positions, except for the permanent secretary position that decreased. Nonetheless, these percentages are low in comparison to the population of women in Tanzania. Specifically, the members of parliament increased from 22 percent in 2004 to 2005 to 36 percent from 2013 to 2014, election periods. In the 2015 elections, there were 1,039 women aspiring candidates; 239 for parliament, 770 at the district level, 29 for Zanzibar House of Representatives and two for presidency/vice-presidency (UN Women, 2015). Women thus comprised on 8.5 percent of overall candidates in the 2015 elections. The table below illustrates the number of women candidates in 2010 and 2015 elections.
Table 8:
Women Candidates in 2010 and 2015 Tanzania Elections

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>All Elective Seats</td>
<td>3,769</td>
<td>693</td>
<td>18.40%</td>
<td>12000+</td>
<td>1039</td>
<td>8.70%</td>
</tr>
<tr>
<td>Presidential</td>
<td>8</td>
<td>0</td>
<td>0%</td>
<td>8</td>
<td>1</td>
<td>12.50%</td>
</tr>
<tr>
<td>Vice President</td>
<td>8</td>
<td>0</td>
<td>0%</td>
<td>8</td>
<td>1</td>
<td>13%</td>
</tr>
<tr>
<td>Parliament</td>
<td>1036</td>
<td>191</td>
<td>18.40%</td>
<td>1250</td>
<td>238</td>
<td>19%</td>
</tr>
<tr>
<td>Zanzibar House of Representatives</td>
<td>161</td>
<td>21</td>
<td>13%</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
<tr>
<td>Mainland Local Councils</td>
<td>7934</td>
<td>559</td>
<td>7%</td>
<td>10879</td>
<td>679</td>
<td>6.20%</td>
</tr>
<tr>
<td>Zanzibar Local Councils</td>
<td>398</td>
<td>62</td>
<td>15.60%</td>
<td>TBD</td>
<td>TBD</td>
<td>TBD</td>
</tr>
</tbody>
</table>

Note. Adapted from the Tanzania National Elections Gender Assessment. Copyright (2015) by International Republican Institute.

As noted above, 'special' parliamentary seats were introduced during the single-party era to increase female representation in the legislature (Killian, 1996). Women are allocated special-seats alongside other special categories like the youth, the army and the workers, to ensure that their voices were heard in parliament. The table below illustrates the increase in the percentage of women representation in the Tanzania parliament since 1990.

Table 9:

<table>
<thead>
<tr>
<th>Election Year</th>
<th>Number of Women</th>
<th>Number of Seats</th>
<th>% of women</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>28</td>
<td>249</td>
<td>11.20%</td>
</tr>
<tr>
<td>1995</td>
<td>45</td>
<td>295</td>
<td>16.40%</td>
</tr>
<tr>
<td>2000</td>
<td>61</td>
<td>275</td>
<td>22.20%</td>
</tr>
<tr>
<td>2005</td>
<td>97</td>
<td>319</td>
<td>30.40%</td>
</tr>
<tr>
<td>2010</td>
<td>126</td>
<td>350</td>
<td>36%</td>
</tr>
<tr>
<td>2015</td>
<td>145</td>
<td>390</td>
<td>37.20%</td>
</tr>
</tbody>
</table>

Note. Adapted using data obtained from Bauer (2008) and IPU (n.d.).

There have been various constitutional amendments done to improve the number of women, over time (Killian, 1996). In 1997, they increased to 15 percent for MPs to 25 percent for local councils; in 2000, the percentage rose to 20 percent in parliament and 33.3
percent on local councils. It was only after 2005 that the quota finally reached 30 percent for parliamentary seats in line with the Beijing provisions and Southern Africa Development Cooperation (SADC) target. Tanzania's current constitution stipulates that women will comprise at least 30 percent of the parliament on the mainland, while the Zanzibar House of Representatives has an even higher quota at 40 percent (International Republican Institute, 2015). The changes made to the constitution with regards to the special-seats were as follows:

- 1992: Eighth constitutional amendment replaced fifteen seats with a new total defined as 15 percent of "The total of all elected members plus five members from the Zanzibar House of Representatives and the Union Attorney General," a total of 36 seats, and abolished the special-seats representing mass organizations (National Election Commission 1997-69).
- 2000: Thirteen constitutional amendment raised the proportion of special-seats to 20 percent, making them 48 seats for the 2000 elections.
- 2005: Percentage increased to 30 percent, making it 75 seats. (Yoon, 2008)

Meean (2003) says that the introduction of special-seats in Tanzania was not aimed at redressing past justices of imbalance but adding their voices to the representation of varied interests. Ironically, these seats were not even supposed to represent 'particular' interests but instead 'national' interests. Therefore, there is still no strategy to level the playing field to reflect the diverse interests. According to Meena (2003), the introduction of gender quotas affected the number of women elected to the Tanzania Parliament.

2.8. Summary and Gap to be filled by the Study

The literature in this section illustrates that quantitative data on the women in politics, and specifically in parliament exists for the global, regional and state levels. There is also
adequate literature on the adoption of gender quotas and factors that would influence effective implementation of these quotas. However, there is a gap on data evaluating the impact of gender quotas on a qualitative level. Literature on impact on gender quotas of gender quotas is mainly focused on the West, and there is limited review of the same in Sub-Saharan Africa. Literature on the African context mainly focuses on the quantitative impact of adopting the quotas, challenges around the adoption and implementation of quotas in the region. Therefore, an assessment of contributions made by nominated female legislators is essential in filling this gap.

Consequently, there is a gap in assessing common challenges, specific to the beneficiaries of gender quotas that affect their effectiveness in parliament. Literature on challenges encompasses all women in politics and is not specific to the beneficiaries of the gender quotas. This data would be essential in identifying remedied to factors hindering effective implementation of the gender quotas.

A comparative analysis between Kenya and Tanzania provides a framework of comparison that would be informative to policymakers and the academia. The two countries offer an extensive history of implementation of gender quotas since they have had over 10 years since adoption. The study is relevant to the two states since are still debating further reforms on the quotas and gives contrasting views that would enhance the perspective of decision-makers in both contexts.

Filling these gaps would be essential in informing debate around gender quotas since it would provide data that assesses the value derived by the adoption of gender quotas. Mainly, there is a need to evaluate whether the arguments made to push for the passage of these quotas are still valid.
2.9. Theoretical framework

The research is premised on Feminism and Liberal Feminism theories of International Relations.

2.9.1: Feminist Theory.

The feminist theory tries to understand women's oppression and the structures that espouse this oppression and subordination and recognizes the influence of gender divisions on social life (Onsongo, 2004). According to Adawo, Gikonyo, Kudu, & Mutoro (2011), feminist theory aims to understand the nature of inequality, focusing on gender politics, power relations and sexuality. Themes explore in Feminism include discrimination, stereotyping, objectification, oppression and patriarchy. The central premise of feminism is that man and woman are equal and should be treated as such in all spheres of life, including politics (What is The Feminist Theory? n.d.).

Feminism theory argues that politics excludes/ marginalizes women and that politics structured on concepts associated with masculinity (Maeri, 2014). The discrepancies in decision making in society emerges from a social framework that espouses inequality. The premise of the Feminist school of thought is that patriarchy is an overriding scenario in a majority of social settings, where males are the predominant Wilders of wealth and power (Ruth, 1998). Thus, they consciously, or unconsciously, engage in behaviours that maintain this control.

This feminist theory enabled this study to understand and analyse the nature of gender inequality in the political context, explicitly identifying the common challenges that affect the effective contribution of women legislators in Kenya and Tanzania. Since the theory also promotes the women’s rights, interests and issues, the study applied it to assess the extent to which female legislators have contributed to advancing the issues affecting women within the
legislatures. Moreover, since the central premise of the theory is that men and women are equal and should be treated as such, the study utilized this theory to assess the extent to which parliaments provided an enabling environment for beneficiaries of gender quotas to exercise their mandate in parliament. The feminist theory was also applied in the study to analyse social relations between male and female legislators in the political context.

2.9.2: Liberal Feminism Theory.
According to the Stanford Encyclopedia of Philosophy (2007), liberal feminism finds its roots from the larger tradition of political philosophy inspired by Immanuel Kant, John Stuart Mill, and John Rawls. Okin (1989) noted that Liberal Feminism emphasizes the need to understand the ‘gender system’, that is the patriarchal nature of inherited traditions and institutions, so as to recommend a remedy (cited in Stanford Encyclopedia of Philosophy - SEP, 2007). Liberal feminism draws from the rich tradition of radical feminist insights into the nature of violence against women (Nussbaum, 1999); into the nature of gender identity (Chambers, 2008); some draw on psychoanalytic feminist theory (Meyers 2002; Cornell 2003); some on socialist feminist work on women's exploitation in the home (Anderson 2004; Gheaus 2008); and some on feminist theories of care (Alstott 2004; Bhandary 2010), (as cited in SEP, 2007). Liberal feminism, therefore, emphasizes equal individual rights and liberties for women and men and emphasizes the importance of structuring social, familial roles in ways that promote women's autonomous self-fulfillment.

The central theme of liberal feminism is that female discrimination is rooted in the legal and institutional discrimination that denies women complete personhood, and focuses more on issues like equality in the workplace, in education, in political rights (Lewis, 2017). The theory proposes the change in laws and institutional policies to remove barriers that
prevent the full engagement in the society. This includes legislating laws such as equal pay, breaking gender lines and winning political rights.

With regards to political deliberation and electoral politics, liberal feminists emphasize the importance of political autonomy, where the focus is on the need for women to participate in processes of democratic self-determination (SEP, 2007). Liberal feminists hold the view that the conditions under which women live lack legitimacy because women are inadequately represented in these processes, which is largely due to the inherited patriarchal system.

The inherited gender system leads to women being under-represented in influential forums of public deliberation, including elected law-making bodies. Some liberal feminists explore remedies to escape this vicious circle by recommending legal mechanisms for inclusion of women in electoral politics. They argue that legal mechanisms for including those who have been systematically excluded may be justified as remedies for the unjust disproportionate political power enjoyed by others (Phillips, 2004).

Suggested mechanisms include targets or quotas for women (and other underrepresented groups) on party slates or proportional representation in elected bodies. Karen Green, for example, argues for “guaranteed equal representation of both sexes in parliament” (Green, 2006). There is diversity of opinion, however, among liberal feminists about the justice and efficacy of such mechanisms (Peters, 2006).

The Liberal Feminism theory was applied in this study to assesses the impact of legally enshrined gender-quotas on national policy in Kenya and Tanzania. The theory enhance the understanding of the influence of legal and structural factors on the impact of women leaders in political processes. The theory also enabled the study to acknowledge and assess the
common challenges that still affect gender quota beneficiaries in parliament that affects their substantive contributions in parliament. Liberal Feminist theory provided the study with a theoretical framework within which to analyze efficiency of remedies, like gender quotas, introduced to counter patriarchal barriers that affect the efficiency women in parliament. Given that political structures are embedded on patriarchal systems, men play a significant role in providing women's access to gender quotas. It is because they control the selection process and thus determine the types of women who access these quotas.
CHAPTER 3: RESEARCH METHODOLOGY

3.1. Introduction
This chapter highlights the research methods to be applied in this study. It also discusses the target group of the study, the sample, the sampling methods, data collection methods, data analysis as well as the data presentation techniques that will be used.

3.2. Research Design
The study adopted a mixed method research method, which incorporated both qualitative and quantitative research approaches. This study adopted the quantitative approach to illustrate the numerical focus of gender quotas through an illustration of the trends in the numerical increase in the number of women in politics. On the other hand, the qualitative approach was used to illustrate the quality derived from adoption of gender quotas in legislative bodies.

According to Kothari (2004), qualitative research is concerned with the subjective assessment of attitudes, opinions and behavior, while quantitative research is concerned with the measurement of quantity or amount. Qualitative research is concerned with the quality of information and attempts to gain an understanding of underlying reasons and motivations for actions (MacDonald & Headlam, 2011).

The advantages of qualitative research over quantitative research are that the qualitative data is not reduced to numbers and subjected to generalisations and reductions, but instead, it focuses on achieving an in-depth understanding of meaning (Dornyei, 2007). He states that quantitative research also fails to take into account the subjective aspects of individuals and is thus unable to detect nuances in situations.

Data collection was through library research and comprised of content analysis of historical records and review of existing documents. It will entail a desk-based research report that will analyse secondary data from existing sources. This data will be sourced from
books, journals, media publications, parliamentary records, investigative panels, research reports from international organisations and governments relevant to issues of gender empowerment and on the implementation of the gender quota in Kenya and Tanzania.

Specifically, data used in this study was collected from parliamentary websites and Hansards, the Inter-Parliamentary Union Database, IDEA gender quota database, UN Women resources, documents from the legislative women wings. Other sources included the EISA gender analysis reports, reports of parliamentary watch groups such as Mzalendo Kenya and Policy Forum in Tanzania, Records from regional bodies such as the AU, SADC and EAC, and relevant gender assessment reports from civil society organisations such as FIDA and the Tanzania Women Lawyers Association (TAWLA).

3.3. Population and Sampling Design

The study applied purposeful sampling method to select existing secondary data that will be analyzed for purpose of this research. This method was ideal since the study focused on nominated women legislators, a target group that needed to be purposefully isolated from the elected women leaders, to retain the scope of the study.

Purposive sampling is achieved where the researcher identifies the sources that are most relevant to the research questions. Dornyei (2007) states that this is especially useful to qualitative research since the primary goal of research is to find data sources that can provide a variety of rich insights into the issue under analysis to maximise on what is learnt. Neumann (2011) states that the selection and identification of the sample in qualitative research should be based on the relevance to the research topic rather than the representativeness to the population. This study based the selection of data sources on the credibility of the source, accuracy and relevance to the data needed. Relevance refers to
closeness with which the data being gathered feeds into the aims of the study (MacDonald & Headlam, 2011).

During the sampling process, the researcher assessed the reliability and validity of the data sources. Reliability is the extent to which data sources and procedures of data collection produce consistent reports in different circumstances (Dornyei, 2007). According to Kothari (2004) reliability has to do with the accuracy and precision of a measurement procedure. Reliability is the extent to which the same result will be repeated/achieved by using equal measure (MacDonald & Headlam, 2011). For this study, the researcher assessed the extent to which a data source is reliable based on the type of data the source provide overtime in comparison to other sources.

Validity, on the other hand, measures the extent to which a test measures precisely what it is intended to measure, it can also be thought of as utility (Kothari, 2004). This study assessed the factual accuracy of the data sources, to ensure validity. Due to the comparative nature of this study, common types of data sources from each of the countries on focus were adopted, to the largest extent possible.

3.4. Data Analysis

The content analysis consisted a review of documentary materials such as books, magazines, newspapers and contents of verbal documents recorded or printed. According to Weber (1990), content analysis proceeds through several stages: (i) identification of population and documents or other textual sources for study; (ii) determination of units of analysis; (iii) selection of sample from population; (iv) designing coding procedures for variables to be measured; (v) testing and refining the coding methods; and (vi) based statistical analysis on counting occurrences of particular words, themes and phrases, and testing relations between variables. The study, therefore, identified relevant variables for this
research and used this to identify different themes pertinent to Tanzania and Kenyan. The researcher then did a comparative analysis of the data collected from both countries to assess the similarities and differences in the findings, to draw conclusion. The findings were validated through a triangulation of various data sources to ensure that a variety of sources can collaborate them.

3.5. Ethical Issues

Neumann (2011) defines ethical issues as concerns, dilemmas and conflicts that arise over the proper way to conduct research. According to MacDonald & Headlam (2011), there are six critical ethical principles of social research. They include: (i) Research should be designed, reviewed and undertaken to ensure integrity and quality; (ii) research staff and subjects must be informed fully about the purpose, methods and intended uses of the research, what their participation in the study entails and what risks, if any, are involved; (iii) the confidentiality of information supplied by research subjects and the anonymity of respondents must be respected; (iv) research participants must participate in a voluntary way, free from any coercion; (v) harm to research participants must be avoided; (vi) the independence of research must be clear, and any conflicts of interest or partiality must be explicit.

For this study, the researcher ensured that the data collected is used strictly for research purposes and any conflicts of interest or partiality was made explicit. The researcher also ensured that testing upholds the integrity and quality of the research for weather data used is factual throughout the study. Also, given that the study employed secondary data, the researcher ensured that the study adhered to any copyright and patent rights of the data sources. The study also acknowledged the sources of data used and strived not to plagiarise any information obtained from external sources for the purpose of in this study. Also, the
researcher respected the confidentiality and anonymity provisions stated in any reports that analysed primary data.
CHAPTER FOUR: AN ANALYSIS OF THE CONTRIBUTION MADE BY NOMINATED FEMALE MPS IN KENYA AND TANZANIA

4.0: Introduction

A study conducted by Tripp & Kang, (2008) using cross-sectional analysis concluded that quotas are the strongest predictors of the proportion of women in national legislatures. They also state that quotas affect women’s representation if withdrawn. In addition, Bush, (2011) states that women representation has long-term impacts on the public’s political attitudes and female politicians tend to invest in different types of policies compared to their male counterparts. This section seeks to test these notions by identifying the contributions made by female legislatures who are beneficiaries of the quota systems in Kenya and Tanzania.

This section will present data that analyses the contributions made by nominated female MPs in Kenya and later in Tanzania. The section will then provide an analysis of challenges faced by nominated female legislators in both Kenya and Tanzania.

4.1. Contributions Made by Nominated Female MPs in Kenya

Nomination of legislators in Kenya traces back to the 90s and provides a comprehensive timeline within we can assess the contributions made by these women. The secondary data presented under this section was mainly gathered through the parliamentary website, resources from the Mzalenda platform, and a range of other secondary material. The section will present data in seven categories. First is the legislative contributions prior made by nominated women MPs prior to the 2010 constitution. Second, legislative contributions in the 11th and 12th parliaments. The third is the legislative contributions made by elected female MPs in the 11th parliament, then the numerical increase in the number of elected women, Increased representation of women in other government positions, and increased representation of women through advocacy of women issues.
4.1.1: Legislative contribution made by nominated female legislators prior to the 11th and 12th parliament

A review of data contained in various sources including Mzalendo: Eye on Kenyan Parliament (n.d), Kamau (2010), The National Assembly (n.d.), Daily Nation (2012), Standard Media (2017), among others, illustrated that nominated women prior to the enactment of the Constitution of Kenya 2010 had made significant strides during their participation in the National Assembly. The contribution of these women definitely paved the way for women who were going to benefit from the affirmative action provisions in the new constitution.

Table 10 below provides a summary of legislative contributions by nominated female legislators in previous parliaments, prior to the enactment of the Constitution of Kenya 2010. During this period, Kenya had a unicameral legislature and fewer nominated women MPs. Nonetheless, the women made remarkable contributions to the legislature through legislation, motions and institutionalizing changes to the parliament to make it a friendlier working environment for the women.

As illustrated below, four nominated MPs made notable contributions to Kenya’s legislation by either sponsoring, drafting or amending a total of seven. Key among these was the Sexual Offences Act, 2006 which was sponsored by Hon. Njoki Ndungu, the Drug Control Authority by Amina Abdalla and the Cotton Amendment Bill by Prof. Julia Ojiambo. Notable was a motion tabled by Hon. Amina Abdalla to create a new committee, The Delegated Legislation Committee, which she later chaired. The review of the standing orders during this period was also a notable contribution by the women who were keen to make the parliament friendlier for the women.
### Table 10:
*Legislative contributions made by nominated female legislators prior to the 11th Parliament*

<table>
<thead>
<tr>
<th></th>
<th><strong>Nominated Female Legislators</strong></th>
<th>Contributions</th>
</tr>
</thead>
</table>
| 1 | **Amina Abdalla** (Nominated 2002-2017) | - Tabled a motion on the Drugs Control Authority  
- Tabled a motion to create a committee on delegated legislation (later included in Parliament's Standing Orders);  
- As a co-opted member of the subcommittee reviewing Parliamentary Standing Orders, she was instrumental in engendering the entire Standing Orders and specifically all parliamentary committees. |
- She was the architect of the amendments to the Employment Act 2007 providing for paid maternity and paternity leave.  
- Tabled Motion on Maternity Benefits  
- Amendments on Maternity and Paternity Rights in Employment Act 2007  
- Made Key human rights amendments to the Refugee Bill |
| 3 | **Prof. Julia Ojiambo** (Nominated 2002-2007) | - Moved the motion on the Cotton Amendment Bill, aimed at reviving the industry,  
- Sponsored the Nutritionists and Dieticians Bill, which sought the registration of nutritionists and dieticians. |
| 4 | **Esther Keino** (Nominated MP 2002-2007) | - As a member of the Standing Orders Committee in Parliament, she is lauded for making reform proposals that led to the improvement of the Standing Orders. |


The Sexual Offences Act 2006, often referred to as the Njoki Ndungu Bill, was a critical accomplishment for the women since it was the first affirmative action bill to be passed in parliament. Previous attempts had faced a lot of resistance and had been
unsuccessful in the highly patriarchal legislatures. Njoki had been lauded for her ability to lobby for support in parliament which resulted in the passing of critical bills for the women.

The inclusion of maternity and paternity rights in the Employment Act 2007, was faced a lot of resistance from the Federation of Kenyan Employers (FKE), who initially wanted to grant women two months unpaid leave, as was in the initial draft. However, Njoki made amendments to this clause and increased it to three months of paid maternity leave and added two weeks of paternity leave (Kamau N., 2010). Although the Trafficking Bill had been drafted, it had taken long to see the light of day, and thus she worked to amend the existing employment laws to introduce a penalty for trafficking. Additionally, during her term, she was instrumental in amending the Political Parties Act to provide that in order to get registered, parties needed to ensure that one-third of its registered officials are women. “This was aimed at assisting the women to find a rightful place in politics, a field whose structures are controlled by men and nothing short of affirmative action would change this situation,” explained Njoki Ndungu (Kamau N., 2010).

In addition to the bills and motions illustrated in table 11 above, the nominated women during this period played a critical role in the constitution review process. It was through their lobbying that women got the gains that came with the Constitution of Kenya 2010. Specifically, some of the women who played a direct role in the constitution process include:

- Njoki Ndungu: Member of the Committee of Experts that drafted the Kenyan Constitution Kamau (2010)
- Adeline Mwau: Commissioner in Mainstreaming Gender in the Constitution-Ufungamano Commission member (Mzalendo: Eye on Kenyan Parliament, n.d).
- Rachel Shebesh: Member of the parliamentary committee on the (Mzalendo: Eye on Kenyan Parliament, n.d).
- Sophia Abdi Noor: Member of the Parliamentary Select Committee on the constitutional review and participated in the 2002-08: Kenya National Constitutional Conference. (Association of Media Women in Kenya (AMWIK), 2014)

These contributions, among others, played a critical role in providing an enabling environment for other female parliamentarians as illustrated by contributions made by nominated women legislators in the 11th and 12th parliaments below.

4.1.2: Legislative contributions made by nominated female legislators in the 11th and 12th parliament

A review of data obtained from legislative bill trackers for the 11th and 12th parliaments illustrate the contribution made by nominated women to legislation in that period. As illustrated in table 11 below, thirteen nominated female legislatures from both the Senate and the National Assembly sponsored 24 bills in that period. Among the thirteen female legislators, 11 were nominated in The Senate and two in the National Assembly.

Senator (Sen.) Beatrice Elachi and Hon. Martha Wangari had each sponsored four bills, which was the highest number of bills sponsored by the nominated female legislators. Others like Sen. Farhiya Ali Haji had sponsored three bills while, Sen. Judith Sijeny and Sen. Masha Elizabeth Ongoro, had each sponsored two bills during that period, and Sen. Halima Abdille, Sen. Joy Gwendo, Sen. Agness Zani, Sen. Naisula Lesuuda, Sen.Petronilla Were Lokorio, and Sen. Zipporah Kittony had each sponsored one bill. On the other hand, the women nominated in the National Assembly, Hon. Amina Abdalla sponsored two bills and Hon. Sunjeev Birdi sponsored one bill. Also, one nominated MP, Zulekha Juma tabled a
motion on the National Youth Council, as illustrated below. Table 11 below provides a brief highlight of specific legislation passed by each nominated legislator.

Table 11:
Bills Sponsored by Nominated Legislators in the 11th and 12th Parliament (Senate and National Assembly)

1. **Sen. Agnes Zani**
   - The Natural Resources (Benefit Sharing) Bill; Status- Passed by Senate (24/06/15)

2. **Sen. Beatrice Elachi**
   - The Food Security Bill; Status- Passed by Senate (16/09/15)
   - The National Youth Service (Amendment) Bill; Status- Passed by Senate (19/02/15)
   - The National Cohesion and Integration (Amendment) Bill
   - The Public Finance Management (Amendment) Bill. [Sponsored In collaboration with - Sens. (Prof.) Kindiki/ Elachi/ Murkome n/Sang.]

3. **Sen. Farhiya Ali Haji**
   - The County Statistics Bill (Sen. Bill No. 9 of 2018); Status-Committee Stage
   - The Public Appointment (Parliamentary Approval) (Amendment) Bill; Status- Third reading
   - The Election Laws (Amendment) Bill (Sen. Bill No. 3 of 2017); Status-Committee Stage

4. **Sen. Halima Abdille**
   - The Universities (Amendment) Bill; Status- Passed by Senate (05/05/16)

5. **Sen. Joy Gwendo**
   - The County Library Services Bill; Status Bill Passed by Senate (08/11/16) with amendments and referred to the National Assembly.

6. **Sen. Judith Sijeny**
   - The Reproductive Health Care Bill; Status Passed by Senate (01/11/16)
   - The Constitution of Kenya (Amendment) Bill

7. **Sen. Martha Wangari**
   - The County Governments (Amendment) (No.2) Bill; Status - Passed by Senate (06/07/14); Passed by National Assembly on 21/04/16
   - The Employment (Amendment) Bill; Status - Passed by Senate (08/11/16)
   - The Self Help Associations Bill; Second reading passed (19/10/16); Due for the Committee of the Whole House.
   - The National Hospital Insurance Fund (Amendment) Bill; Second reading passed (18/08/16); Due for the Committee of the Whole House.

8. **Sen. Masha Elizabeth Ongoro**
   - The Coconut Industry Development Bill
   - The Care and Protection of Child and Parents Bill

9. **Sen. Naisula Lesuuda** - The County Statistics Bill

10. **Sen. Petronila Were Lokorio**
    - The Office of the County Printer Bill (Sen. Bill No. 7 of 2018)
11. **Sen. Zipporah Kittony**  
   - The National Cereals and Produce Board (Amendment) Bill

12. **Hon. Amina Abdalla, Nominated MP**  
   - The Wildlife Conservation & Management (Amendment) Bill, 2017  
   - Water Bill ( (Mzalendo Trust, 2017)

13. **Hon. Sunjeev K. Birdi, Nominated MP**  
   - The Kenya Citizenship and Immigration (Amendment) Bill, 2017

**Notable Motions Tabled:**

   Tabled a motion seeking to have the government fund the National Youth Council - to encourage the youth to engage in fields like Agriculture

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Note. Data sourced from the Parliament of Kenya bill trackers for the 11th and 12th Parliaments, The National Assembly (n.d.) and The Senate (n.d.)

The 11th and 12th parliaments were the first parliaments established after the implementation of the Constitution of Kenya 2010 following the 2013 and 2017 General Elections. These parliaments were characterised by the highest number of women legislators in Kenyan’s history due to the affirmative action provisions that were enacted through the constitution. The contributions above are therefore impressive given that majority of these women were first-term legislators in the 11th parliament.

A report by Mzalendo Trust (2017), which analyzed the contributions made by women MPs in the 11th Parliament covering the period starting March 2013 to June 2015, highlighted the significant issues and topics that the women MPs contributed significantly. According to Mzalendo Trust (2017), contributions made by the nominated women MPs in the National Assembly during this period were similar to those of their elected counterparts. Some of the topics they covered included: healthcare, water, security, waste management, upgrading of roads, setting up of disaster management authorities, procurement and youth funding, wildlife conservation, logging of forests, marriage-related issues and many others. Other issues they covered included judiciary budget estimates, poaching and wildlife conservation and cabinet secretary nominations. The report specifically takes note of the
active nominated MPs at the National Assembly; Amina Abdalla, Sunjeev Birdi and Zuleikha Juma, all of whom made numerous contributions on various bills, motions and petitions (Mzalendo Trust, 2017).

Beyond the bills illustrated above, nominated senators made great contributions to the house debates both in quality and quantity. According to Mzalendo Trust (2017), the issues of focus by the female nominated senators included: revenue collection, oversight functions in the counties, payment of royalties by foreign investors in the counties, expanding existing infrastructure, health matters regarding hospitals at the county level, tourism, issues affecting persons with disabilities, matters related to security and acts of terrorism, farming and opportunities for young people.

While the scope of this study was limited to nominated female legislatures, the section below illustrates the legislative contributions made by elected female legislators in the same period. This date was relevant in order to provide some context on the general performance of other women in the parliaments. Important to note is that there was no elected female Senator in the 11th parliament. Therefore the contributions made by the nominated senators illustrated above were essential and significant for the women to be represented in The Senate.

4.1.2.1: Legislative Contribution Made by elected female legislators in the 11th and 12th parliament

Table 12 below illustrated the bills sponsored by elected female legislators in the National Assembly during the 11th and 12th parliament. The elected legislators below include both the women representatives, who are also beneficiaries of the affirmative action provisions and the women elected in their constituencies. The data illustrates that eleven elected women MPs, eight women reps and three constituency MPs, sponsored fourteen bills.

Table 12:
Bills Sponsored by elected Female Legislators in the 11th and 12th Parliaments
(National Assembly)

Women Representatives- County MPs
1. **Hon. Cecilia Ng’etich, Woman Representative MP**
   - The Engineering Technologists and Technicians Bill, 2015
2. **Hon. Florence Mutua, Woman Representative MP**
   - The Sexual Offences (Amendment) Bill, 2016
3. **Hon. Gladys Wanga, Woman Representative MP**
   - The Cancer Prevention and Control (Amendment) Bill, 2016
4. **Hon. Grace Kiptui, Woman Representative MP**
   - The Basic Education (Amendment) Bill, 2016
5. **Hon. Sabina Chege, Woman Representative MP**
   - The Breastfeeding Mothers Bill, 2017
6. **Hon. Priscilla Nyokabi, Woman Representative MP**
   - The Access to Information Bill, 2015
7. **Hon. Wanjiku Muhia, Woman Representative MP**
   - The Persons with Disabilities (Amendment) Bill, 2013
8. **Hon. Joyce Lay, Woman Representative MP**
   - The Mining Bill (Mzalendo Trust, 2017).

Constituency MPs
9. **Hon. (Dr.) Rachel Nyamai, Kitui South MP**
   - The Diabetes Management Bill, 2014
   - The Kenya AIDS Control Authority Bill, 2014
   - The Pharmacy Practitioners Bill, 2014
10. **Hon. Muthomi Njuki, Chuka MP**
    - The Kenyatta Mausoleum Bill, 2016
11. **Hon. Millie Odhiambo- Mabona, Mbita MP**
    - The In-Vitro Fertilization Bill, 2014 [Title of Bill amended to, The Assisted Reproductive Technology Bill, 2014]
    - The Victim Protection Bill, 2013


A report by Mzalendo Trust (2017), which analyzed the contributions made by women MPs in the 11th Parliament covering the period starting March 2013 to June 2015, highlights the major issues and topics that the women MPs contributed significantly. The report was not only limited to legislation but included a review of hansard proceedings and the contributions made by the women at the floor of the house and through the committees. The issues highlighted in this report as the primary focus by women MPs include security,
water, health-related concerns, Marriage Bill/protection against domestic violence/Children’s Bill/matrimonial property Bill and motions on gender violence, education, agriculture/fishing/livestock, disability, public procurement and Asset Disposal Bill/Uwezo Fund, nomination and vetting, revenue Bill/Public Auditing/Finance Bill/VAT Bill (Mzalendo Trust, 2017). Based on this illustration and a review of the bills highlighted in Tables 10, 11 and 12 above, the female legislators’ contribution is not limited to ‘women issues’ but extends to issues that affect many Kenyans at the national level. However, some have more impact on women, and without these women, those issues would not have been highlighted (Mzalendo Trust, 2017).

Other areas where the women made significant contributions was the lobbying for the Older Persons Transfer System, which called for the creation of nursing homes for older people, strengthened the National Social Security Fund to cover old people and increased funds given through this program. The motivation for the women on this system was because they are often forced to take care of the old and aged in the society, a substantial financial burden (Mzalendo Trust, 2017). Finally, the women’s contribution to the Devolution on Marriage Services, which called for the provision of marriage services to all constituencies to reduce the costs that people incurred when accessing these services.

4.1.3: Numerical increase in the number of female aspirants in the General Elections

Gender quotas are often instituted as temporary measures to increase the representation of women in political processes. It is with this background that nominated women MPs use the opportunity as a stepping-stone to enter into active politics. Table 13 below illustrated the nominated women who sort elective seats between 2002-2013. The
switch by these women from the quota seats to elective seats contributed to an increase in the number of elected women legislators, without whom the numbers would remain low. This increase in elected women also enhances the sustainability of gains made by the gender quotas by ensuring that they not only leave the opportunity for new entrants but also create a positive culture of independence from the quota seats having gained sufficient political experience.

Table 13:
Nominate female legislators who have sort elective seats between 2002-2013

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Position Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Grace Mueni Mwewa</td>
<td>(Nominated MP 1997-2002) - vied for women representative in 2013 election</td>
</tr>
<tr>
<td>3</td>
<td>Tabitha Jeptoo Sei</td>
<td>(Nominate MP 1997-2002) - NARC 2002 (Kerio South Aspirant)</td>
</tr>
<tr>
<td>4</td>
<td>Cecily Mbarire</td>
<td>(Nominated MP 2002-2007) - Member of the National Assembly (2008-2017)</td>
</tr>
<tr>
<td>8</td>
<td>Rachel Shebesh</td>
<td>(Nominated 2007-2013) - Nairobi Woman Representative 2013-2017</td>
</tr>
</tbody>
</table>


From the data above the eight female legislators made attempts to elective office and a majority of them were successful in their bids. Legislators like Hon. Cecily Mbarire, Hon. Rachel Shebesh, Hon. Millie Odhiambo and Hon. Julia Ojiambo went on to become very influential parliamentarians during their tenures. Hon. Amina Abdalla, while she has been unsuccessful in securing an elective seat, has continued to serve in the National Assembly as a nominated member and has made notable contributions as illustrated above.

Due to the courage portrayed by the women who vied for elective seats as illustrated above, the 2017 General election saw a notable number of nominated women aspiring for
elective seats, just after their first-term. Table 14 below illustrates that nine out of the 16 nominated senators were political aspirants for various positions in the 2017 election. Among the nine, five were successful in their bid for elective office and are now elected legislators in the 12th parliament. Two of them are now women representatives at the National Assembly, and two are constituency MPs while one is a senator.

**Table 14:**
*Nominated Female Senators who vied during the 2017 elections*

<table>
<thead>
<tr>
<th>Nominated Aspirants that won elective seats in 2017 General Elections</th>
</tr>
</thead>
</table>

**Attempted but lost**

<table>
<thead>
<tr>
<th>Attempted but lost</th>
</tr>
</thead>
</table>

Note. Data adapted from Nyaundi, (2017).

Among the four who lost their elective bid, Hon. Beatrice Elachi was later appointed the Speaker of the Nairobi County Assembly (Thiong'o, 2017). Given Hon. Elachi’s record of accomplishment at the Senate, the nomination was an excellent opportunity for her to launch an active career in politics and her experience will be invaluable in her new position at the Nairobi County Assembly. Such examples demonstrate that gender quotas play a
critical role in nurturing political leaders that then consequently increased the number of women leaders in political positions, even after they transition from parliament.

Jane Mansbridge (2005) notes that, using quotas to heighten women’s presence in parliaments, even when they are labelled ‘quota women’, ‘shapes the public’s collective perceptions of what political leaders should look like, where women’s place is, and by changing expectations, encourages a greater number of young women to enter party politics and run for elected office’. Cross-national studies affirm that quotas do deliver policy changes that enhance women’s opportunities and lives (Mansbridge, 2005).

**4.1.4: Increased representation of women at key government positions**

Prior to the enactment of the Constitution of Kenya 2010, which introduced the principle of separation of power, government ministers were appointed from among the members of parliament. Due to this practice, some of the nominated female legislators were appointed to several government positions as illustrated in table 15 below. The women below were formerly nominated members of parliament in 1997-2007. Among the seven women listed below, four of them have served in ministerial positions as assistant ministers; one is serving in the judiciary, one is a deputy governor at the county level, and one serves as a diplomat in South Africa. The wide variety of positions that these women went on to serve illustrates the vast array of opportunities available for nominated women leaders if they needed to make a transition. The women below in their capacity at the various positions have continued to represent women interests and have contributed to increased representation of women in various government positions.

**Table 15:**  
*Nominated legislators who have served in Key Government Positions*
1. **Cecily Mbarire** (Nominated 2000-2007)
   - Assistant Minister for Tourism (April 2008-March 2013);
   - Assistant Minister of Transport (December 2005-December 2007)
2. **Betty Tett** (Nominated MP 2002-2007)
   - Appointed assistant minister for Local Government in 2003
   - Assistant Minister for Education (1979-1983);
   - Assistant Minister for Housing (1974-1979);
   - Assistant Minister in charge of Women issues (1975-2000)
5. **Njoki Ndungu** (Nominated 2002-2007)
   - Judge of the Supreme Court of Kenya
   - Kenya High Commissioner to South Africa


4.1.5: **Increased participation of women in the Oversight**

One of the ways through which the women have contributed to the oversight function of the parliaments is through their increased engagement in parliamentary committees. Due to the increased number of women in the 11\textsuperscript{th} and 12\textsuperscript{th} parliaments, there is increased representation of women in the parliamentary committees. An analysis of the Hansard proceedings from the 11\textsuperscript{th} parliament by Mzalendo Trust (2017), illustrates that the women legislators are active members of their respective committees, an illustration of their level of understanding of the parliamentary procedures. A good number of them are either chairs or
vice chairs within the house committees. The table 16 below illustrates the committees that were chaired by nominated legislators in the 11th and 12th parliament.

Table 16:
Nominated female legislators who have served as committee chairs or vice-chairs

1. Hon, Amina Abdalla (National Assembly)
   - Departmental Committee on Environment and Natural Resources (Chair)
2. Naisula Lesuuda (Senate)
   - Joint Committee on Parliamentary Broadcasting and Library Services (Chair)
   - Committee on Devolved Government (Vice Chair)
3. Judith Sijeny
   - Committee on delegated legislation (Vice Chair)
   - Committee on Roads and Transport (Vice Chair)
4. Zipporah Kitony
   - Committee on Health (Vice Chair)
5. Martha Wangari
   - Committee on Labour and Social Welfare (Vice Chair)
6. Fatuma Dullo
   - Committee on National Security and Foreign Relations (Vice Chair)

12th Parliament: 2017-2019
7. Sen. Mary Yiane Seneta
   - Committee on Energy (Vice-Chairperson)
8. Sen. (Dr.) Milgo Alice Chepkorir
   - Committee on labour and social welfare (Vice-Chairperson)
   - Committee on National Cohesion, Equal Opportunity and Regional Integration (Vice-Chairperson)
10. Sen. Haji Farhiya Ali
    - Committee on Delegated Legislation (Vice-Chairperson)

Note. Data adapted from Mzalendo Trust (2017) and The Senate (n.d).

As part of their mandate in these positions, the nominated female legislators have been able to table bills relevant to these committees; an example is Hon. Martha Wangari who tabled the Employment (Amendment) Bill during the 11th parliament (Mzalendo Trust, 2017).

4.1.6: Representation: Increased advocacy of Women issues

The nominated senators have made a significant contribution towards advocating for women issues within the legislature. While a review of legislation sponsored or supported by
the women above illustrate a general focus on national issues, some of the issues are gender specific and played a crucial role in realising women rights. Some of these legislations include the Sexual Offences Act, The Reproductive Health Care Bill, The Care and Protection of Child and Parents Bill, The Maternal Benefits, The Breastfeeding Mother’s Bill and the In-Vitro Fertilization Bill. Without the female legislators, some of these bills would have never seen the light of day.

In addition to the bills, the nominated female legislators have introduced a gender perspective in debated in various houses; for example, the nominated Senator Martha Wangari successfully advocated for the establishment of crèche (nursery for nursing mothers) in Parliament (Association of Media Women in Kenya (AMWIK), 2014).

The establishment of the parliamentary group, Kenya Women Parliamentary Association (KEWOPA), has enabled the women to coalesce around women issues. KEWOPA has also been instrumental in spearheading gender-responsive policymaking. For example, the managed to developed gender-sensitive budgeting guidelines and even initiated capacity-building programmes for county women legislators (Kenya Women Parliamentary Association (KEWOPA), n.d.). Through the engagement of nominated women legislators in KEWOPA, the women have been able to lobby and pass legislation that caters to the issues facing women in Kenya.

4.2. Contributions Made by Nominated Female MPs in Tanzania

Tanzania has made great strides in gradually increasing the number of women represented in their parliament and have since surpassed the 30 percent threshold. This section will present data that illustrates the contributions made by these women over the years, whether legislative, through debates, policy influence, among other elements. The data
presented here was mainly obtained through the parliamentary website, secondary data obtained from research done by researchers such as Yoon (2008), (2011) and (2013), among other sources. Unlike the Kenyan context, Tanzania parliamentary website lacks adequate data that would provide detailed findings on individual members. Nonetheless, the study was able to identify adequate data to make relevant conclusions on the subject matter. The data will be presented in four sections: contributions made by the current special-seat members, increased representation of women in other government positions, numerical increase in the number of elected women in Tanzania and the increased advocacy on women issues.

4.2.1: Legislative Contribution Made by nominated female legislators in the current parliament
Private members bill are not standard practice in Tanzania, and most members of parliament either lobby the relevant ministries to table a bill in their interest, support civil society as they lobby for introduction of certain bills by the ministries, or just support bills tabled by ministries that are of interest to them (Yoon, 2018). In light of this context, the study could not identify contributions that were specific to the nominated members but rather attributable to the women MPs in general.

In the last ten years, Parliament has enacted laws, which support women’s economic and social well-being, notably the Sexual Offences (Special Provisions) Act (SOSPA) 1998, and two Land Acts.

- SOSPA provides for protection of women and children from sexual violence and with prohibitive stern punishments for violation.
- The Land Act 1999 provides for equal treatment of women and men in acquiring, holding, using, and dealing with land as one of the fundamental principles of the land
policy. There is a presumption of co-ownership of land between spouses, and spousal consent is mandatory before disposal of a matrimonial home.

- In the Village Land Act 1999, the principle of equal representation on land institutions has been established (Rwebangira & Blackden, 2004).

According to (Meena R., 2004), women MPs tabled and defended a bill providing maternity leave for married and unmarried women. They also pushed a bill that allowed female students to enter university directly after high school, rather than having to wait two years as in the past. The successful adoption of SOSPA bill and the land bill was accomplished with the active support of women’s organizations, who lobbied the Tanzanian women MPs to support the bill that increased the severity of punishment for sexual offences and ensured that a land reform bill incorporated a clause that customary practices that discriminated against women be declared unconstitutional (Meena, 2004).

Female MPs, in collaboration with women's NGOs, were also instrumental in passing the Land Amendment Act of 2004, and repealing, in 1996, the law that expelled pregnant girls from school (Yoon, 2011). Through parliamentary committees, women NGOs, and the Ministry for Community development, female MPs have initiated several bills for women, which would not have been enacted without the active participation of female MPs during the legislation process. Female MPs have contributed to representing women's and preferences through direct participation in the legislative process and by changing the male-dominant parliamentary environment (Yoon 2013).

Despite the lack of data that illustrates the individual’s contribution to the bills, the parliamentary website provides statistics on individual members’ contribution to the 2015-2020 parliament. The data is presented based on the Hansard records and illustrates the total
number of contributions, questions and answers of each individual members. Table 17 below illustrates the cumulative numbers of the members’ contributions under each category, i.e. first-term members, second, third, fourth and fifth-term special-seat MPs. Out of the 116 special-seat members in the current parliament, the top five contributors are illustrated below:

- Lucia Ursula Michael Mlowe (First-Term MP) - 40 contributions; 19 questions
- Ritta Enespher Kabati (Second-Term MP) - 37 contributions; 47 questions
- Mary Deo Muro (First-Term MP) - 32 contributions; 10 questions
- Dr. Christine Gabriel Ishengoma (Third-Term MP) - 31 contributions; 30 questions
- Silafu Jumbe Maufi (First-Term MP) - 30 contributions; 10 questions (Bunge la Tanzania, n.d.)

<table>
<thead>
<tr>
<th>Term in Parliament</th>
<th>Contributions</th>
<th>Questions</th>
<th>Answers</th>
<th>Number of MPs</th>
</tr>
</thead>
<tbody>
<tr>
<td>First-Term MPs</td>
<td>861</td>
<td>1082</td>
<td>25</td>
<td>71 MPs</td>
</tr>
<tr>
<td>Second-Term MPs</td>
<td>372</td>
<td>630</td>
<td>38</td>
<td>30 MPs</td>
</tr>
<tr>
<td>Third-Term MPs</td>
<td>148</td>
<td>246</td>
<td>0</td>
<td>10 MPs</td>
</tr>
<tr>
<td>Fourth-Term MPs</td>
<td>11</td>
<td>55</td>
<td>0</td>
<td>2 MPs</td>
</tr>
<tr>
<td>Fifth-Term MP</td>
<td>4</td>
<td>5</td>
<td>0</td>
<td>1 MP</td>
</tr>
</tbody>
</table>

Note. Data sourced from the Bunge la Tanzania (n.d.).

4.2.2: Increased representation of women at key government positions

The special-seat MPs have not only contributed in the legislature, but some have neem appointed to key government ministries. This has resulted in the increased representation of women in those ministries. Since 1996, there have been 11 special-seat MPs who have served in various government ministries as either ministers or deputy ministers as illustrated in table 18 below.
Table 18: *Tanzania Special-seats in current parliament who have held ministry positions*

<table>
<thead>
<tr>
<th>Year</th>
<th>Member Name</th>
<th>Term Details</th>
<th>Ministry Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015-2020</td>
<td><strong>4. Dr. Susan Alphonce Kolimba</strong> – First-term Member of parliament, Special-seat; 2015-2020 (CCM)</td>
<td>2015 - To date Deputy Minister Ministry of Foreign Affairs and East African Cooperation</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>5. Ummy Ally Mwalimu</strong> – Second-term Member of parliament, Special-seat; 2010-2015, 2015-2020 (CCM)</td>
<td>2015 - To date, Minister, Ministry of Health, Community Development, Gender, Elderly and Children</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>6. Subira Khamis Mgalu</strong> - Second-term Member of parliament, Special-seat; 2010-2015, 2015-2020 (CCM)</td>
<td>2017 - To date Deputy Minister, Ministry of Energy</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>7. Juliana Daniel Shonza</strong> – First-term Member of parliament, Special-seat; 2015-2020 (CCM)</td>
<td>2017 - To date Deputy Minister Ministry of Information, Culture, Artists and Sports</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>8. Stella Ikupa Alex</strong> – First-term Member of parliament, Special-seat; 2015-2020 (CCM)</td>
<td>2017- To Date: Deputy Minister, Prime Minister's Office responsible for Policy, Parliamentary Affairs, Labour, Employment, Youth and the Disabled</td>
<td></td>
</tr>
</tbody>
</table>
9. **Angellah Jasmine Mbelwa Kairuki** - Second term Member of parliament, Special-seat; 2010-2015, 2015-2020 (CCM)

   2017- To Date: Minister, Ministry of Minerals; 2015-2020: Minister of State in the President's Office-Public Service Management and Good Governance; 2015 - 2017: Deputy Minister of Land, Housing and Human Settlement Development;


   2015- Deputy Minister, Ministry of Information, Culture, Arts and Sports

11. **Rose Kamili Sukum** – First-term Member of parliament, Special-seat; 2015-2020 (CHADEMA)

   2010 - 2015 Shadow Minister Ministry of Livestock and Cooperatives

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Note. Data adapted from the Parliament of Tanzania Website (n.d)

In addition to the appointments above, Hon. Anne Makinda had made considerable strides in breaking patriarchal barriers when she was appointed as the first ever Deputy Speaker of the National Assembly (2005-2010) and later the first ever female Speaker of the National Assembly in 2010 to date (Bunge la Tanzania, n.d.). In President Jakaya Kikwete's 2007 cabinet of twenty-nine ministers and thirty-one deputy ministers, five ministers and ten deputy ministers were women. Among these, three ministers and seven deputy ministers were special-seat MPs (Yoon, 2008).

### 4.2.3: Numerical increase in the number of female aspirants in the General Elections

The special-seat MPs have over the years sort to vie for elective seats in General elections. Table 19 below illustrated the special-seat members who have sort elective seats from 1985 to 2010. In total, there are 23 special-seat MPs who have attempted elective seats over the years, which, has contributed to the gradual increase in the number of elected women MPs.
Yoon (2008) attributes the gradual increase in the number of women elected in the constituencies to the special-seat system in Tanzania. She demonstrates that women who had previously occupied special-seats or appointed seats in the previous legislatures moved to constituency seats. She concludes that women who have previously held special-seats or appointed seats accounted for a significant proportion of female constituency MPs since 1995: 75% in 1995-2000; 50 percent in 2000-2005; and 59 percent in 2005-2010. Therefore, without the switch by these women, the number of elected women MPs would have been lower. Table 19 below illustrates the number of elected women who had previously held special-seats. Yoon (2013) observes that the CCM policy that puts a limit on special-seat MPs to two five-year terms from 2015 is expected to result in more special-seat MPs contesting in future elections.

**Table 19:**
**Special-seat members who switched to elected seats between 1995-2005**

<table>
<thead>
<tr>
<th>Period</th>
<th>Elected Women MPs</th>
<th>Women who Switched to Constituency Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985-1990</td>
<td>4 elected women MPs</td>
<td>None formerly in special-seat</td>
</tr>
<tr>
<td>1990-1995</td>
<td>5 elected women MPs</td>
<td>Fatma Abeid Haji [Appointed to parliament 1965-1970]</td>
</tr>
</tbody>
</table>
| 1995-2000    | 8 elected women MPs | Anna Margareth Abdalla [Regional Secretary, 1975-1980; Regional Commissioner, 2980-1990; appointed, 1990-1995; Appointed to parliament, 1990-1995]  
|              |                   | Fatma Said Ali [Special-seat, 1985-1995] |
|              |                   | Corona F. Busongo [Special-seat, 1975-1980; and 1985-1995] |
|              |                   | Anne Semamba Makinda [Special-seat, 1975-1995]  
|              |                   | Gladness R. Mziray [Special-seat, 1990-1995] |
|              |                   | Tatu Musa Ntimizi [Special-seat, 1990-1995] |
|              |                   | Monica N. Mbega [Special-seat, 1995-2000] |
|              |                   | Getrude Ibengwe Mongella [Special-seat, 1980-1995] |
2005-2010 (17 elected women MPs)
Zainab Gama [Special-seat, 1985-2005]
Teddy Louise Kasella-Bantu [Special-seat, 1995-2005]
Anne Kilangi Malecela [Appointed, 2000-2005]
Monica Ngenzi Mbega [Special-seat, 1995-2000, Constituency Seat, 2000-2005]
Jenista J. M. Mhagama [Special-seat, 2000-2005]
Zabein Muhaji Mhita [Special-seat, 2000-2005]
Mary Michael Nagu [Special-seat, 1995-2005]

Note. Adapted from Yoon (2005)

A few of the women who switched to constituency seats have been successful in repeatedly winning a constituency seat and have held high-profile positions as MPs or in government (e.g. Anne Makinda, Monica Mbega, Getrude Mongella and Tatu Ntimizi). For example, Hon. Makinda became the first female deputy speaker and later speaker in the Tanzania Parliament and Hon. Mongella became the President of the African Union Parliament (Yoon, 2008).

Joseph Schlesinger (1966) stated that "order is present in American political career," indicating that politicians in the United States tend to move along a career path advancing from one level to the next (as cited in Yoon, 2008). Yoon (2008) observes a similar trend for the female MPs in Tanzania, whereby the special-sears have helped the MPs win the constituency seats and build their political career. She notes that her research illustrated that special-seats provided the Tanzanian MPs with parliamentary experience, name recognition, competence, confidence and courage, and served as a stepping-stone to constituency seats.
"Given the historical disadvantages of women, if women waited to go straight into mainstream elections, they would not have made it to the parliament," stated Hon. Getrude Mongella (Yoon, 2008). Additionally, she observed that the seats granted them a mandate to reach out to the people, thus allowing them to build relations with the voters.

4.2.4: Representation: Increased advocacy of Women issues

The special-seat members have contributed to a more women-friendly parliamentary environment conducive to addressing women's interests and concerns, and have broadened parliamentary discourse, and contributed to enacting or amending laws for women (Yoon, 2013). The existence of special-seat MPs provide the female MPs with a like-minded group of people with which they caucus around special interests. The formation of the Tanzania Women Parliamentarians’ Group (TWPG) enables the women MPs to share skills and experiences and unite them regardless of their political differences, to address gender issues in a more focused way (Mackfallen & Masue, 2013).

Specifically, Tanzania has been at the forefront of work to pioneer Gender-Responsive Budgeting (GRB) through the work launched by the Tanzania Gender Networking Programme (TGNP) in 1997. This work on gender-responsive budgeting has led to dialogue between civil society organizations and the Ministry of Finance and to the preparation of guidelines for integrating gender into national budgets (Rwebangira & Blackden, 2004).

Women entry into decision-making organs, a traditionally male domain, changes the ‘face’ of parliament and fosters—albeit in a limited way—gender awareness SADC (2000). As noted in table 18 above, increased number of women in parliament has led to the appointment of more women to leadership positions even in areas that were traditionally not
occupied by women. Studies in some countries including Tanzania have shown that women in the decision-making bodies bring qualitative differences to political debate and decision making at various levels (SADC, 2000).

Female political participation can also influence the consideration of women’s interests in public policies, and address the specific interests of women. Likewise, the needs and demands of women differ from those of men; thus the presence of women in decision-making bodies could result in more equitable policy outcome because the policymakers will give more attention to issues affecting women (Mackfallen & Masue, 2013).

4.3. Challenges Faced by Nominated Female Legislators in Kenya and Tanzania

This section presents some of the challenges that nominated legislators face which is unique to their capacity as nominated MPs. The section highlights six main challenges identified in this study. They include the representation dilemma, lack of autonomy, lack of party support, economic constraints, lack of clear nomination criteria within the party and socio-cultural barriers.

4.3.1: Lack of clarity on constituent represented by nominated women legislators

Nominated legislators often encountered the representation dilemma where there is lack of clarity in as far as whose interests they represent. Myenzi (2007) posits that it is not clear whose interests the nominated members represent, which raises questions on whether they do enhance women participation in decision making. The lack of clear boundaries often results in contention between the elected and nominated members when the nominated members want to visit their constituency, or was to represent interests of special groups in their interests.

In Tanzania on June 2012, there was a clash outside the parliamentary house between Hon. Stephen Wassira, an elected Member of Parliament for Bunda constituency and Hon.
Ester Bulaya over a disagreement about the financial budget. The elected MP claimed: “It is me who is the Member of Parliament for Bunda. You cannot just come here telling lies and pretending that you have been asked by the people of Bunda to oppose the government budget. Who sent you? (Mackfallen & Masue, 2013).

This representation dilemma affects public perception of the role of the nominated MPs, thus affecting their ability to consolidate enough supporters for an elective position. For example in Tanzania, the quota system has faced criticism from the public on the grounds of the amount of taxpayers’ money spent to pay them (Luhwango, 2012). Nonetheless, much focus of the public is on salaries and other allowances to special-seat Members of Parliament (MP) and overlooks the contributions of the parliamentarians to the decisions of the parliament (Meena R., 2003). These allegations indicate that the quota system in the Tanzanian Parliament faces a serious challenge in connection with the legitimacy of the MPs in this category perhaps because the public spending on them outweighs the taxpayers’ perceived expectations (Mackfallen & Masue, 2013).

In Kenya, the female nominated MPs and the county women representatives faced the same dilemma when they entered in office during the 11th parliament. Due to the lack of clarity with regards to the distinction of their role to that of the other MPs, they acquired the tag ‘flower girls’ in their first year in office (Wafula, 2015). The tag was aimed at demeaning their significance in parliament and was used to question the relevance of the affirmative action seats when the increasing wage bill became a concern.

Edgell (2018), notes that gender quotas do secure space for women but may also limit their ability to compete for elected positions later. He states that in Kenya, empirical evidence suggests that, to the contrary, women holding reserved seats rarely attempt to shift
to open seats because the public tends to view reserved seats as less legitimate. As a result, few women in reserved seats are able to accumulate incumbency advantages that will help them pursue open seats (Edgell, 2018).

4.3.2: Lack of autonomy

Closely related to the representation dilemma is the lack of autonomy by the nominated members of parliament. The lack of autonomy is results from the lack a clear geographical constituent and have to rely on their elected counterpart’s approval in order to engage with the citizens. Yoon (2008) observed that special-seat members had to inform constituency MPs whenever they sort to visit a constituency. This expectation to inform is because the elected MPs perceive them as a threat and fear that they would seek to vie for their seat in future.

Tanzania’s ruling party, CCM attempts to counter this challenge by attaching the nominees to specific geographical regions. For example, CCM appoints two special-seat MPs for each of the country's twenty-six regions (Yoon, 2008). Nonetheless, there is little explanation for the duties and scope of the special-seat MPs. Ever since the election procedure for the special-seats for women in Tanzania was first introduced in 1985, special-seats for women have been called, 'National MP for Women' (mbunge wa Taifa ya Wanawake), a scope that contradicts the selection criteria adopted by CCM. However, this practice is party based and not embedded into any formal law, making the process dependent on internal party procedure. In most cases, special-seat members may not be clear on the scope of the region or constituent group they represent Yoon (2013). In Kenya for example, none of the parties attaches their selection criteria to any specific region, thus creating similar contention between nominated MPs and the elected MPs.
In addition, the nominated legislators lack autonomy of what issues they should support in parliament since they are expected to demonstrate full party allegiance. This expectation for party-loyalty has sometimes hindered the women’s ability to coalesce around a specific issue of interest. Particularly, absolute party allegiance undermines the cooperation among female MPs, since special-seat MPs tend to support party positions regardless of gender interests since their seats depend on party membership (Yoon, 2013).

4.3.3: Lack of party Support

The historical background behind the lack of political support is tied to the past practices prior to the enactment of the Constitution of Kenya 2010. At that time, the President was the nominating authority, and numerous occasions used nomination as a tool for rewarding political loyalty by appointing only those women who were supportive of the government (Institute for Education in Democracy (IED), 1997). The shift of nomination authority from the executive to political parties and the IEBC in the Constitution of Kenya 2010 has not done much to incentivise political support and provide a push for women equality in politics. Political parties, for instance, are on record for breaching the law and utilising nomination opportunities to reward cronyism sometimes to the disadvantage of women. This challenge is further compounded by the Parliament’s failure to enact the necessary law or laws to fulfil the two-thirds gender rule, among other constitutional principles (Union, 2012).

In Kenya, women’s representation in political parties and within the leadership positions in political parties is low, despite the existing laws and seemingly inclusive party manifestos. This low representation within the top party structure translates into comparatively few women getting the opportunity to be nominated on party tickets to vie for
political office. The nomination process of many of these political parties, particularly the major ones, is flawed to the extent that in many cases, deserving candidates are actually rigged out of the exercise since they are perceived as weaker and more expendable candidates.

Christine Mango, for example, notes that she was almost rigged out in the NARC nominations in 2002, and attributes this to the fact that the men who drive the political parties influence the outcome of nominations (Kamau, 2010). She states that “I was nearly rigged out, but I had to fight it out. Parties are dominated by men, so you never know what they are up to, so you always have to have plan A and B. Political parties, as it is, women join but unfortunately men don’t seem to take women seriously, unfortunately (Christine Mango, elected MP, 9th parliament),” (Kamau, 2010). While women make significant contributions to party structures by mobilizing membership, fundraising and campaigning for contestants, the same support is not offered to them (Mushi A., 2011).

Lack of support for women candidates is not unique. Jewell and Whicker (1993: 707), commenting on the state of affairs in the United States, note that ‘in the past… neither Democratic nor Republican parties actively pursued women to be candidates for state office, with a few exceptions, nor have they consistently provided adequate support to those women who were candidates’ (as cited in Kamau, 2010).

In addition to lack of political will by party leadership, the fluidity of the political party situation in Kenya affects the women candidates. Since the advent of multi-party politics in Kenya, every presidential and parliamentary election has been preceded by a realignment of political forces in the country, with new political parties being formed and old ones discarded, again unfortunately based more on the need to win elections rather than on
any real ideology (Kamau, 2010). These changes work against upcoming politicians, especially women, who do not have the opportunity to build their profiles within a stable political party’s structure before running for elective office.

Tanzania applies the single-member plurality system for party nominations, where parties nominate only one candidate per constituency. Mosha and Johnson (2004) note that the given this system, parties are reluctant to nominate women for an elective position due to the perception that they are less likely to win because of the electorate's cultural bias against women (as cited in Yoon, 2008). Strong party support is crucial since a majority of voters in Tanzania tend to vote for their parties. The National Election Commission (2006) states that once nominated; women can win if adequately supported by parties, who organize campaigns and publicize their policies and candidates (as cited in Yoon, 2008).

In Tanzania, political goodwill from party leadership has compensated for the difficulty of women being nominated by the party delegates. According to Anne Makinda, CCM has nominated female who placed second or even third place in the preferential votes by party delegates (Yoon, 2008). This discretion by the party has enabled many women who would otherwise have not received party nominations for elections, to access that opportunity. Nonetheless, the women encounter a lack of party support from the party delegates who still perceive women as weaker and more expendable.

The existence of top party support for women in Tanzania is linked to the role the women played during the fight for liberation. According to Geiger (1996), women active participation in the pre-independence liberation struggle as TANU members in the 1950s favourably contributed to the early adoption of the gender quota through the special-seat system (as cited in Yoon, 2008). "TANU had more women than men card-carrying members.
In addition, Julius Nyerere, founder of TANU and first president of the country, viewed gender inequality as an impediment to socialist transformation and inconsistent to the socialist concept of equality of human beings (Geiger, 1996),” (Yoon, 2008). Nonetheless, the political goodwill within the top party leadership did not fully translate into an increase in the number of women elected to parliament.

4.3.4: Economic constraints and preferential treatment of elective seats

Data from a World Bank report Rwebangira & Blackden (2004) indicates that if gender disparities persist in Tanzania, the repercussions of gender inequality will be more costly to Tanzania’s economic and social development, and to the realization of its growth and poverty reduction objectives. Poverty has significant gender dimensions in Tanzania, where women predominate among the core poor, since men and women differ in their access to, and control over, these assets, economic capacities and incentives are strongly gender-differentiated in ways that affect supply response, resource allocation within the household, labor productivity, and welfare (Rwebangira & Blackden, 2004). Given the inequalities, socio-economic and cultural challenges hinder women’s active participation in political processes despite the special-seats’ provisions.

Yoon (2008) observes that a majority of the elected women MPs in Tanzania are mainly drawn from socioeconomic backgrounds that were financially better off than most of the other special-seat women. She notes that most special-seat members cannot afford the cost of an election campaign, yet the ability to finance one's campaign is crucial in Tanzania. According to the United Nations Development Programme (2006), the estimated earned income for women in Tanzania was &569 in purchasing-power parity in 2004, 73 percent of estimated male earned income that year. Majority of the women hail from communities
where customary laws prohibit women from owning or inheriting land or property and thus have fewer resources to utilize for political endeavours.

In addition to the existing structural economic constraints, nominated female legislators have been discriminated against in favour of the elected legislators. Special-seat MPs are always disadvantaged in receiving government allowances those special-seat MPs, though they were paid the same salaries until the government equalized the amount following intense lobbying by the special-seat MPs (Yoon, 2008). Nominated senators had earlier on raised concern about the privileges their elective counterparts enjoyed. In Kenya, nominated senators are not given mileage allowance and the Constituency Development Fund (CDF), which is only allocated to elected Members of Parliament. In addition, they are denied voting rights at the floor of the Senate unlike their elected counterparts; they do not have a say over bills moved in the Senate. “When a bill concerning the counties is brought before the Senate, the nominated senators cannot vote for it,” Wangari told the Star on Friday (Nyaundi, 2017).

Elective seats are regarded as a higher parliamentary achievement than special-seats and attract more respect from the public. This hierarchy is informed by the fact that elective seats are harder to attain since voters directly determine them, while special-seat members are viewed as favoured and as representatives of "fellow" women (Yoon, 2008). "Male MPs perception that special-seat MPs are not capable of winning elections and have nothing to do for the people, motivated me to seek a constituency seat," stated Hon Tatu Ntimizi (Yoon, 2008).

4.3.5: Lack of clear party criteria for selecting party nominations

The methods by which parties select women to their reserved seats vary by party and are not necessarily included in party constitutions. According to Meena (2004), in 2000 only
the ruling Chama Cha Mapinduzi ‘made its mechanism a little more competitive by allowing women party members to elect their representatives and also by broadening the base of representation also to include, for example, representatives of NGOs [non-governmental organizations] and female intellectuals’. Opposition parties, by contrast, did not define a mechanism for selecting women to their reserved seats, according to leaving open the possibility of abuse (Bauer, Fifty/Fifty by 2020: Electoral Quotas for Parliaments in East and Southern Africa, 2008). The long-term dominance of CCM in Tanzania politics has rendered opposition parties weak and lacking strong party structures, funding, campaign strategies and support base. This dominance has resulted in CCM nominating a disproportionate number of special-seat in parliament (Yoon, 2008).

In addition, the changes in the process of allocating special-seats to a party have disproportionately affected opposition parties in Tanzania. Unlike the 1995 and 2000 general elections when the allocation of special-seats was based on the number of seats garnered by a political party, the nomination of women MPs in 2005 polls required that a party must have 5 percent of the total valid votes won in a parliamentary election (Makulilo, 2009). Specifically, the electoral changes significantly disadvantaged Civic United Front (CUF), a party that used to enjoy overwhelming support in Pemba and was always second after CCM to benefit from special-seats. Consequently, CUF did not get any nomination slot in the mainland Tanzania and as such, all its MPs were from Pemba (Makulilo, 2009). CCM consequently gained political control over Parliament.

All the discretionary powers on the process of selecting candidates are vested on respective political parties, some of them operating without clear manifestos explaining what they really stand for (Myenzi, 2007). Lack of a proper framework to guide nomination and
selection of candidates poses a significant challenge to the successfulness of quota system. There have been allegations of corruption, nepotism and lack of transparency in connection with the way candidates are obtained (Myenzi, 2007).

Parties in Kenya have what is referred to as ‘owners’, i.e. the party leaders who pull strings from behind the scenes, and who in most cases are men. Keino herself alluded to this when she noted, “I think the challenges in political parties have to do with ‘KANU iko na wenyewe’ (it has owners) so I think that you have to be seen to be someone useful to be given a place in the party... (Esther Keino, Nominated MP, 9th Parliament)” (Kamau, 2010).

4.3.6: Social-Cultural Barriers

Nominated female politicians face significant cultural constraints that hinder their ability to seek elective office. Existing social attitudes and attitudes toward women, shaped by patriarchal culture, influence the electorate's voting decisions (Yoon, 2013). Some of the women MPs illustrate the threats, insults, mudslinging and sexual harassment that they faced during the elections:

- Hon. Fatma Maghimbi: stated that her first time running for the Chake-Chake constituency in Pemba in 1995, was characterised by voters discrediting her candidacy saying, "A hen does not crow; the cock crows."

- Hon. Hawa Ghasia: when contesting for Mtwara Vijijini constituency, where 80 percent of the population is Muslim, was questioned as to how a Muslim woman could become a leader.

- Hon. Esterina Kilasi: who contested in Mnarali Constituency in 2000 for the first time, her male contenders questioned how a married woman could serve 'two
masters', her husband and the constituency. They asked her what she would do if she became pregnant (Yoon, 2008).

With regard to social-cultural barriers, women remain significantly disadvantaged owing to discrimination and other negative cultural practices. For example, their participation in political leadership is persistently received with a lukewarm reception including by the public. What is more, they are more prone to threats of violence because they are perceived to be the weaker gender to men and feminization of poverty has constrained them financially (Nzomo, 2003).

Lawless and Fox (2001) argue that Kenyan women politicians may not always focus on women’s issues and more so issues of gender equality. He explains that they too are products of a patriarchal system and their own socialization, backgrounds and in some cases, allegiance to the government of the day may result to them not seeing the need to pay attention to issues that matter most to other women. Most of the women in the women who have made significant contributions to gender equality and women’s empowerment issues, have strong education background and experience around these issues, which confirms the theory that it is not just the numbers that count, but the quality and substance of the women who get into political leadership(Kamau, 2010).

Nominated female legislators report that husband support is generally ranked very highly in women’s success (Kamau, 2010). Most women struggle to maintain their marriages once they join active politics while for others, their husbands discourage others from seeking elective offices. On this, Njoya (2008) argues for the need to not only focus on changing women only, but also the way men are socialized so that they do not feel inferior or threatened when their wives achieve more than they do.
According to Meena (2003), the special-seat system takes the pressure off political parties to nominate women for elective seats. Yoon (2008) observes that special-seat MPs have reentered subsequent parliaments through nominations. For example, out of the 48 special-seat members in the 2000 parliament, 45 special-seat MPs returned to the 2005 parliament as special-seat members, which was slightly more than half of the total number. Only five of them contested for constituency seats in 2005, and all of them work by a large margin.

Meena (2003) criticizes the role played by special-seats stating that most women, including female veterans, prefer to compete for special-seats rather than trying for elective seats. However, Yoon (2013) illustrates that such opportunities are necessary since they provide a useful platform to recruit capable women who would otherwise not have such a change due to existing cultural or resource constraints. For example, women married in different regions find it difficult to identify with a specific constituency to vie for elective office. Culturally, these women are neither recognized as part of their ancestral homes after marriage nor are they readily accepted in their new matrimonial homes, in order to be considered as potential leaders, as was the case for Hon. Zakia Hamdani a special-seat MP from 1995-2005 (Yoon, 2008).

4.4. Conclusions
In both Kenya and Tanzania, the nominated female legislators have made notable contributions that date back to the earlier years. The data presented here illustrates that providing these opportunities to these women has been valuable not only to the women but to the nations as a whole. Without these women, some key accomplishments would not have been attained; most significant were the gains that women derived from the Constitution of Kenya 2010.
Nonetheless, the level of participation and contribution made by these women varied in Kenya and Tanzania, in comparison. This variation can be explained by the contextual differences in both countries such as the inadequate use of private members bills in Tanzania, which masks the contributions that individual members have made in parliament over the years. In addition, while the selection process in Tanzania is seemingly more structured, competitive and clear for CCM members, there seems to be a reluctance by the women to transition from the special-seats, leading to some stating for up to four and five terms.

A notable point of assessment is the correlation between nominated female MPs’s background and the types of bills they were keen on pursuing. For example, Njoki Ndungu, when asked how she managed to achieve so much within such a short time and being a first time MP, she noted that she benefited a great deal from her earlier work on legal issues, gender equality, human rights and her working with politicians as a member of the civil society. Their achievements would not have been possible without that kind of background (Kamau, 2010). Similar trends are observed in the data presented above. For example, Julia Ojiambo, a nutrition expert, was keen on sponsoring a bill around the subject matter; Hon. (Dr.) Rachel Nyamai, a medical doctor, has sponsored three health-related bills; Hon. Masha Elizabeth Ongoro, having hailed from the coast region sponsored the Coconut Industry Development bill; and Sen. Agness Zani, coming from Laikipia region of Kenya that is experiencing conflict around allocation of natural resources, sponsored The Natural Resources (Benefit Sharing) Bill.

The correlation between the types of bills pursued and the women’s background illustrates that the quality of women nominated to these positions affects the type of contributions they make in parliament. Majority of the women who have sponsored bills in
the 11th and 12th parliaments have accomplished at least university graduate studies. The education provision in the Kenyan constitution may have also attracted better quality leadership. The lack of such a requirement in the Tanzania context has resulted in majority special-seat women not being university graduates.

Even so, the challenges faced by the nominated women, while unique to those that may be encountered by elected women, cut across both Kenya and Tanzania contexts. Key to note is the representation dilemma that affects the nominated women’s mobility towards elective office due to the contestations they encounter with their elected peers. However, lack of party support is manifested differently in the two countries whereby in Tanzania, the women seem to enjoy adequate political buy-in from the top party structures, a factor that can explain the gradual increase in special-seats over the years and the attainment of the 30 percent threshold.

In Kenya, lack of party support from the top leadership and party fluidity are key factors that significantly affect the nominated female MPs since they struggle to amass influence within these parties. While legislative provisions exist in Kenya, these have not permeated through the patriarchal nature of Kenyan politics to be more inclusive and accommodative to the women. In Tanzania, party leaders have voluntarily instituted mechanisms that have seen positive gains for the women. However, this has bestowed a lot of power to the party on making decisions and the same might neither be sustainable in the future nor adopted by opposition parties. In contrast, the lack of party support in Tanzania is manifested through the lack of support from the party members who determine the nomination process at the delegates’ conference.
Another aspect that stands out is the lack of clear criteria for selecting nominated legislators in the parties. For Tanzania, CCM has a very detailed process for selecting nominated legislators competitively through their women caucus. However, the opposition parties in Tanzania, as is the case in Kenya, use an ad-hoc process that has rendered the female legislators vulnerable to manipulation and corruption. Even so, in both contexts, the top party leadership still hold significant control over the outcome of the nomination process, which is a significant barrier in itself.

Other challenges like lack of autonomy, economic and social-cultural, cut across both contexts and affect the nominated female legislators in equal measure. In conclusion, the contributions made by the nominated female legislators is notable in both contexts and has played a vital role in normalizing female leadership in both contexts. While there are still significant challenges in the implementation of these quotas, this study debunks the idea of whether they are useful. The focus now should be on discussing the most effective ways of implementing these quotas taking into account the unique contexts of both countries.
CHAPTER 5: SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1: Summary of Findings and Conclusions

The data presented in chapter four illustrates that the nominated female legislators have made notable legislative contributions during their terms in office. In Kenya alone, the nominated MPs have directly contributed 31 bills by sponsoring them in the chambers. These do not include the number of bills they have contributed to through the parliamentary committees and in the house proceedings. In Tanzania, the women have made significant contributions by supporting legislation around land rights, sexual offences, marriage rights, among other key issues. In addition, the women have made notable contributions to engendering policies through establishing gender-responsive policy review processes.

Moreover, the female legislators have contributed to the gradual increase in the number of women elected over the years. From the data presented, 19 nominated legislators – eight from Kenya and 11 from Tanzania - attempted elective seats in the past elections. In addition, 18 nominated female legislators – seven in Kenya and 11 in Tanzania – have been appointed to key government positions. Their appointment has contributed to an increase in women representation in other political avenues. A report by McKinsey Institute shows that the world economy will grow if women get equal roles as men in the coming years, “By 2025 we will have added 28 trillion dollars to the global economy,” stated Amadou Mahter Ba (Mumo, 2016). Therefore, while the numbers are still relatively low, compared to the total number of nominated female MPs over the years, the gradual increments are still material given the vast array of challenges that are yet to be countered.

The challenges highlighted point out to structural barriers that cannot be eliminated by just adopting gender quotas. Some of the issues of clarity on the selection process and the
representation dilemma are notable elements that need to be reviewed with regards to the implementation of quotas in contexts like Kenya and Tanzania. Nonetheless, while Tanzania is keen to adopt a 50-50 system through the election of one man and one woman in each constituency, there has been criticism on the impact of such a proposal towards democratic gains. Zetterberg & Bjarnegard (2016) state CCM being a dominant party in Tanzania has an electoral advantage and such a proposal may result to a gain for gender equality but at the same time contribute to a loss for democracy.

According to Barnes & Burchard (2012), increases in the percentage of women in the national legislature is associated with increases in women’s political engagement, effectively decreasing the size of the political engagement gender gap in sub-Saharan Africa. Their empirical study concluded that the incorporation of women into political institutions encourages the political engagement of women at the citizen level and thus, engendering” politics at the elite level translates to “engendered” politics at the mass level. Based on this finding, the nominated women may have made a notable contribution towards encouraging the political participation of women in both Kenya and Tanzania.

The usefulness of gender quotas has been a point of contention around the world, given the complications that come with their introduction and the cultural barriers that still exist. However, based on the findings of this study, gender quotas are useful to the state and citizens. The nominated female legislators have not only made notable contributions to legislation and policies in both countries but have also imported the representation of women – a significant population in both Kenya and Tanzania – in the political spheres. The women have not only introduced a new perspective to the parliaments, but they have also applied their technical expertise, education and experience to influence policies in both countries.
Nonetheless, while the women have made notable contributions, they have encountered significant challenges that still hinder their active participation. Addressing those challenges will enable both countries to derive significant gains from the women leaders. Some of the recommendations on how to counter these challenges are addressed below.

5.2 Recommendations

Women’s participation in politics and decision-making is a gap that needs to be addressed in order to promote sustainable development, gender equality and to enjoy economic gains from their inclusion. Effective policies and structures should be implemented bringing to attention the following recommendations:

1. Kenya and Tanzania should now focus on a bottom-up approach towards attaining gender equality. While there have been notable gains made by the introduction of gender quotas, these gains have not translated to an increase in the direct election of women. This, therefore, brings into question the sustainability of the policies being adopted and the period within which such policies should be implemented. A bottom-up approach, on the other hand, would focus on addressing the cultural and perception issues that hinder the public’s support for the women leaders.

2. Kenya and Tanzania should both adopt a more holistic approach towards realizing gender equality, beyond the quota system. According to Krook (2014), gender quotas were not meant to be implemented in isolation, but need to be adopted in conjunction with, or as an alternative to a diversity of measures that seek to enhance women’s political representation. She proposed a collaborative approach by key actors, each of whom would make a unique contribution to this process. This include: Civil society actors:
Raising Awareness, recruitment initiatives, training programs, Fund-raising networks; Political Party Actors: Women's sections, soft target, recruitment initiatives, capacity building, campaign funding; Parliamentary actors: language, Images, working conditions, research and capacity building, women caucuses; State Actors: party funding, campaign support and anti-violence laws. (Krook, 2014). Edgell (2018) also adds that countries must balance implementation procedures that promote the elected legitimacy of reserved seats against those that encourage women to seek open (non-quota) seats, to promote sustainable representation. Without this balance, reserved seats are likely to establish a ceiling for women’s representation.

3. More efforts need to be made to secure political buy-in from key political party leaders in Kenya and Tanzania. In both countries, gender quotas are tied to nomination through political parties, and the lack of party support and clear nomination criteria continues to discourage more women from pursuing political opportunities. Political leaders need to acknowledge the contribution made by women leaders in their parties and that; women constitute a significant majority vote that they need to secure in an election. Moreover, women should look into establishing strong political parties that they can use to tilt their bargaining power in future elections. In order to attain this, there is a need for joint efforts by all actors to lobby the party leadership support.

4. Clarity in the nomination of women leaders through parties needs to be structured in order to encourage more women to pursue political positions. The lack of clear structures has left the women vulnerable to manipulation and extortion, sometimes resulting to them not realizing what they are promised. Political parties and state actors need to find clear ways of the nomination process, which would ensure that parties select active and
experienced leaders who have a passion for pursuing political leadership. The CCM model of nomination through their women leagues provides a good practice that can be adopted by other parties.

“The numbers alone do not guarantee either participatory democracy or the transformation of gender relation. Thus, a qualitative perspective of quota system should be given impetus to enable women to develop the capacity for nominated and elected female candidates. If the quota system is to lead to the empowerment of women, it has to enable them to fulfill their new responsibility especially in a patriarchal society where women have low opportunity to participate in decision making” (Danlerup, 2003).
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