

CHAPTER 7

GENDER PERSPECTIVES

7.0 Gender Perspectives

7.0.1 Summary

Population and gender are not new development issues. Different conventions and declarations including the Nairobi Forward-Looking Strategies of 1985, the International Conference on Women (Beijing) of 1995 have addressed these issues. Yet, gender inequality persists in access to resources that places restrictions on women's choices, opportunities, and participation, thereby, lowering their socio-economic status.

The female gender is clearly disadvantaged in terms of access to education and wage employment, a reflection of gender inequality. While disparities exist between men and women, the latter have low status and the girl-child is subordinated and compromised. Few researches have been undertaken on gender equality, equity, and empowerment.

Women form over half of the Kenyan population, but are ironically the most disadvantaged group of people in the country. They are discriminated against and marginalized in national life, social economic and political realms. For instance, only 25% of the women are in wage employment. The ratio of women to men in the public universities is 37:100.

The level of rights awareness is rising among women through targeted civic education. Discrimination against women is deep-rooted in traditional societies and has perpetuated the status quo while the low status of women in Kenya is rooted in the cultural traditions and customs that relegate women to a position of total subservience to men. Culturally based gender

disparity, however, has no place in a democratic society.

7.0.2 Methodology

The main methods of data collection used are interviews, structured and self-administered questionnaires, FGDs, and observation. Data was analysed qualitatively and quantitatively using descriptive statistics and SPSS package. Data was presented using descriptive tabular, graphical forms and measures of central tendency. Some data on gender violence was elicited from police officers using purposeful, multi-stage systematic and simple random sampling technique.

7.1 GENDER ROLES

7.1.1 Summary

Generally, females have multiple roles, but responsibilities and participation in economically gainful areas is minimal.

7.1.2 Issues

- Women have longer life expectancies than Kenyan men.
- Common features in all gender platforms have been the lack of equality and equal partnership for women and men in development.
- Women provide most food production labour.

7.1.3 Findings

The studies showed that women's contribution to various spheres of national development have in the past been taken for granted or totally ignored. The growing interest in recent times in the activities of women and their welfare have externally been driven mainly by donor conditionality that the gender dimensions, and

more specifically women concerns, be considered when addressing issues of development.

A gender analysis of the agricultural sector through several studies have examined the existing agricultural policies and programmes and their gender responsiveness and found that although most women have access and have intimate knowledge of the production process and challenges involved, they do not have control to land including the agriculture output. Women are grossly under-represented in most of the agricultural activities and wage employment, especially those involving high income.

Agricultural production relies heavily on unpaid family labour. A few studies have investigated and analyzed patterns of labour contribution by males and females in agricultural production. Women who also bear more responsibility for household nurturance, childcare and food preparation provide most of the labour for food production. Men are expected to provide family security. Although gender roles are changing, the overall structure of the division of labour is still generally up-sided, with women particularly, those who function as de facto household heads, assuming disproportionately more responsibilities than men. Women were also found to be actively involved in population/environmental preservation programmes.

Several studies have investigated women and housing in Kenya's urban areas, focusing on constraints that impede women from owning houses and few opportunities to house ownership. In the same areas women, many of whom are household heads, face many constraints due to low income, little information on housing opportunities, bureaucratic loan procedures, high cost, and lack of equal inheritance rights.

Women have their future threatened by economic disenfranchisement by way of working more for less wages, less access to the labour market, and doing work that is unrecognized in national budgets. Yet, like all other rights, women's rights are universal, inalienable, indivisible, and interdependent, spelt out in binding treaties and constitutional provisions but implementation has not been realized. Violation of these rights has been realized through forced marriages and

violence against women that are alarmingly prevalent as is poverty among them.

7.1.4 Recommendations

- Transformation of gender roles through gender mainstreaming, policy shifts primarily targeting men as the dominant sex, for example, have programmes meant for men to change their attitudes against women.
- Programs should be designed to reduce time burden for women, particularly in child and home care and increase their gainful participation in the economy.

7.1.5 Research Gaps

- Ways of collecting comprehensive gender disaggregated data to help design better policies to address gender gaps.
- Systematic gender mainstreaming in development process is constrained by lack of gender-disaggregated data and capacity in gender analysis for economic planning by the government and gender-based civil society organizations.
- Change of negative attitude of Kenyans towards women in policy-making positions.
- Challenges for reducing the time burden for women, particularly in the care economy.
- Relationship of female/male illiteracy rate differentials.

7.1.6 Research Agenda

- Research on the linkage between macro-economic framework and women's poverty prevalence in order to identify strategic entry points for mainstreaming gender into the framework.
- How heavy women household burdens can be alleviated.
- Study on the main factors which influences food production and security at households

level by male and female-headed households in rural Kenya.

- Role of women in population/environmental programmes to achieve sustainable development.

7.2 GIRL-CHILD

7.2.1 Summary

There is high sex preference for boys in Africa resulting in subordination of the girl-child. This can only be eliminated by avoiding all forms of discrimination against the girl-child, dealing with the root cause for discrimination, increasing the public awareness on value of the girl-child, strengthening self-image, status and welfare of the girl-child.

7.2.2 Issues

- Discrimination against the girl-child.
- Subjection to harmful cultural practices.
- Lack of adequate facilities to support the girl-child.
- Early marriage for girls.
- Coordination of girl-child programmes in Kenya.

7.2.3 Findings

In many remote areas, the school environment is hostile to the growing number of girls as there are no adequate sanitary facilities and the schools are too far away from home.

7.2.3 Recommendations

- Accelerate education completion rates for girls.
- Traditions that promote early marriage for girls need to be revised, while laws raising the minimum age at marriage should be enacted.
- Promote the education of girls to raise literacy levels, delay the age of marriage and childbearing and reduce fertility rates. This could have largely generalized effects on poverty reduction. Policies and programmes

are needed to promote girls' retention in school and expansion of their livelihood opportunities once they leave school. These should help in overcoming cultural, economic and systematic barriers to girls' schooling. There is need to examine the school environment and how it might "*push girls*" out of school.

- Influence policies and laws in favour of the girl-child through capacity building of the organisations dealing with girl-child issues. This should be coupled with improved national capacity to detect, and act towards preventing and mitigating discrimination and abuse of the girl-child in Kenya.
- Monitor the application of the laws and policies designed to protect the girl-child from abuse and discrimination.
- Lobby and advocate for the formulation of and enforcement of girl-child friendly policies and legislation.
- Strengthen the capacity of Civil Society Organisations (CSOs) and the Children's Department who play a watchdog role in information gathering on specific issues of the girl-child abuse. Improve the national capacity to detect and act towards preventing and mitigating discrimination and abuse of the girl-child in Kenya.
- Sensitise the public and the media practitioners on the many aspects of the issues concerning the girl-child.
- Girls should be encouraged to acquire higher education to improve their chances of getting better jobs.

7.2.5 Research Gaps

- Reasons for continued discrimination of the girl-child.
- Socio-cultural factors affecting the girl-child.
- Effective strategies to address the plight of the girl-child.

7.2.6 Research Agenda

- Research on the plight of the girl-child and produce periodic reports on the status of the girl-child abuse and make recommendations on how to address the identified abuses. The findings should be used to influence both policy and programmatic changes.
- Strategies and ramifications of improving the status of the girl-child in the education system.
- Development strategies of eliminating all forms of discrimination against the girl-child.
- Ways of accelerating education completion rates for girls.

7.3 GENDER EMPOWERMENT

7.3.1 Summary

The promotion and achievement of gender equality and equity is based on harmonious partnership between men and women, enabling the latter to realize their full potential and ensuring their contribution to sustainable development.

7.3.2 Issues

- Low awareness of women about their rights.
- Effect of education on empowerment.

7.3.3 Findings

The gender contract is identified as the social mechanism, which determines men and women's relationship to each other, to property and how men and women should behave. Such contracts are the invisible agreements found in every society. There are two gender contracts in Kenya; the subsistence gender contract and the market gender contract which mostly prevails more in urban areas.

The terms of the gender contract are less onerous for men who also control property, which they may inherit as free capital. The Kenyan gender contracts delineate a power relationship in which the women's lack of access to property keeps them in subordinate position to men and requires them to provide subsistence.

Despite the growing body of literature about the importance of female education, there exist gender inequalities in education. Few significant programmes and projects have been implemented and have had limited impact. The government has articulated its commitment to providing education for all school-age children. But female illiteracy remains a drawback to realizing an ideal equity and universal primary education. Investment in female education especially at primary level is increasingly being realized. This will eventually improve nutritional practices, proper hygiene, household management, and earning, economic productivity and improved quality of life.

Traditionally, a dominant male and subordinate female has characterized male and female relations, which is no longer practical. Women's empowerment has become man's emasculation and the pressures of modern life such as inflation and unemployment serve to erode his gender confidence.

A woman's' right to use land lies with her husband or male relatives, while men have all legal rights to land, even to sell with or without the knowledge of wives. Women and men's rights to property are socially unequal. Their rights to own, inherit, manage, and dispose off property are under constant customary controls, laws and individuals who believe that women cannot be trusted with property.

The devastating effects of property rights violations are poverty, disease, violence, discrimination and homelessness, which negatively impact on development. Its explained in the review works, Kenya's customary laws are largely unwritten but influential local norms co-exist with the formal laws based on patriarchal traditions through which men inherit and largely control land and other property while they are expected to protect women.

From the studies and as reported by respondents, the following emerged as the main factors that militate against girls' aspiration for higher education: socio-cultural factors such as gender stereotyped roles, negative tradition and religious beliefs, attitudes and practices, patriarchal system, nomadic ways of life, socio-economic factors such as high poverty levels, child labour, home environment, parental level of education, occupation and income level, lack of employment, high cost of education, and cultural practices such as circumcision, forced marriage, pregnancies, and community's negative attitudes towards female education.

Female education was recognized as a critical pathway in promoting social, political and economic development. In spite of the progress made in narrowing the gender gap in education at primary level in Kenya, some parts of the country especially the arid and semi-arid areas record low female participation in primary education, leading to wider difference in educational institutions. The authors argue that low girl participation in secondary and tertiary education deprives them of the opportunities and also sustains the gender gap in leadership, business and professional fields.

7.3.4 Recommendations

- To restore social harmony between the sexes, there is need to understand the causes of gender disharmony. Women should also be encouraged to engage in various economic activities to enhance their wellbeing in spite of their voices being ignored in the political arena.
- It should also be realized that the millennium goals have a better chance of succeeding if the concepts of gender equality and women's empowerment were taken as key factors in social transformation. It would be difficult to fulfill them if gender imbalance continued to be perpetrated in Kenya. The writers agree that mainstreaming gender and undertaking targeted initiatives for women's empowerment is not an option because it is a matter of human rights and social justice, but a prerequisite to national development.
- Gender-based asset ownership has to be a core theme if the PRS is to be successful. For example, women's accessibility to owner-occupied houses should be improved.
- Institutionalize gender sensitive participatory planning and monitoring mechanisms such as community and national stakeholders forums and participatory sector working groups. The planning and adoption of the national gender and development policy should be done to provide the legal framework for the integration of gender perspectives in all development activities being undertaken by government.
- There is need for coordination and guidance given to the different agencies and organisations involved in addressing gender concerns. More gender-oriented policies, programmes and increased representation of women in all spheres of development are required to enhance equitable participation at all levels of decision-making. Formulation of policies, programmes, projects and budgeting process should be gender sensitive, which takes care of all irrespective of their socio-cultural needs, roles, responsibilities and opportunities. The interventions should emphasise the provision of information about STDs and HIV/AIDS, expansion of access to contraceptive services and other health services.
- There is need to ensure gender equality and introduce affirmative action selectively and for a time on women issues. Similarly, women must challenge the male dominance in decision-making forums. Time has also come for them to claim their space and agenda.
- Provide child-care facilities to enable women to work. Daycare services close to the women's place of work are important to encourage continued breastfeeding. Educate and involve men in child-care and other duties. Educating boys and girls in life skills

will be an important contribution towards the need for gender equality.

7.3.5 Research Gaps

- Gender dimensions of all public policies, plans and programmes.
- Pursuance of a policy for gender mainstreaming by building a comprehensive gender database from the existing studies; and identifying data gaps and using the data to undertake a country gender analysis.
- Homogenous treatment of women and men in most cases women without taking into consideration the gender specific impacts.
- Ways of closing female/male illiteracy rates.

7.3.6 Research Agenda

- Women's rights to property ownership.
- Gender contracts: The subsistence gender contracts in the subsistence sub-sector and the market gender contract, which involves women in the wage market or business.
- Power relationship between men and women based on socio-economic and political inequalities including the challenges women face in national leadership at all levels.
- A critical analysis of gender issues and demographic processes, be undertaken. This should take into account involvement of women in competitive politics.
- Fundamental linkages between improving the status of women and demographic dynamics particularly through women's access to education, primary and RH care programmes, economic independence and effective equitable participation at all levels of decision-making.
- Assess interventions that address gender issues by all organizations and strategies of eliminating gender disparities in education, employment, political institutions, access by

women to secure livelihoods and economic resources because women's participation in key decision-making organs remains dismal. The study should establish the sensitivity of gender policies, practices and approaches in governance that will mainstream gender in all aspects of national life and comply with the principle of equitable representation of both sexes.

- Investigation into the socio-economic, cultural and school based factors affecting girls' primary education in Kenya.
- The effect of women's education attainment, occupational decision-making and spousal communication on such issues as fertility and FGM.

7.4 GENDER VIOLENCE

7.4.1 Summary

Elimination of violence against women should be given priority in the fight against societal outdated and dysfunctional cultural practices.

7.4.2 Issues

- Family as a major site of violence.
- Wife/husband beating.
- Low reporting and prosecution of violence cases.

7.4.3 Findings

The family is a major site of violence. Domestic violence often occurs within the privacy of the home and consequently many victims rarely report such incidences for fear of retaliation and shame. Traditionally, wife beating was taken as an expression of love, while today, such beatings are in some cases considered as part of the marriage life. It is acknowledged that domestic violence is prevalent in all segments of the society. Traditional expectations of the different gender roles cause conflicts within families. Indeed, some studies have shown that traditional submissive perceptions of women are still predominant among the women.

The findings also established that the main offenders were husbands and boyfriends of victims who mainly physically assault and sexually abuse them at home, social places and that few cases are reported.

Some studies characterized the role that the police plays in the reduction of domestic violence against women. But they are interrupted by premature withdrawal of cases before judgment and the few that remain take too long to conclude. Police face many problems in execution of these roles.

Other studies identified the causes and types of domestic violence against women, frequency of cases reported to police within a particular period and established the uses of police reports. The role of the police in reducing domestic violence against women is likely to become more challenging with deterioration of the Kenyan economy since financial deprivation is the main cause and they require community support. The researchers agree that children suffer most where domestic violence is experienced.

It was concluded that that relatively young, junior, lowly educated with low professional qualifications and experience male police officers, mainly handle cases of domestic violence against women.

7.4.4 Recommendations

- The violence against women, the societal outdated and dysfunctional cultural practices should be condemned.
- Intervention packages to eradicate violence against women should include educational and awareness campaigns, broad based women's empowerment programmes and use of the available legal options. Such action packages should target both women and men for attitude and value changes and at the same time encourage policy review and implementation to facilitate effective legal action in favour of victims of violence.
- Enactment of gender-friendly policies and laws.

- Policy makers should support role of police in violence elimination.
- The public should be sensitized about the need to report all cases of violence and elimination of sexual violence and coercion.

7.4.5 Research Gaps

- Root causes of domestic violence.
- Impact of domestic violence on children.
- How gender violence cases are handled.

7.4.6 Research Agenda

- Establish the status of violence against women in Kenya with respect to knowledge on its occurrence, nature, magnitude attitudes and the causal factors related to the reported incidences.
- The extent of violence against men and establish the extent of its prevalence in the country.
- Assess the impact of domestic violence on children and family in general.
- Ways of eliminating all forms of gender exploitation, abuse, harassment and violence and the challenges of creating harmonious partnerships between men and women to achieve gender equality and equity.
- Evaluate the effectiveness of the Women's Bureau in the Ministry of Social Services, Gender and Sports in support of women's activities and also establish the implications of enactment of the gender desks in the ministries.
- Establish the role of the police in reducing domestic violence against women nationally.

7.5 RAPE

7.5.1 Summary

Sex is usually consensual, but when obtained by means of force or brutality, it is a despicable crime. It represents a contravention of social

norms and universal principles such as ethics. Sexual violence has been a problem throughout the world. It occurs both in private and in public spheres of women's lives, and to a little extent men's lives, against individuals of any age within the family or any other relationship. Rape is becoming increasingly common during the commission of other crimes such as burglary, robbery and carjacking. Female and male rapes are becoming increasingly common crimes in Kenya showing that there is a serious problem not only for today's, generation but also for generations to come which will live with hurt and fear that is instantaneously brought by sexual abuse.

7.5.2 Issues

- Many unreported cases of rape.
- Increased number of rape cases, especially child rapes.

7.5.3 Findings

Studies have indicated that the child sexual abuse occurs to mainly to children aged 2-18 years, while men aged 13-89 years mainly perpetrate the act. They are primarily known to children. Researches have found that there are many habitual rapists, which is partly considered as pathological because it is due to behavioural disorder. Most rapists lack respect for other people especially women, are often drunk, and in company of like-minded people.

There are social taboos against speaking publicly about rape and other sexual violence as horrific crimes against women. Rape and sexual violence may have contributed to the sharp rise in HIV/AIDS and other STIs. The victims are stigmatized and marginalized. Some are shunned by husbands, families and communities or obliged to remain silent to avoid being ostracized by their own community when they admit they have been sexually abused.

Nevertheless, it remains an under-reported crime because of the social stigma attached to it. The trauma of reliving the crime through rough investigations, interminable court sessions and the limited likelihood of redress are some of the

reasons why the majority of the cases go unreported and the culture of silence has thrived.

There is also little knowledge or experience of eliciting testimony from rape victims or conducting interviews with gender perspective in mind (Mwangi, 2001).

In the rare instance where sexual offences are successfully prosecuted, the sentences handed down, are inconsistent and often unproportionally lenient. Certain law enforcement practices also deter prosecution.

Rape has been taken too lightly in society and is usually not prosecuted and punished in a manner that would prevent its frequent occurrence. The highly restrictive laws are also limiting.

The widespread occurrence of rape coupled with inconsistent access to emergency contraception creates a situation that doubly victimizes the sufferers and seriously imperils their health and lives.

The negative impacts and horrors of sexual assault include unwanted pregnancies, physical injury, HIV/AIDS and other STIs, disfigurement, sexual dysfunction, debilitating psychological trauma, mystery and even death.

Tragically, these victims find little support for their conditions and face few options for dealing with the problem in ways that would preserve their dignity and provide them with the necessary medical care. Often they are presented with torturous choices which jeopardise their RH.

- Establish a directory of donors and service providers where women who have been raped can obtain information and help.
- The national crisis brought about by this crime requires a cooperative and committed approach by all in society.
- Provide free legal and counselling services to victims of rape.
- Passing of more comprehensive legislation on sexual offences to address the needs of the victims.

7.5.5 Research Gaps

- Few writers have concentrated on rape as a serious crime in Kenya today where both males and females are affected.
- Incest.
- There have been increased reporting of sexual abuse cases, but it not clear whether this is an indication that sexual abuse is rising or whether there is more frequent reporting of

the cases than before. This would be an important gap to consider filling, given that the public takes that is reported as the reality.

7.5.6 Research Agenda

- Establish the effect of reporting sexual abuse cases on the victims especially children.
- Research on the characteristics of the rapists.

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