

Feminist Protest Action in Kenya: Lessons and Directions

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This essay historicises feminist protests in Kenya over the last decade to examine the changing patterns of protest action and how they illustrate the evolution of both feminist discourses and sites within which these debates are animated. I look beyond the streets and direct action as the epitome of protest action to examine strategic litigation, hashtag activism, and national campaigns as important ways through which feminist protest can be understood in Kenya, focusing on three recent cases.

Feminist Activism in Kenya in Historical Perspective

In the 1980s and 1990s, women's rights organizations invested a significant amount of energy in changing laws that were seen to reduce women to second class citizens. The key issues shaping advocacy included access to and ownership of land, violence against women, and women in leadership (Chesoni, 2020). Organizations such as the Federation of Kenya Women Lawyers (FIDA), the Coalition on Violence against Women (COVAW), the Kenya Human Rights Commission (KHRC), and the Kenya Women's Political Caucus became critical voices on these issues (Action Aid, 2021). The value of adopting a rights-based approach to addressing structural issues has long been criticized as insufficient for creating fundamental cultural and societal shifts (Kapur, 2020). However, the language of rights, as I illustrate below, has been important for how feminist organizers have pursued freedom and justice.

Recent feminist protests have taken place in a distinct political environment. In 2010, a new constitution was approved through referendum. It adopted changes seen as radically shifting the country's gender landscape. One was regarding women's access to land, a key area

of policy given the historical dispossession of women from marital homes and /or exclusion from inheritance that reinforced Kenyan society's patriarchal and patrilineal character (Chesoni, 2020).

A second area was women's political participation. The focus was on stipulating a percentage of positions, including in the bureaucracy, which would need to be filled by women, youth, and people with disabilities. Failure to meet the threshold, commonly referred to as the "no more than two-thirds principle," would result in an institution, whether parliament or a governing board, being considered unconstitutional. The interpretation and implementation of the two-thirds principle has been contentious since the constitution was adopted (Bouka, Berry & Kamuru, 2019).

Finally, abortion, alongside land ownership, became a lightning rod around which the Catholic Church and other conservative actors mobilized. Despite the Church's opposition, the proposed changes on abortion provisions were relatively minor (International Campaign for Women's Right to Safe Abortion, 2022). While the opposition was unsuccessful, it provides evidence of the conservative interpretation of gender relations and norms in Kenya.

Case Study 1: Waremboni Yes

In this contested political and legal context, the grassroots movement, "Waremboni Yes" emerged. Loosely translated from Kiswahili as "Young Women Say Yes," the campaign sought to promote the constitutional draft offering progressive gender equality provisions. Waremboni Yes grew out of Bunge la Wamama, a faction of Bunge la Wananchi (Peoples Parliament) movement. Bunge la Wananchi emerged in the early 1990s as public political education forum to debate religion, the slave trade, reparations, and social cultural economic rights (Gachihi, 2014). When Bunge la Wananchi emerged, free speech, surveillance, disappearance, and detention without trial were key features of the political landscape. It was

therefore a radical movement, claiming public space as a site for political debate rather than opting for less visible mobilizations.

As a loosely networked coalition, Waremboni Yes leveraged the voices of young women as a constituency in support of the new constitution. In emphasizing youth as a basis for collective action, the movement confronted longstanding debates about young people as a category that was primarily understood through the lens of young men, therefore reproducing patriarchal norms in spaces in which youth is invoked as a constituency (Okech, 2020). Emerging from the peri-urban centres of Nairobi, the Waremboni Yes campaign animated protest in two main ways. The first was through its critique of the grassroots movement Bunge la Wananchi, which ostensibly represented the excluded masses, but was also exclusionary towards women and girls. The second mode of animation was through the organizing mechanism used by Waremboni Yes. Arranging caucuses and congresses, they deployed the principle of bunge (parliament), seeking to build consensus from the ground up by facilitating open discussions on property ownership, inheritance, and sexual and reproductive rights, with the aim of mobilizing support for the proposed constitution among young women (Mumbi, 2010).

As a result of this work, Waremboni Yes was considered one of the strongest constituency-based mobilizations during the constitutional review process, despite having fewer resources than other groups supporting or opposing the draft constitution. In taking the decision to develop a national mobilization process, Waremboni Yes joined better resourced interest groups and staked a claim based on youth, gender, and class interests. In so doing, they disrupted popular critiques of elitism used against feminist organizing in Kenya.

Case Studies 2 and 3: #Justice for Liz and #Justice for Sharon

Two other feminist mobilisations taking place in Kenya recent years draw instead on the mobilization power of social media, using Twitter to galvanize a broad set of voices

highlighting the extent of violence against women. The 2014 Kenya Demographic Health Survey notes that four out of ten women between 15 to 49 years of age have experienced some of violence (KDHS, 2014). Between March and April 2020, calls to the national gender-based violence hotline increased by 775% and 3650 gender based violence cases were reported between March and July 2020 (UNOCHA, 2020). Two of these prompted specific hashtag responses. In the first case, Liz (not her real name) was a 16-year-old girl who was beaten and gang-raped on her way home from her grandfather's funeral and dumped in a pit latrine in Busia, Kenya in June 2013. She injured her spine, was wheelchair bound, and developed fistula. Liz identified her attackers to the police and they were arrested. Their punishment: to cut the grass. National outrage was captured by journalist Njeri Rugene in reporting for the Daily Nation in October 2013. In 2015, a local court found three of the identified men guilty of gang-raping and causing grievous bodily harm to Liz. They were convicted to 15 and seven years in jail, respectively (Rugene, 2013).

In the second case, the body of Sharon Otieno, a university student who was seven months pregnant, was found mutilated in Koderia Forest in Homa Bay County in September 2018. Sharon was abducted on September 3, together with a journalist who went to speak to her about her affair with the Migori Governor, Okoth Obado, and the child she was expecting. The governor's personal assistant, Michael Oyamo, who they were meeting to provide a response to the allegations, instead took their phones away and instigated their assault. The journalist escaped because he jumped out of the moving vehicle. Governor Obado and two others were arrested in connection with the murder. The case continues in court (Asamba, 2018). These two cases drew widespread engagement on social media with both hashtags trending in Kenya for over seventy-two hours. #JusticeforLiz even attracted international attention. The visibility of the campaigns was due to the efforts of women's rights organisations such as the Coalition on Violence against Women (COVAW), FEMNET,

Equality Now, and the Federation of Kenya Women Lawyers (FIDA). In the case of Liz, these groups collaborated on an offline engagement strategy which included support to Liz personally, mainstream media engagement, a global petition, a public march to the Director of Public Prosecutors office, and the pursuit of a strategic litigation case on Liz's behalf (COVAW, 2014). #JusticeforSharon, on the other hand, emerged as a public response to the brutality of her death. This case demonstrates the persistence of high the levels of misogyny in Kenya, especially among those who viewed Sharon's murder as justified because she had a relationship with a married man (Okech, 2021). In both instances, the use of social media by feminist activists has resulted in greater public awareness of violence against women, highlighting the importance of social media for creating greater accountability for these acts.

Conclusion

Viewed together, these three cases highlight two major approaches in recent feminist activism in Kenya. The Waremboni Yes campaign reinforces the importance of organizing and mobilization that relies on long term movement, constituency, and consensus building work to achieve change. The #JusticeforLiz and #JusticeforSharon cases, in contrast, show that social media has also become a major new site of protest action. All three cases have advanced debates on violence against women and girls in Kenya, drawing on changing legal and constitutional frameworks to channel actions on gender equality. The result has been the building of feminist communities and spotlighting the pulse of the country as it relates to feminist concerns.

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