



NJOKI KARUOYA } GENDER AGENDA

• Bold • Provocative • Sassy • Insightful •
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In the Constitution...

Every man counts on road to equality

Now that we have a new Constitution, does that mean playing ground has been levelled between genders? If you were campaigning for the document, your instinctive response is bound to be a resounding 'yes'. There are articles in the new law that stipulate some level of parity and equality in most spheres of life, including governance, where special seats have been created for women as they are encouraged to run for the other seats that include the new positions of governor and senator.

SUITABLE LEADERS

A week ago on Friday, Fida Kenya launched their annual report with a fancy cocktail at a Nairobi hotel. Several prominent women were present at the gathering was almost a show of might to prove that Kenya does have suitable and qualified women to take up leadership positions and steer this country in the right direction.

After the pomp and glitter, I took a moment to leaf through the report titled *Evil Mile Counts: Building a Legacy of Women's Rights Protection in Kenya*, and distilled a wealth of information on the women's movement, and without much fussing.

Back to my initial argument: does the new Constitution put an end to gender inequalities? Beverline Ongala, advocate of the High Court of Kenya, certainly seems to think so. Here are some of her thoughts as expressed in the annual re-

port. The provisions in the Constitution provide an avenue for power relations to be extended and addressed... importantly, they pro-



Ms Regina Mwatha (left), the chairperson of the Gender Commission, officially unveils Fida Kenya's annual report at a Nairobi hotel. Looking on are Fida officials and supporters. [PHOTO: EVANS HABIL/STANDARD]

vide an opportunity to develop and nurture healthy masculinity.

"Article 45(3) provides that parties to marriage are entitled to equal rights at the time of marriage, during and at the end of marriage. This sets pace for whittling the cultural notion that the role of providing is solely men's. It also enables men to be entitled to maintenance and alimony.

"This situation is envisaged by the Matrimonial Property Bill 2007, which also seeks to have non-monetary contribution to marriage recognised. The effect of this, apart from recognising women's non-monetary contribution, is that men who would want to spend more time with their children and spouses as well as be house husbands could do that in the comfort of knowing it

will be recognised in law. However, it will take quite some time for this aspect to be accepted by society.

PAYMENT OF DOWRY

"Already, there is a movement in Kenya, Boys to Men, that is calling on men to affirm women by respecting and recognising their personhood and dignity. Additionally, the movement places a premium on men exercising parental responsibilities over their children and exalts fatherhood.

"The article also sets pace for the requirement of payment of dowry as proof that customary marriage has taken place being dispensed with, which is encapsulated in the Marriage Bill 2008. The effect of this is that apart from eroding the cultural percep-

tion of women as property, men will not be subjected to the rigours of paying bride price by in laws. The non requirement of dowry puts in motion the process of men and women marrying on an equal premise, without a material value being placed on women.

"Article 53(1)(e) provides that every child has a right to parental care and protection, which includes equal responsibility of the mother and father whether they are married to each other or not.

"Article 81 provides that not more than two thirds of members of elective bodies shall be of same gender, which sets the standards and platform for the involvement of both men and women in public service to the society.

"Article 15(1) provides

WOMEN'S RIGHTS

"We especially remember the days when working in the women's rights sector was both difficult and near impossible and thank our members for their continued vigilance in the fight for gender equality."

Grace Maingi-Kimani
Executive Director, Fida Kenya

women to pass on citizenship to spouses, which will enable men to perceive and appreciate their spouses as equals.

"Article 27 on equality proscribes discrimination and affirms both men and women as equal in the eyes of the law. Article 43 provides that every person has a right to housing, clean and safe water, social security, education and health care including reproductive health care. The effect of this provision is to create equilibrium between men and women in terms of the quality of life they will lead.

"Most importantly, men can come forth confidently and seek treatment, when in need. The diseases that men have to bear, especially those affecting reproductive health, will be bought to the fore..."