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**THE EFFECTS OF GENDER LAWS, POLICIES AND PROGRAMS ON SOCIAL-ECONOMIC DEVELOPMENT OF FAMILIES IN KENYA. NEO Gender Discrimination Syndrome. A STUDY OF BUSINESS OPERATORS IN EMBU CENTRAL BUSINESS AREA, EMBU COUNTY.**

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**Abstract**

Gender is defined as the fact of being male or female. This definition is restricted as gender goes beyond the biological differences between men and women. Gender is sociological difference between men and women, is the social construction and its implications and varies over time from one culture to another. This study explored how gender laws, policies and programs affected the social-economic development of families in Kenya. A target population of 100 registered business operators in Embu Town were accessed. Judgmental and purposeful sampling methods were used to select a sample of 30 respondents. Data was collected using semi-structured questionnaire. Data was analysed quantitatively and qualitatively and was presented using tables, graphs, pie charts and statement. The study employed Feminist theory, which aims to create an understanding of gender inequality. It examines women's and men's social roles, experience, interests, chores. Kenya constitution 2010 stipulates various human rights under the bill of right; every person is equal before the law and has the right to equal protection and equal benefit of the law. Equality means one enjoy all rights and fundamental freedoms, Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. State or a person shall not discriminate directly or indirectly against any person on grounds; race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, culture... Findings; men in Embu have been discriminated directly and in-directly, existing gender laws and policies are discriminative and in favour of women. Current affirmative action programs are non-inclusive and not responsive to needs of men and women. Conclusions; gender laws, policies and programs in Kenya be made more inclusive to cater for men and women needs and avoid transfer of discrimination and violence from one sex to the other, not to instigate divisions/gaps between men and women in social- economic development. Recommendations, the government, gender policy makers, gender policy implementers, and other stakeholders are fully involved while addressing gender issues to avoid gender blindness in social economic development of Embu County.

**Keywords:** Affirmative action, Biological, Development, Discrimination, Feminist theory, Gender, Gender blind, laws, Policies, programs, Sociological , violence,

## **INTRODUCTION**

In recent years the term gender has become a term of discussion in both the public and the private set ups. With some people using this term correctly (fact of being a man or of being a woman) while others see the term gender to mean a woman or a female, which is generally not true and is wrong use of the terminology. The concept of gender defined as the fact of being male or female. However, this definition is too restricted because gender goes beyond the biological differences between men and women. Gender is the sociological difference between men and women, it is the social construction and its implications vary over time from one culture to another.

Kenya constitution 2010 stipulates and identifies various human rights under the bill of right. The constitution state that; The Bill of Rights is an integral part of Kenya’s democratic state and is the framework for social, economic and cultural policies. The purpose of recognising and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realisation of the potential of all human beings. It also say that The rights and fundamental freedoms in the Bill of Rights—; (a) belong to each individual and are not granted by the State; (b) do not exclude other rights and fundamental freedoms not in the Bill of Rights, but recognised or conferred by law, except to the extent that they are inconsistent with this Chapter( chapter three); also Every person shall enjoy the rights and fundamental freedoms in the Bill of Rights to the greatest extent consistent with the nature of the right or fundamental freedom. In interpreting the Bill of Rights, a court, tribunal or other authority shall promote— (a) the values that underlie an open and democratic society based on human dignity, equality, equity and freedom; and (b) the spirit, purport and objects of the Bill of Rights. (1) Every person (Male or female, man or woman, boy or girl) is equal before the law and has the right to equal protection and equal benefit of the law.

(2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms. (3) Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres. (4) The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth. (5) A person shall not discriminate directly or indirectly against another person on any of the grounds specified or contemplated in clause (4). (6) To give full effect to the realisation of the rights guaranteed under this Article, the State shall take legislative and other measures, including affirmative action programmes and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination. . Every person has the right to freedom and security of the person, which includes the right not to be— (a) deprived of freedom arbitrarily or without just cause; (b) detained without trial, except during a state of emergency, in which case the detention is subject to Article 58; (c) subjected to any form of violence from either public or private sources; (d) subjected to torture in any manner, whether

physical or psychological; (e) subjected to corporal punishment; or (f) treated or punished in a cruel, inhuman or degrading manner.

While gender has received increasing attention among development practitioners and scholars in recent years, only in the last decade and a half has significant attention been focused on efforts to engage men in achieving greater gender equality.

The National Gender Equality Commission is a constitutional Commission established by an Act of Parliament in August 2011, as a successor commission to the Kenya National Human Rights and Equality Commission pursuant to Article 59 of the Constitution. NGEC derives its mandate from Articles 27, 43, and Chapter Fifteen of the Constitution; and section 8 of NGEC Act (Cap. 15) of 2011, with the objectives of promoting gender equality and freedom from discrimination. Its main goal is to contribute to the reduction of gender inequalities and the discrimination against all; women, men, persons with disabilities, the youth, children, the elderly, minorities and marginalized communities.

*Men and Development:*

Politicizing Masculinities contributes to the growing literature on men, gender, and development. It brings together scholars and activists from across the world to make the case for including men in gender activism and to do so in more overtly political ways that pay greater attention to the structural factors shaping and maintaining gender inequalities and the often destructive norms about manhood that all too often compromise both women's and men's lives.

Combining theoretical analysis with examples from the field, it is a thought-provoking book with the first and third chapters of the book showing how a failure to take into account of masculinities in development programmes and policies can have harmful consequences for both men and women. The chapter on Malawi, for example, makes the claim that HIV campaigns that tell men to abstain from sex have often led to an increase in risky sexual behaviour, as men react to the threat to their sexual potency - a key indicator of manliness in Malawi as elsewhere - by demonstrating their fearlessness (another key indicator). Similarly, it argues that the criminalization of men who use the services of sex workers not only perpetuates the misleading stereotype that led to the law - the view that all clients are perverted or violent - but also, by positioning women as victims, both accentuates the norm of men as aggressors and makes it easier to enact repressive policy that reduces women's economic freedom.

The book's second section draws on cases from east Africa, South Africa, and India to examine the interplay between masculinities and social and economic development. Margaret Silberschmidt's chapter makes the argument that the Victorian values disseminated by the European colonisers of east Africa introduced the notion that men should be family breadwinners. She argues that the structural adjustment policies of the 1980s left millions of men without work, and thus robbed them of what had become a vital marker of masculinity. Some switched to an alternative marker of masculinity to restore their self-esteem - namely that which emphasized notions of manhood tied to sexual conquest and fearlessness in the face of the threat

of HIV/AIDS. Others turned to alcohol, another of the appurtenances of maleness. The author criticises HIV prevention programmes for not focusing adequately on the new masculinity norms that heightened men's risk taking and, as a consequence, their vulnerability to HIV infection

## **Objectives**

### **General objective**

To investigate how the existing gender laws, policies and programs have affected social economic development of families in Embu County.

### **Specific objectives**

To determine how existing gender laws have affected social economic development of families of people operating businesses in Embu central business area.

To examine how existing gender policies have affected social economic development of families of people operating businesses in Embu central business area.

To find out how existing gender programs have affected social economic development of families of people operating businesses in Embu central business area.

### **Research questions**

How the existing gender laws do affected the social- economic development of families of people operating businesses in Embu central business area.

To what extent does existing gender policies affected the social- economic development of families of people operating businesses in Embu central business area.

In which ways does existing gender programs affected the social- economic development of families of people operating businesses in Embu central business area.

### **Methodology**

This study was descriptive survey on gender policies, laws and programs that affect social – economic of business people with families in Embu County. It used purposive sampling method to select a sample of 30 respondents from a target population of 100 small scale business operators in one street in Embu town. Semi structured questionnaire was use to collect data. Data was analyzed both quantitatively and qualitatively and presented in table's, graphs, pie-charts and in statement form.

### **Theoretical frame**

The study employed the feminist and sexism theories to show the relationship between the variables of the study.

**Feminist theory** is the extension of feminism into theoretical, fictional, or philosophical discourse. It aims to understand the nature of gender inequality. It examines women's and men's social roles, experience, interests, chores, and feminist politics in a variety of fields, such as anthropology and sociology, communication, psychoanalysis, home economics, literature, education, and philosophy.

Feminist theory focuses on analyzing gender inequality. Themes explored in feminism include discrimination, objectification (especially sexual objectification), oppression, patriarchy, stereotyping, art history and contemporary art, and aesthetics.

Gender discrimination, unequal treatment of a person based on gender or sex, occurs in employment, housing, and education. While these unfair practices of letting a person's sex or gender become a deciding factor in these cases, laws prohibit this discrimination. Though females may most often experience gender discrimination, men sometimes become victim of it as well.

Several laws protect against gender discrimination. The U.S. Equal Employment Opportunity Commission (EEOC) enforces the Civil Rights Act of 1964 (Title VII), which makes it unlawful to discriminate against a person in the workplace based on gender or sex in workplace. The Equal Credit Opportunity Act of 1968 prohibits discrimination based on gender when granting credit. The Equal Pay Act of 1963 stipulates equal pay for equal work regardless of gender.

Any employer private or government employing 15 or more people falls under the coverage of title VII of the Civil Rights Act of 1964. Most states also make it illegal to discriminate against a person based on sex.

Trans-gender individuals, those whose gender identity does not match the anatomical sex, may face discrimination in the workplace because they don't conform to traditional sex or gender roles. In these cases, employers and employees become confused about whether they fall under a protected group. Depending on what state the person lives in, he may receive protection under Title VII of the Civil Rights Act.

### **Does sexism against men exist? What it looks like and why we need to take it seriously**

David Benatar (2012) this book draws attention to the "second sexism," where it exists, how it works and what it looks like, and responds to those who would deny that it exists. Challenging conventional ways of thinking, it examines controversial issues such as sex-based affirmative action, gender roles, and charges of anti-feminism. The book offers an academically rigorous argument in an accessible style, including the careful use of empirical data, and includes examples and engages in a discussion of how sex discrimination against men and boys also undermines the cause for female equality.

“The Second Sexism is well researched, with voluminous references. As such, it serves the useful function of raising consciousness about an important social issue. “Benatar’s analysis brings much needed clarity to contemporary debates in gender studies, whose discourse runs the risk of becoming stagnant and dogmatic against a constantly changing social backdrop. Benatar does well to remind us that it is not only females who are constrained and disadvantaged by the roles that they have been socially encouraged to take up. With clarity and cogency, The Second Sexism presents the first sustained philosophical examination of systematic discrimination against men. This is not part of a backlash against feminism; it is part of the next crucial step toward the construction of social arrangements that are fairer, more humane, and less restrictive of individual freedom (Don Hubin, Ohio State University 2012)

In societies which sex discrimination has been recognized to be wrong, the assault on this form of discrimination has targeted those attitudes and practices that (directly) disadvantage women and girls? At the most, there has been only scant attention to those manifestations of sex discrimination of which the primary victims are men and boys. What little recognition there has been of discrimination against males has very rarely resulted in amelioration. For these reasons, we might refer to discrimination against males as the "second sexism," to adapt Simone de Beauvoir's famous phrase. The second sexism is the neglected sexism, the sexism that is not taken seriously even by most of those who oppose *sex* discrimination. This is regrettable not only because of its implications for ongoing unfair male disadvantage, but also, as I shall argue later; because discrimination against *women* cannot fully be addressed without attending to all forms of sexism. So unrecognized is the second sexism that the mere mention of it will appear laughable to some. For this reason, some examples of male disadvantage need to be provided.

### **Factors contributing to the neglect of gender issues in society**

Jullieflavia (2012), over the years, the focus on gender Issues as an aspect of social problem of equality and opportunities has been minimal or non-existent. The reasons for this neglect among others are;

- a) Lack of differentiation between gender and sex.

To most people, the mention of the word gender implies women. Consequently, roles and duties performed by women or girls, for example, domestic chores, rearing of children, were often associated with gender understanding. Due to confusion of gender and sex, it was thought that specific biological based functions that females played, for example bearing, suckling, and caring for children were always naturally determined along gender lines.

- b) Traditional beliefs.

The existence of powerful traditional beliefs and assumptions has helped create gender stereotyping. Beliefs such as females cannot be heirs or rulers in society, and only males have this inherited ascribed honour to be heirs of possessions, have helped discourage women from vying

to inherit these positions. Some women perceive and preach that socially high offices are not God given to women, only to men. They have helped strengthen social positions in society that males are superior to females. A good example is in elections where even though women are the majority voters, few vote for female candidates believing that women are incapable of holding high offices.

b) Confusion of the intelligence of women.

It had been assumed in many societies that women were less intelligent than men. This assumption was largely due to the absence of statistical evidence concerning comparative studies touching on male and female intellectual differences. This however has not been the case, for we have seen very active and intelligent women who have showed the world what it means to despise women.

c) Reinforcement of differences between men and women.

The presence of strong influential forces based on social class, ethnically and even religion enforcing the human differences between men and women and the roles each should play in the society has affected gender awareness. For example, in religion, there is still a strong belief that women cannot serve God as ministers, pastors or prophets, only men can. This belief continues to influence the consideration of gender issues.

e) Ignorance.

It is evident that ignorance has played some role in defining women in some manner or way that make people believe that they are a weak gender. This of course is not true and should not be a reason to base arguments. (<https://www.kenyaplex.com/resources/6102-factors-contributing-to-the-neglect-of-gender-issues-in-society.aspx> 4/4/2017)

The assaults on men and boys are often led or enabled by feminists in influential positions e.g. Theresa May MP (Prime Minister, formerly Home Secretary) and Alison Saunders (Director of Public Prosecutions). Most of the assaults, however, are led by men – often at the behest of feminists – with no concern for the wellbeing of men and boys as a class.

J4MB is the only political party in the English-speaking world campaigning for the human rights of men and boys on many fronts. We're also the only anti-feminist political party in the English-speaking world. We continue to be wholly reliant on party members and donors to cover the party's costs.

Feminists seek gender supremacy, regardless of the impact on men, women, boys, girls, families, public institutions, and wider society. They are driven by misandry (the hatred of men). If anyone should doubt the truth of these assertions, we invite them to read our 2015 general election manifesto in which we explored 20 areas where the human rights of men and/or boys are

assaulted by the actions and inactions of the state, almost always to privilege women and/or girls. (<https://www.usaid.gov/kenya/gender-equality-and-womens-empowerment-kenya>)

### **Challenges of poor gender policies laws and programs**

Depression and suicide is a major problem among British men, and the government is doing little to address it (Lloyd Morgan/Flickr 2015). Suicide is the leading cause of death of British men under 50 years of age. Over a quarter (26%) of men who die between the ages of 20 and 34 take their own lives, and 13% of deaths among men aged 35 to 49 are self-inflicted. The figures for women are 13% and 5% respectively.

The state is responsible – through its actions and inactions – for many of the crises that lead men to kill themselves. As a class, men have long suffered high levels of reactive depression, the form brought on by distressing life events. *This* is driving the relentlessly high male suicide rate, rather than long-term mental health issues.

In 2014 the government published a report, preventing suicide in England: First Annual Report on the Cross-government Outcomes Strategy to Save Lives. Virtually no interest (let alone concern) is expressed in the report at the remarkably high rate of suicide among men.

When politicians are pressed on the male suicide rate, they generally (and callously) attribute the problem to men's disinclination to seek help for mental health issues in times of crisis. Politicians are victim-blaming. Where "mental health issue" is generally reactive depression and all too often the only support available to men is talking, which won't help those denied access to children after family breakdowns, or those denied support as victims of domestic violence, or who are homeless...

The male: female suicide rate differential was 1.7:1 in 1983 and steadily rose over the subsequent 30 years, reaching 3.5:1 in 2013. The prime reason was a steep decline in the number of women committing suicide. Nobody has suggested there was a major improvement in women's mental health over the period.

Disadvantaging of males begins at an early age. Life outcomes for boys deprived of a father active in their lives tend to be poor and the state has long been the architect of the destruction of the nuclear family. About two-thirds of secondary school teachers are women and state schools are failing large numbers of boys. One in four boys is labelled as having special educational needs.

Huge amounts of taxpayers' money has been spent over decades 'encouraging' women into traditionally male-dominated professions, notably those relating to STEMM subjects (Science, Technology, Engineering, Mathematics and Medicine). The state is spending £30m "encouraging" women into engineering alone. Female engineering MSc students at Brunel are entitled to sponsorship of £22,750 denied to their male colleagues.

### **Intimate partner violence**

The party, Justice for Men and Boys (J4MB) recently published a study by renowned US psychologist Martin Fiebert showing women are often as physically aggressive as men towards opposite-sex intimate partners, or more aggressive.

Yet some radical feminists will have you believe men use intimate partner violence (IPV) - or the threat of it - to control women as a class. This theory has long been discredited, most recently by British researchers Dr Elizabeth Bates and Dr Nicola Graham-Kevan. This evidence is supported by an American study, which reported that when IPV-related suicides are added to IPV-related homicides, more men than women die as a result of IPV.

Men are less likely than women to report being victims of IPV and far less likely to have their partners charged with the offence. Men are reluctant to leave violent partners, often because they're concerned their children would be at additional risk and they'd never see them again (both are reasonable assumptions in many cases).

If abused men approach their local authority, they're told that if they leave their houses they'll be considered "intentionally homeless" and be denied social housing. IPV is a major route into homelessness for men and 87% of the "street homeless" are men. The average age of death of a homeless person is 47, as opposed to 77 for non-homeless people.

The criminal justice system is particularly brutal towards men and this appears to lead many to suicide. There are over 80,000 men in British prisons, and fewer than 4,000 women. Ministers talk only of the "need" to reduce the number of female prisoners. (<https://www.usaid.gov/kenya/gender-equality-and-womens-empowerment-kenya>)

Traditional ideas about the roles of girls and women restrict their contributions to Kenya. These ideas hold women back from contributing to important development goals; especially in the areas of economic growth, nutrition and food security.

Women in Kenya are underrepresented in decision-making positions. They also have less access to education, land, and employment. Those living in rural areas spend long hours collecting water and firewood; interfering with school attendance and leaving them with little time to earn money or engage in other productive activities.

The untapped potential of women and girls is gaining greater attention in Kenya. The country's new Constitution, passed in 2010, provides a powerful framework for addressing gender equality. It marks a new beginning for women's rights in Kenya; seeking to remedy the traditional exclusion of women and promote their full involvement in every aspect of growth and development. USAID is empowering women to exercise their rights as guaranteed by the Constitution. Our partners are bringing the perspectives of women and girls and their full

Kenya is a participating country in USAID's Women and Girls Lead Global Partnership. This dynamic media campaign is empowering women to play a leading role in realizing the promise of the 2010 Constitution.

### **Removing barriers to Economic Inclusion**

[www.wikigender.org/wiki/women-business-and-the-law-2012](http://www.wikigender.org/wiki/women-business-and-the-law-2012) *Women, Business and the Law* focuses on setting out, in an objective fashion, legal differentiations on the basis of gender in 141 economies around the world, covering 6 topics: accessing institutions, using property, getting a job, providing incentives to work, building credit, and going to court. The data are readily available on the website, where users can browse by topic or by country and are also provided with links to primary legal resources used in the research. For example Kenya, a leading reformer, instilled equal inheritance rights for men and women in its new constitution. Estonia passed a new Employment Contracts Act which prohibits the dismissal of pregnant women, and guarantees a return to the same position after maternity or paternity leave. For example, Article 11.1c of CEDAW provides for the free choice of profession and employment which corresponds to questions in *Women Business and the Law* such as: can women work in the same industries as men? And can a woman get a job or pursue a trade or profession in the same way as a man?

*Women, Business and the Law* examines laws and regulations that affect women's ability to earn an income, either by starting and running their own businesses or by getting jobs. When it comes to women's rights, different economies reflect different cultural norms and values in their legislation. Covering **141 economies**, *Women, Business and the Law* provides easily comparable data across the following six areas:

### **The gender gap in Kenya – taking stock and moving forward**

*Nic Cheese man (2014)* in his column for the Daily Nation Nic Cheese man, argues that Kenya needs to improve its performance on gender issues. Whilst it is not one of the lowest performers, according to the global gender gap rankings, it has a long way to go in tackling the socio-cultural, political and economic barriers that prevent gender equity in everyday life.

The 2013 Global Gender Gap rankings make for interesting reading. Kenya was placed the 78th out of 136 countries, just below Uruguay and above Cyprus. This is not a fantastic performance – the highest placed African country is South Africa in 18th, while regional neighbours Uganda come in at 46th. But neither is it a terrible ranking. The gender gap is smaller in Kenya than in the Czech Republic, Malta, Chile, Mauritius and Botswana.

This mixed picture reflects the uneven situation facing Kenyan women. We can get a sense of this if we consider Kenya's performance across the four criteria that the Gender Gap study assessed: economic participation and opportunity, educational attainment, health and survival and political empowerment.

### **The roots of the gender gap in Kenya**

What explains this mixed picture? The position of women in Kenya today owes much to the historical evolution of gender relations.

During colonial rule, sexist gender stereotypes were imported by British officials who were used to living in a society with a marked gender gap. As a result, wage labour and other economic opportunities were opened up to men, with the expectation that women would stay behind to look after the family.

Of course, the problem can't just be blamed on colonial rule. Most variants of what is often called "traditional rule" in the pre-colonial period vested power in the male lineage and women were often denied the right to wield political power. One of the reasons that colonial assumptions regarding gender inequalities often went without challenge was that they fitted so well with the way in which many Kenyan men viewed the world.

As a result, male political and economic dependence got worse, rather than better, after Independence. The name "Big Men" was apt, because women were rarely able to rise to the apex of customary or economic authority. This meant that the networks of power and patronage that would govern Kenya over the next 40 years had men at their Centre.

Taken together, these developments have held women back for over a hundred years. One consequence of this is that women have often been denied their right to inherit land. Given the emotional and financial importance of land in Kenya, this has undermined gender equality in both practical and symbolic terms.

The gender gap is important for all Kenyans, whatever their gender. Because women earn less than men and are less likely to control land, they pay less in taxes and are less likely to be at the forefront of entrepreneurial innovation. A recent study by the World Bank found that, partly as a result, farms owned by women tended to be less productive than those owned by men. This represents a significant loss to the country's finances and economic development. In other words, the goals set out in Kenya Vision 2030 are far less likely to be achieved if the country does not first succeed in reducing the gender gap.

What can the government do to build on these foundations? President Kenyatta could also look to promote females within his Cabinet. Women currently make up an even lower proportion of Cabinet Secretaries than Members of Parliament, and this is something that could be improved overnight.

Women's rights to inherit land also need to be proactively enforced, which would have the positive side-benefit of making it easier for female land holders to access credit. And of course the government should also enact policies that would help to persuade more girls to go on to

secondary school. Additional bursaries targeted at those parts of the country with low levels of female school enrollment would be a good first step (*Daily Nation* on 15th November 2014).

### **Kenya commits to achieving gender equality by 2030**

New York Times (2015) reported that, Kenya was among a number of world governments that committed themselves in a declaration to achieve gender equality by 2030.

At the meeting of the United Nations Commission on the Status of Women, government representatives promised to take six concrete actions to ensure gender equality and improve the status of women in Kenya.

Devolution and Planning Cabinet Secretary then, Anne Waiguru, who was representing the government and also headed the delegation to the meeting which opened at the UN headquarters on Monday, spoke of Kenya's "unwavering political will and conviction" for the advancement of women.

She told the meeting that Kenya's implementation of the Beijing Platform of Action was on track. The Platform for Action was a detailed commitment endorsed by 189 countries, Kenya included, achieving gender equality. The endorsement was done at the fourth world conference on women in Beijing, China, in 1995.

In her address, Ms. Waiguru singled out Kenya's 2010 Constitution, Vision 2030 and the Jubilee Administration policies as being in line with the 12 key issues of concern in the Beijing declaration. She said, "I affirm the government of Kenya's commitment to gender equality, empowerment of women and in particular, the implementation of the Beijing declaration," She enumerated steps the government has taken to advance women, girls and the youth as well as special interest groups.

To finance business opportunities for women, she singled out the Women, Youth Enterprise and the Uwezo funds ( Uwesoo Kiswahili name meaning enabling). The minister also cited the government's public procurement affirmative action policy for women, the youth and disabled, which was applauded here. Under the policy, 30 per cent of public procurement is set aside for these groups which translated into about \$2.2 billion per year worth of business? Since June 2013, more than 54,000 businesses had been registered under the programme and more than 6,000 companies had already received business from the government in three quarters, she added. "This is creating real opportunities for businesses to grow from small to medium and from medium to larger companies," she told delegates.

## **IMPLEMENTATION OF GENDER POLICIES**

The minister listed successes for girls in both primary and secondary school education following the implementation of the free education policy and removal of tuition fees, respectively.

Further, the introduction of free maternity services in public hospitals has resulted in a 50 per cent increase in hospital deliveries in the country. First Lady Margaret Kenyatta arrived in New York on Thursday and is scheduled to speak about her Beyond Zero campaign. During the conference Mrs. Rachel Ruto Kenya Deputy president wife gave a presentation about Table Banking; a programme that helps mainly rural women advance themselves economically by saving, accessing cheap loans and finding a market for their produce. Through, The Joyful Women organisation, Mrs Ruto, hopes to introduce the program to all counties. The organisation also helps women take advantage of the 30 per cent procurement policy.

For instance, women make up 33.3 percent of the Cabinet and they also hold key docket: Devolution and Planning, Foreign Affairs, Land, Defence, Environment, East African Community and Tourism.

"In Kenya the President has been in the forefront championing gender equality and empowerment of women. This began with the positioning of institutional mechanization for the advancement of women within the Presidency, with staff deployed to every ministry and at the county level," she said.

Ms. Waiguru said the fact that the President had championed and signed the campaign, dubbed "HeforShe", showed his commitment. He was the second African president to publicly sign and commit to it after President Paul Kagame of Rwanda. Cabinet Secretary cited these achievement at the 59th Commission on Status of Women conference included;

**Education:** The country has surpassed the 115 primary school enrolment rate following the introduction of free primary education. Girls represent 51 per cent of the enrolment and boys at 49. Elimination of tuition fees at public secondary schools has increased girls' enrolment by 42 per cent from 685,000 in 2009 to 977,000 in 2013.

**Health:** The free maternity services introduced in 2013 have recorded a 50 per cent increase in hospital deliveries from 444,000 in 2012 to 666,000 in 2014.

**Women in power:** Constitutional requirement that a minimum one third of either gender be represented in all elective positions. In the Cabinet, 33 per cent are women. In Parliament women form 25 per cent of elected legislators up from 9.9 per cent in 2007 while in the public service women comprise 37 per cent of all positions.

### **Data analysis and findings**

The study had a response rate of 93% which was good enough for data analysis. Majority 61% of the respondents were male while the rest 39% were female. On the question whether the current Kenyan laws and policies ensured gender equality and how they affected their social-economic welfare? Majority 79% of the respondents said they didn't ensure gender equality hence they were biased, with majority of the men saying were biased against men. They sighted the women empowerment program and fund as being too biased. The women fund and youth fund benefited the women and not the man. On the question about entrenching women inheritance in the constitution and their views on the same in regard to family welfare, 71% were against it and on the view that it is African for a man to inherit and a woman to get her share from her husband. Men were on the views this is setting wrong precedence to marriage as majority of the women will not marry as they awaits their parent inheritance and worse off when they inherit their husbands will not have control on what is inherited. All the women in the study were in agreement that inheritance was a good thing and some had already benefited from the same. It helped them to start businesses and support their families. On the other hand majority 70% of the men were completely against women inheritance. They said it was a source of conflict in most families. On the question on gender mainstreaming only 7% were aware of what is it and its importance, the rest 93% had no ideal about it. On the question who owned or financed the businesses they were operating, 50% said they were co-owned, 29% owned by the husband, 21% were owned by the wife. On the question on challenges faced in running the businesses and their solutions and their feeling about them, 79% said disagreements on finances use especially when business is run by the woman, men were uncomfortable with wives having more control to the business than themselves, 19% said family disagreement while the rest said none, the solution to these challenges business be owned by one person husband or wife, or family be counseled on finance usage.

### **Conclusion**

The study concluded that;

Current Kenyan gender related laws, policies and programs did not lead to gender equality and are biased against men. Hence are pro women, women fund and youth fund benefit the female in general and men were against these programs, men are against entrenching women inheritance in the constitution, and there were both business management and finance and family related challenges (disagreement) that affected social economic welfare of business persons in Embu county.

### **Recommendation**

This study recommends that;

Law and policies makers should relook at the gender laws and policies in order to make them more responsive to both men and women needs and aspirations. Kenya Treasury should establish a gender equalization fund to ensure equity in men and women financing in the society. The ministry of culture, youth and sport should establish business ownership and management consortium where families are guided and counseled on business matters.

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