

# Reflections on Feminism and Development in Africa: The Case of Kenya

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## 1.0 Introduction

This paper discusses the importance of moving towards African centered feminist theories. The paper argues that bringing feminism home to Africa will greatly impact our understanding of development processes in Africa. Scholars, world over, have come up with feminist theories, frameworks and ideologies in order to respond to the realities of women at particular moments in history. That there is a plethora of feminist theories out there is an understatement. We have heard of renowned feminists in the West. Feminists such as Mary Wollstonecraft,<sup>1</sup> Virginia Woolf,<sup>2</sup> Andrea Dworkin,<sup>3</sup> Catherine Mackinnon<sup>4</sup>, Carol Smart,<sup>5</sup> Betty Friedan<sup>6</sup> and so on. We are also familiar with the many different kinds of feminisms that exist to explain women's realities universally. Feminisms such as liberal feminism,<sup>7</sup> radical feminism,<sup>8</sup> black feminism,<sup>9</sup> materialist feminism,<sup>10</sup> environmental feminism,<sup>11</sup> and

- 1 See Wollstonecraft, Mary, *A Vindication of the Rights of Woman with Strictures on Moral and Political Subjects*. London: Joseph Johnson, 1792. This is one of the earliest works in Feminist philosophy.
- 2 Woolf, Virginia. *A Room of One's Own*. New York: Harcourt Brace & Co., 1989. 4.
- 3 See Dworkin, Andrea, *Woman Hating: A Radical Look at Sexuality*. EP Dutton, 1976; In *Harm's Way: The Pornography Civil Rights Hearings* (with Catharine MacKinnon, 1997
- 4 See for instance Mackinnon, Catherine, *Feminism Unmodified: Discourses on Life and Law*. Cambridge: Harvard Univ. Press, 1987; Mackinnon, Catherine, *Are Women Human?: And Other International Dialogues*. Cambridge: Harvard Univ. Press, 2006;
- 5 See Smart, Carol. *Women, Crime and Criminology: a Feminist Critique*. Routledge, London, 1976; Smart, Carol, *Feminism and the Power of Law* Routledge, 1991; Smart, Carol. *The Ties that Bind*. Routledge, London, 1984; Smart, Carol. *Women, Sexuality, and Social Control*. Routledge, London, 1978; Smart, Carol. *Regulating Womanhood: Historical Essays on Marriage, Motherhood and Sexuality*. Routledge, London, 1992; Smart, Carol. "Feminism and Law: Some Problems of Analysis and Strategy" *International Journal of the Sociology of Law*; 14(2) pp 109–23, 1986; Smart, Carol. *Regulating Families or Legitimizing Patriarchy?* - *Family Law in Britain*. *International Journal of the Sociology of Law*; 10 (2) p 129-47.1982
- 6 Friedan, Betty. *The Feminine Mystique*, Hardcover Edition, W.W. Norton and Company
- 7 Bryson, V. (1999): *Feminist Debates: Issues of Theory and Political Practice* (Basingstoke: Macmillan) pp.14-15; hooks, bell. "Feminist Theory: From Margin to Center" Cambridge, MA: South End Press 1984. For a critique of liberal feminism by black feminists and postcolonial feminists see Mills, S. (1998): "Postcolonial Feminist Theory" in S. Jackson and J. Jones eds., *Contemporary Feminist Theories* (Edinburgh: Edinburgh University Press) pp.98-112
- 8 MacKinnon, Catharine. (1989) *Toward a Feminist Theory of the State*; Willis, Ellen, "Radical Feminism and Feminist Radicalism", 1984, collected in *No More Nice Girls: Countercultural Essays*, Wesleyan University Press, 1992,
- 9 White, E. Frances. *Listening to the Voices of Black Feminism*, printed in *Radical America*, quoted in Alice Echols, *Daring to be Bad: Radical Feminism in America*, University of Minnesota Press, 1989, 239. Hull, Smith, Scott. *All the Women Are White, All the Blacks Are Men, but Some of Us Are Brave: Black Women's Studies*, p. xvi. Weathers, Mary Ann. *An Argument For Black Women's Liberation As a Revolutionary Force*, *No More Fun and Games: A Journal of Female Liberation*, Cambridge, Mass, by Cell 16 vol. 1, no. 2 (Feb 1969)
- 10 Rosemary Hennessy and Chrys Ingraham, eds. *Materialist Feminism: A Reader in Class, Difference, and Women's Lives*, p. 7 (New York and London: Routledge, 1997)
- 11 MacGregor, Sherilyn (2006). *Beyond mothering earth: ecological citizenship and the politics of care*. Vancouver: UBC Press. p. 286.

postcolonial (third world) feminism<sup>12</sup> The theories are drawn from a wide range of disciplines such as philosophy, law, sociology, psychology, Marxism, post colonialism and the list goes on. These feminist theories and perspectives have a lot to say about non-discrimination, equality, representation of women, domestic violence, class and racial differences and so on.

What is interesting however is that these approaches to the woman question have predominantly been developed based on the experiences of women in the West and yet we continue to rely on these forms of feminism, feminist thought and frameworks to describe African women's experiences.<sup>13</sup> We need to **COME HOME**. It's time to for homecoming! We need to consolidate the efforts of various African women across the continent and come up with ways of critically engaging with the realities of women of Africa. The Kenyan women and many African women have, through the constitution making process, agreed resoundingly with Chinua Achebe's famous statement "***If you don't like someone else's story, you need to write your own***".<sup>14</sup> That is why this seminar is so important. We are beginning to tell a narrative. A narrative about how women have told and continue to tell their own story of hope, their own story of joy, their own story of resistance, their own story of how they conceptualize themselves and their world.

## **2.0 Home-grown Feminism**

Brewing locally grown feminist theory at this particular moment of time is crucial. Less than a year ago, Kenya's new constitution was promulgated. This Constitution was born out of the need to ensure that all Kenyan men and women would be part of the process of telling a different story- a different narrative about how they wanted to be organized.<sup>15</sup> It was a people driven-process that entailed several stages of civic education, collection and collation of views and in fact we would add that at various stages of the process, it was indeed a women-driven process.

12 Spivak, Gayatri, "Can the Subaltern Speak?" (1988)

13 See generally, Kabira, Wanjiku, "Our Second Home Coming" seminar paper, 2012 Department of literature University of Nairobi,

14 Achebe, Chinua, "Paris Review: The Art of Fiction No. 139" available online at <http://www.theparisreview.org/interviews/1720/the-art-of-fiction-no-139-chinua-achebe>

15 See Kabira, Nkatha, "Wanjiku and the Wig, Kenya's Legal Transformation Dance" presented at Sciences Po Law School, Paris, France, March 2011.

During the process of review, we visited every constituency to receive the people's views on the Constitution. The meetings took place just about everywhere to present their views. For the first time in Kenya's history, women in this country spoke and shared their views on what the constitutional dispensation should look like.<sup>16</sup>

The women were categorical in expressing their desire to have a constitution that reflects their realities as women, as mothers, as wives, as Christian, as Muslim, as disabled persons, as pastoralists, as farmers and so on. They presented their views to the Constitution of Kenya Review Commission hoping that the constitution would capture their own experiences, their hopes, and their dreams. The women sought to shake up the existing myths, narratives and ideologies that have shaped the society in which we live in. It is undisputable that this constitution making process went through a process like no other. This spirit must be kept alive.

### **3.0 Need for New Tools and Theories**

It follows that the new constitution and other fields require, as African Women Studies concept has suggested, that we develop new tools and theories to help us interpret our realities. The people produced this constitution but the challenge of implementation lies in the legal profession in the legal discipline.

The Constitution shakes up all laws, institutions and legal frameworks that existed under the old legal regime. So many laws will need to be overhauled. The stories of women encapsulated in the laws of the land will need to be retold in order for them to be in tandem with the spirit of the Kenyan people as embodied in the constitution.

Legal education is at the heart of this all. The country needs to imbue the spirit of the African Women Studies Center into the study of legal education in Kenya. In our view, Legal education in Kenya is in dire need of new visions, new ideologies and philosophies. The new constitution demands for a different way of understanding our society that is outside of the parameters that are drawn through British-inspired positivist legal education and curriculum structures.

Quite closely linked to this, is the idea that there is need to find new ways, new methods and new tools for understanding our society that will ensure that our

knowledge about women, our knowledge about law, our knowledge and perspectives of how the constitutional implementation process could continue to capture the views and the spirit of the Kenyan women and the Kenyan society at large.

#### **4.0 Charting a Pathway: The Role of the African Women's Studies Centre**

The African Women's Studies Centre, in its endeavour, with its focus on generating knowledge brewed in an African pot sitting on three stones will be a major global contribution by the University of Nairobi. Knowledge is the most important product that we can generate. We are very rich in knowledge. This knowledge development is a very important contribution that will be done through the Center.

This initiative of African Women's Studies, University of Nairobi is a clear indication that women are taking the lead in telling different narratives about themselves and how this narrative will influence policy and development in Africa. The journey the Center has started must continue and must spread its wings far and wide. This journey must go beyond the academic institutions to influence our national policies, laws and institutions, our regional bodies, intergovernmental authorities, African Union among other institutions. The center should also create linkages with civil society and other women's organizations at the national level, regional level and globally. We must also reach out to African women in the diaspora because with the leadership of this center, there is a mission to accomplish.

The articles in this issue will be very important in helping us as African Women to **move towards a more African centered feminist theory** that impacts on development processes in Africa. The multidisciplinary nature of this journal is critical in helping us have a more comprehensive outlook to African women's perspectives and philosophies of development in Africa. Women's perspectives on governance, law, culture, theology, politics, history, theories and methods will take us a step further in looking at our own continent more comprehensively. In addition to this, this synergy is what is going to take the continent forward!

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