

Navigating the Crossroads: Patriarchy and Women's Rights in Kenya's Legal Landscape

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How to cite this paper: Julius, L. W. (2025). Navigating the Crossroads: Patriarchy and Women's Rights in Kenya's Legal Landscape. *Beijing Law Review*, 16, 201-226. <https://doi.org/10.4236/blr.2025.161010>

Received: December 11, 2024

Accepted: March 10, 2025

Published: March 13, 2025

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Abstract

This study analyzes the complex interplay between patriarchal systems, cultural norms, and legal frameworks globally, with particular emphasis on Kenya. Drawing from comprehensive secondary data including books, legal texts including legislation, peer-reviewed academic journals, and credible reports, the research examines how African customary laws and patriarchal practices create fundamental tensions between cultural preservation and human rights. Kenya serves as a critical case study, where the 2010 Constitution presents an inherent paradox by simultaneously enshrining human rights while elevating cultural practices that potentially undermine gender equality. The findings reveal systemic failures in legal structures that perpetuate gender discrimination, demonstrating a significant disconnect between legislative intentions and practical outcomes. In Kenya, as in other patriarchal contexts, women face persistent subordination in both private and public spheres despite constitutional guarantees of equality. The research proposes concrete reforms, including systematic review of customary laws to align with human rights principles, alongside targeted educational initiatives for cultural transformation. Crucially, it argues for the strategic inclusion of men in gender equality programs as essential for bridging the gap between legal frameworks and women's lived experiences. The study concludes that effective change requires dynamic legal interpretation that prioritizes gender equality while acknowledging cultural contexts.

Keywords

Patriarchy, Cultural Norms, Gender Roles, Legal Frameworks, Customary Law, Women's Rights, Systemic

1. Introduction

Throughout history and globally, women have encountered significant constraints

in decision-making across political, economic, moral, and communal spheres, attributable to the dominance of patriarchy (Jablonka, 2022). Patriarchy is a system that elevates men to positions of authority within familial, community, religious, corporate, and national contexts. Characterized by privileging masculine perspectives, patriarchy sustains gender disparities through societal norms, constructs, institutions, and legal frameworks that reinforce male dominance and paternal control (Ademiluka, 2018; Soman, 2009; Hooks, 1984).

Fundamentally, patriarchy is a system akin to a government, with structures, laws, values, expectations, norms, and ideologies to guide it. Perpetuated over generations and permeating societal structures and attitudes, they are found in all ages and underscore a systemic bias and discrimination against women, stratifying them as “other”, marginalizing and denying them access to resources and opportunities as compared to men (Baraza, 2008)¹. Jablonka elucidates that patriarchy operates as a comprehensive system of thought supported by laws, norms, beliefs, traditions, and practices. This system, reinforced by complex institutions like the State, religion, and the family, perpetuates the subordination of women, which is normalized, justified as natural and rational, and in line with historical precedent, hence giving it a general acceptance (Jablonka, 2022; Brownmiller, 1976).

Both customary and written laws in patriarchal societies often codify discrimination against women, as exemplified by coverture. Furthermore, portions of law are often selectively enforced or undermined by cultural biases and discriminatory practices, further entrenching gender inequality and marginalization of women. Despite claims of justice and equality, legal systems frequently uphold and reinforce patriarchal norms and power structures. Implementation or interpretation of the law may also be skewed to favour men and disfavour women (Fellmeth, 2000). Women facing patriarchal oppression and in the quest for justice often find themselves in a bewildering world where not only are they left unprotected, but are also subjected to further oppression. They discover that their unique challenges as women are not adequately addressed, particularly in areas such as family law, reproductive rights, property ownership, political participation, and gender-based violence.

This phenomenon is exemplified in cases even where “state feminism” initiatives, as observed in certain countries, inadvertently serve to entrench rather than challenge patriarchal structures, exacerbating gender inequality and limiting women’s autonomy (Hawkesworth, 2018). Moreover, the use of customary law in matters of family law, or property rights, which is common in Africa as in many other patriarchal societies, is often an outright certificate of discrimination against women. Customary law which is basically patriarchal law, in most cases favours the interests of men over those of women. Thus, in patriarchal societies, the law oftentimes steers women towards places of injustice and disenfranchisement that defy expectations of legal protection and fairness.

¹S de Beauvoir, “The Second Sex (Vintage Classics)”.

In Africa, gender discrimination and inequality persist as significant challenges profoundly affecting women's lives across social, economic, and political spheres. Despite advancements towards gender equality, particularly in areas like education and political representation, disparities remain pronounced, especially in regions like West Africa (Ismayilova et al., 2018) and Kenya. For instance, early and forced marriages contribute to educational disparities, limiting girls' access to schooling and perpetuating cycles of poverty. Additionally, economic inequalities persist, with women predominantly occupying informal and low-paying jobs, leading to substantial economic losses for countries. Political representation remains skewed, with women significantly under-represented in decision-making bodies, albeit with notable exceptions like Rwanda.

Efforts to address these inequalities have seen national and regional initiatives, such as Agenda 2063 by the African Union, prioritizing women's empowerment and gender equality. Grassroots movements and feminist organizations have emerged, advocating for women's rights and challenging patriarchal norms. International organizations have also intervened, with initiatives like gender-responsive budgeting (UN Women, 2023) and investment in women's education and healthcare. Despite these efforts, patriarchal oppression persists. Hence, concerted local, regional, and global action is imperative to address these persistent challenges and fully realize women's rights in Africa (Jousse, 2021).

2. Objective

Main Objective

To analyze how legal frameworks and human rights standards impact gender equality in Kenya, examining the tension between international human rights principles and traditional customary practices. In this regard, the study seeks to:

- 1) To examine how colonial and post-colonial legacies have influenced gender norms in Kenyan society through the lens of various legal instruments, from international conventions to local constitutional provisions.
- 2) To evaluate the effectiveness of existing legal frameworks in challenging patriarchal customs and transforming discriminatory gender practices in Kenya.
- 3) To investigate the complex relationship between preserving indigenous cultural practices and implementing universal human rights principles, particularly regarding women's rights.
- 4) To identify and analyze structural barriers within legal frameworks that may impede the achievement of gender equality and perpetuate discrimination against women in Kenya.
- 5) To identify successful intervention strategies and formulate actionable recommendations for policymakers, legal practitioners, and community leaders on strengthening the implementation of gender equality measures.

3. Methodology

This study adopts a qualitative research methodology, relying on secondary data

sources to examine the impact of patriarchy on women's advancement. The primary data sources include books, legal texts including legislation, peer-reviewed academic journals, and credible reports. To ensure the reliability and validity of the data, the study employs strict inclusion criteria:

3.1. Relevance

Only sources directly addressing patriarchy, gender norms, women's advancement, and human rights are included, with a particular focus on Kenyan society.

3.2. Credibility

Priority is given to publications from reputable authors, institutions, and publishers, including peer-reviewed journals and official reports from recognized organizations.

3.3. Diversity of Perspectives

A wide range of disciplines, including sociology, law, economics, and anthropology, is incorporated to provide a multidimensional analysis of patriarchal norms and their effects.

Data validity is reinforced by cross-referencing findings from multiple sources to identify consistent patterns and themes. This approach ensures a comprehensive and nuanced understanding of how patriarchal beliefs are entrenched across various societal domains, with specific attention to Kenya.

4. Tensions between Human Rights Instruments and Indigenous Laws

4.1. Historical and Legal Perspectives of Patriarchal Structures in African Societies

4.1.1. Patriarchy, Customary Law and Pre-Colonial Gender Inequalities

Contrary to contentions by some, patriarchy was not introduced to Africa through colonization and apartheid. Rather, patriarchal structures predated these historical periods. Before colonization, African societies exhibited patriarchal norms and practices perpetuated through various cultural mechanisms, including oral traditions. However, due to the limited documentation of pre-colonial African societies, comprehensive insights into their religious, economic, and social dynamics remain scarce traditional.

Rwandan culture for example, demonstrated numerous patriarchal practices that oppressed women. Before marriage, women were counseled to be subservient to their husbands and prohibited from certain activities like climbing trees once married. In northern regions, wives were expected to compensate their husbands for the bride price through labor. After marriage, women belonged not only to their husbands but to their entire extended families, with practices emphasizing their subordinate status. Women could not speak the names of in-laws (*gutsinda*) and were encouraged to accept sexual relationships with brothers-in-law, with

rejection potentially leading to family discord. Women were generally expected to respect their husbands and his family within this patriarchal system.

Polygamy, while now legally prohibited, remains common in some regions, particularly the north. Traditionally, only wealthy men could afford multiple wives, as each new wife required new land, cattle, and a home. In these affluent polygamous marriages, wives often enjoyed greater independence, controlling household resources. However, modern polygamous practices occur in contexts of poverty, with wives commonly living together in one household. Men often pursue polygamy to increase labor and acquire property, with women producing wealth but having little control over proceeds. Women's heavy workloads and childbearing responsibilities sometimes lead men to take second wives to support the first—occasionally at the first wife's request (Musisi, 2020).

In Kenya, the situation was not any better. For example, the Luo social structure was centered around the homestead as a fundamental religious, economic, and social unit, typically consisting of a polygamous household where wealthy men maintained multiple wives and families. Their political organization was hierarchical, led by clan heads called *Ruoth* who were advised by territorial councils (BuchPiny) comprising elders, peacemakers, and war leaders, with smaller sub-councils (Doho) managing local affairs. Land ownership was traditionally communal, held by patrilineage rather than individuals, with women accessing resources through their husbands' clan membership. However, this system was significantly altered during British colonial rule through the Swynnerton plan, which introduced individual land ownership favoring African males and commercial agriculture, effectively transforming land into an alienable commodity and diminishing women's access rights, while also introducing formal documentation like title deeds that hadn't existed in the pre-colonial era (Awuor et al., 2021).

The Swynnerton Plan in Kenya had several negative effects on women, including the loss of inheritance rights, increased gender disparities in land, labor, and production due to changes in land tenure and the introduction of cash crops, and the marginalization of women and minority ethnic groups with limited access to land holdings. These inequalities left women more vulnerable to poverty, disease, violence, and homelessness.

4.1.2. Colonialism and Its Impacts on Customary Law and Women's Rights

Before the adoption of the 1948 Universal Declaration of Human Rights (UDHR), many nations' laws and policies expressly discriminated against women. For instance, upon marriage under the English common law, a woman's legal rights and obligations were subsumed under those of her husband in a legal doctrine known as "*coverture*". This meant that women could not, among others, own property, enter into contracts, or initiate lawsuits in their names (Glendon, 1997).

In most states in the United States, married women had limited legal rights to own property or enter into contracts. Even when some states passed "Married Women's Property Acts" in the mid-19th century granting married women more property rights, these laws often had limitations. They did not fully overturn the

doctrine of coverture (Edwards, 2015). While the 19th Amendment (1920) was a milestone for women's suffrage, prior to its ratification, women were explicitly denied the right to vote in many states (Ware, 2019). Then there was the Napoleonic Code, enacted in 1804, which heavily influenced legal systems in many countries, including France, and explicitly subordinated women to their husbands in matters of property and legal status. Under this code, married women had limited rights to own property and conduct business independently (Merryman & Pérez-Perdomo, 2019).

These laws and others were introduced to Africa during the colonization and apartheid periods, making an already bad situation worse for African women. Backed by law, the colonialists imposed their patriarchal norms and structures. Walby highlights how colonialism reinforced and exacerbated gendered inequalities for colonized women. Colonial regimes often relied on patriarchal ideologies to justify their domination over colonized peoples, portraying Western civilization as superior and indigenous cultures as primitive and backward. This colonial patriarchal discourse not only justified the subjugation of colonized peoples but also enforced gendered hierarchies within colonized societies, often disrupting existing gender norms and roles. Additionally, colonialism frequently led to the exploitation and sexualization of colonized women's bodies, further entrenching patriarchal power dynamics (Walby, 2009).

In light of the historical context where gender equality was not prevalent for women in Africa, the eras of colonialism and apartheid exacerbated their societal position. While attaining independence granted nations sovereignty and liberation from foreign hegemony, women continued to grapple with subjugation under the local authorities of their men at national, communal, and familial levels.

Colonial education in Kenya was characterized by significant gender discrimination, with educational opportunities and funding heavily favoring male students over females. This bias is exemplified by pioneers like Mbiu Koinange, who became the first Kenyan to receive a university degree, and Oginga Odinga from the Luo community, who graduated from Makerere University, while there were virtually no female counterparts at this level of education during the same period. The systemic preference for male education was further reinforced through discriminatory funding practices, with more schools being constructed for boys than for girls during the colonial era. This served to further marginalize women and relegate them to very lowly social statuses hence exacerbating their oppression.

Worse still, Kenya's legal framework got to be characterized by a pluralistic structure, incorporating diverse sources of law, such as the Constitution and other local legislations, Acts of Parliament from the United Kingdom, the common law of England, the doctrines of equity, and the statutes of general application in force in England on August 12, 1897, and the procedure and practice observed in courts of justice in England as at that date. Section 3(1) of the Judicature Act outlines the legal system hierarchy and mandates that courts adhere to these laws. This remains an unaddressed issue despite Kenya's independence, the enactment of a new Constitution in 2010, and the revisions to the Judicature Act, including the

latest in 2023. The legal tradition of the English Common law, including judicial precedent, for instance, historically endorsed the notion that marriage implied consent to sexual access for husbands. This viewpoint, encapsulated in a doctrine attributed to Lord Sir Matthew Hale, asserted that husbands could not be charged with raping their wives due to the inherent consent within marriage. He is said to have stated that;

“the husband cannot be guilty of rape committed by himself upon his lawful wife, for by their mutual marital consent and contract the wife hath given herself in this kind unto her husband, which she cannot retract.” (Han, 1989)²

For centuries, the common law, which is basically the traditional customary law of England, overlooked marital rape as a criminal offence, perpetuating the notion of irrevocable consent within marriage and reinforcing patriarchal control over women’s bodies. This stance has found resonance in many countries, not because they agree with Lord Hale but because it is foundational to patriarchy to control women’s bodies. Therefore, even where it has been recognized as an offence, like in the United States, marital rape often receives less serious treatment compared to other forms of assault. In numerous patriarchal societies, including India, where it was ruled not a criminal offence in 2015, marital rape remains socially acceptable and legal. Instances like Boko Haram’s exploitation of rape as a “marriage” ritual in Nigeria, and the acceptance of sexual violence within marriage by women in Vietnam and Guatemala, underscore the widespread normalization of this violation, limiting women’s autonomy and perpetuating their suffering and subjugation. Kersti Yllö emphasizes the urgent need for cross-cultural examination and a deeper understanding of the impact of forced sex in marriage, which fundamentally undermines women’s agency and denies them full personhood (Yllö & Torres, 2016).

Notably, the position has since been changed in England, as is evidenced by the ruling in the case of *Regina v R*³ in which the defendant was accused of raping his wife and causing actual bodily harm. Although the wife had temporarily left to reside with her parents, no formal separation had been initiated, albeit legal consultation by the wife had taken place. The prosecution contended that the husband unlawfully entered her parents’ residence and committed the alleged offences. In defence, it was argued that no crime had occurred due to the marriage exemption. The case underwent multiple appeals until it reached the House of Lords. Lord Keith of Kinkel delivered the judgment, criticizing the contortions made in lower courts to justify the marital rights exemption, deeming the rule absurd. He asserted that the exemption (referring to the famous Lord Hale doctrine) was merely a “*common law fiction*” and had never been a true principle of English law. Lord Kinkel concluded that the notion of implied consent served no purpose in contemporary rape law. Consequently, *R*’s appeal was dismissed, and he was convicted of raping his wife.

²Kamau (n 31).

³*Regina v R* [1991] UKHL 12.

The English courts have taken cognizance of societal changes and discarded the rule in Lord Hale's doctrine. However, despite this and the societal changes emphasizing equality within marriage, Kenya's legal framework has been slow to adapt and continues to adhere to outdated principles. This underscores the need for legal reform to align with contemporary understandings of marital relationships and consent dynamics. These changes have not been reflected in the laws applicable in Kenya, and the Judicature Act has remained unchanged even after promulgating the 2010 Constitution.

Consequently, even the Sexual Offences Act⁴ in Kenya fails to acknowledge marital rape as an offence, despite its prevalence in patriarchal societies alongside other forms of rape. Marital rape entails using violence or threat thereof to compel a spouse into sexual activity without their explicit consent. Despite rape being a grave criminal offence with severe penalties, the law does not afford legal protection against rape within the institution of marriage. Article 45(3) of the Constitution of Kenya, 2010 ostensibly promotes equality between marital partners, which should encompass equality in sexual relations. However, this is not the case in patriarchal society marriages where women are regarded as having already consented to the sexual demands of their husbands irrespective of any inconvenience. Kenya's exclusion of marital rape from the roster of sexual offences reflects the persisting patriarchal stereotypes embedded within legislative frameworks (Kameri-Mbote, 2000).

Women facing marital rape have limited legal recourse, with cruelty being one avenue while seeking divorce. However, the distinction between cruelty as a civil offence and rape as a criminal offence complicates legal remedies for survivors of marital rape. Despite rare instances where courts have recognized marital rape as cruelty warranting divorce, as in the case of *Nandi v Bobo*⁵, the absence of specific legal provisions addressing marital rape leaves women vulnerable to exploitation within marital relationships.⁶ The other recourse is found in section 3 of the Protection Against Domestic Violence Act, Chapter 151 of the Laws of Kenya, which includes sexual violence within marriage as part of the acts of domestic violence. Notably, domestic violence and rape are two distinct offences. Urgent legal reform is necessary to afford women protection from marital rape and uphold their rights to autonomy and dignity within marriage.

4.1.3. Post-Colonial Reforms on Customary Laws and Women Empowerment

Many African countries were still grappling with colonial rule at the time of the Universal Declaration of Human Rights (UDHR) inception. Despite attaining independence and officially ratifying several international instruments such as the 1966 International Covenant on Civil and Political Rights (ICCPR); the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); and the 1995 Beijing Platform for Action (BPFA), which promote

⁴Sexual Offences Act, No.3 of 2006 (Revised in 2012).

⁵Esther Nangwanaa Nandi v Jones Chewe Bobo [2006] eKLR.

⁶Kamau (n 31).

gender equality and human rights for women, Africa, including Kenya, has struggled to fully incorporate these principles due to deeply rooted traditional customs and patriarchal norms (United Nations General Assembly, 1979; UN Women, 1995).

The African Charter on Human and Peoples' Rights (ACHPR) was adopted by the 18th Assembly of the Heads of State and Governments in June 1981 in Nairobi, Kenya. It acknowledged the principles outlined in the UDHR regarding equality and other fundamental human rights, emphasizing the imperative of eradicating discrimination and inequality. Through the assertion of being "*firmly convinced of the(ir) duty to promote and protect human and people's rights and freedoms*", the Organization of African Unity (OAU) signified a resolute commitment to ensuring that individuals and communities across Africa can exercise fundamental rights and freedoms devoid of discrimination or oppression. However, in acknowledging the "*importance traditionally attached to these rights and freedoms in Africa*", the OAU indicated its desire to preserve and uphold indigenous African conceptions of rights and freedoms. There are no suggested criteria in the Charter to determine what conceptions would be acceptable or not acceptable. Therefore, the unspecified nature of the African conceptions thus recognized suggests that the Charter grants member states broad authority to uphold any or all of their traditional cultures and values, including those perpetuating male dominance and female subservience.

Kenya's commitment to international, regional, and community instruments is enshrined in Article 2(6) of the 2010 Constitution, making these instruments part of Kenyan law. As a result, laws have been enacted, some amended, and others repealed to address discrimination, gender inequality, and related issues. However, under Article 11 (1), the Constitution recognizes culture as the nation's foundation and the Kenyan people's cumulative civilization. Sub-article (2) mandates the State to "*promote all forms of national and cultural expression through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage*", emphasizing that preservation and nurture of cultural richness and diversity is key to development. This underscores the significance of cultural expression in fostering national unity, pride, and social cohesion while acknowledging its role in driving artistic, intellectual, and scientific endeavours. Nevertheless, the provision lacks specificity regarding the nature of the preserved culture or the expressions allowed, granting broad latitude to the State and the people of Kenya to promote and express any or all cultural norms and values.

While it may be argued that these provisions do not contradict the human rights and freedoms guaranteed in the Constitution, this blanket permission and the lack of specificity regarding the culture, cultural heritage, and cultural expressions recognized may afford citizens considerable latitude to practice and express a wide range of traditions and cultures since there is no provided mechanism to regulate these expressions. Cultural practices that contravene human rights would be subject

to legal scrutiny and challenge, but left unchecked, they can inadvertently reinforce and perpetuate gender inequality. The absence of proper censorship regarding traditions and cultures and their expressions leaves room for interpretation and potential conflict with human rights principles. While culture plays a vital role in shaping societal identity, it is crucial to proactively address harmful cultural practices to promote and safeguard women's rights.

Additionally, per section 3(2) of the Judicature Act (Chapter 8 of the Laws of Kenya), the courts may apply the African Customary Law in civil cases where one or more parties are affected by it or subject to it, provided it does not contradict justice, morality, or written laws. Customary law and practices, which heavily influence personal matters like marriage, inheritance, and traditional authority among Africans, present a complex intersection with human rights principles, particularly concerning gender equality, as most clash with contemporary human rights standards. Despite its historical significance as the primary legal system pre-colonization, the challenge lies in reconciling customary law's deeply ingrained patriarchal norms with modern legal frameworks that seek to uphold equality and justice for all individuals, regardless of gender. This has sparked a contentious debate between human rights activists and traditionalists regarding the compatibility of customary norms with international human rights standards (Muthuri, 2020).

4.2. The Persistence of Gender Inequalities

While traditionalists argue for the preservation of traditional values through customary law, activists highlight how certain customs perpetuate the marginalization of women, conflicting with constitutional provisions guaranteeing gender equality and human dignity. Due to the constitutional recognition of customary law, the tension between customary norms and human rights remains unresolved in Kenya. Presently, a significant portion of the population conducts personal affairs per customary law, which operates within distinct ethnic boundaries and governs disputes involving at least one ethnic group member. However, variations within these systems exist, influenced by local and tribal customs, although overarching principles remain largely consistent. Furthermore, there is no mechanism or criteria to determine what customary laws are consistent with the Constitution and are not repugnant to justice and morality, and this is usually left to the Magistrates and Judges in the courts of law to determine.

Whereas legislative interventions are acknowledged as essential for reform, it is contended that courts play a crucial role in ensuring that customary law evolves in alignment with human rights principles and contributes to the promotion of gender equality. It is emphasized that customary law should be viewed as dynamic and responsive to societal changes rather than static. Its interpretation should incorporate the lived experiences of the communities it governs (Ndulo, 2011).

Although some argue that colonial governments shaped customary law, it remains primarily unwritten and passed down through oral tradition within communities.

Despite attempts at codification post-independence, notably with *Restatements* in 1968 and 1969 focusing on marriage, divorce, and succession, these efforts did not fully materialize into a comprehensive code. The *Restatements* consisted of two volumes produced by Eugene Cotran and published under the general editorship of Anthony Allott (COTRAN, 1968; Cotran, 1969). These *Restatements* have gained quasi-code status in judges' eyes, often treated as authoritative and binding. This has led to a perceived customary law as static, stifling its potential for further development (Kamau, 2024). However, in the case of *Atemo v. Imujarō*, the Court of Appeal cautioned against treating the *Restatements* as binding on every issue of customary law in Kenya.

Furthermore, there is a disconnect between judges' interpretation of customary law as static and Kenya's evolving nature of customary practices. This discrepancy hampers the recognition of the living law, shaped by ongoing societal changes. Moreover, the reliance on elderly male witnesses as customary law experts in legal proceedings skews perspectives on customary practices, particularly regarding gender relations, side-lining women's voices and impacting women's rights within the customary legal framework (Kamau, 2023). These male witnesses can decide for themselves in a moment what they want to be the outcome in a particular matter. Since customary law is not coded, the court's judgement may become a matter of the personal desires of the witnesses. In this regard, customary law, as utilized in the courts of law, becomes the product of the male witnesses and the personal views of the judge sitting at that particular time. The legal precedent then ends up being skewed against women. This highlights the complexity of distinguishing between customary law and customary practices, complicating efforts to ascertain the current content of customary law and its application in judicial settings.

The legal dispute of *Wamboi Otieno Vs Joash Ougo and Another*⁸ exemplifies the systemic injustices women face within customary law frameworks. In this case, following the death of prominent Nairobi lawyer Silvano Melea Otieno, his widow sought to bury him at Upper Matasia, Kajiado District. At the same time, the defendants insisted on adhering to Umira Kager clan customs, aiming to bury him at Nyamira Village, Siaya District. The High Court, lacking specific legislation regarding burial practices, was compelled to apply customary law, which unfortunately deprived the widow and her children of the right to bury their loved one where they could conveniently access the grave in the future. Despite the widow's opposition to the Luo clan customs, the court's decision was solely based on whether the deceased was subject to those customs, disregarding the widow's sentiments and rights.

The case underscores the unequal treatment of women within customary legal systems, where men's interests often take precedence, irrespective of marital ties or differing cultural backgrounds. The utilization of the deceased's clan customs,

⁷Joyce Atemo v. Mary Ipali Imujaro [2003] KLR 435.

⁸Virginia Edith Wamboi Otieno v Joash Ochieng Ougo & another (1987) eKLR.

which did not consider the customary laws of his Kikuyu widow, illustrates the systemic biases that disadvantage women and their children. Reforms are necessary to ensure equitable treatment of surviving partners in marital relationships, regardless of gender or cultural affiliation. By revising existing laws to afford equal rights and considerations to both spouses in burial and inheritance, the legal system can better uphold principles of fairness and justice within diverse societal contexts.

African customary law frequently reinforces gender inequalities by subordinating women to men and treating women as possessions of their husbands. Practices like dowry payment can be invoked to justify spousal rape. At the same time, customary norms often deprive wives of agency in sexual matters, with the refusal of conjugal rights serving as grounds for divorce, thereby perpetuating gender disparities. Moreover, cultural ideologies often promote the subordination of women and condone violence against them. Women are often depicted as passive and submissive within these ideologies, expected to accept violence as a normative aspect of their existence. Their identity is often defined solely by their male relatives, such as their father, husband, or son, with independence viewed as deviance from societal norms (Kameri-Mbote, 2000).

Other customary practices that exacerbate violence against women include female genital mutilation (FGM); preference for male children; early marriages; virginity testing; dowry-related deaths; and female infanticide. The Committee on the Elimination of Discrimination Against Women (CEDAW) has urged member States to redress violations linking gender-based violence against women to broader discrimination. States must address these violations through legislation and various public policy fields, combatting gender stereotyping. The Committee noted that States are accountable for preventing gender-based violence against women, must ensure gender-sensitive justice systems, and eradicate endorsing norms and practices.⁹

Although General Recommendations merely guide implementation but are not legally binding, and the CEDAW Convention initially lacked explicit prohibition of gender-based violence against women (GBVAW), the Committee has addressed it since 1989. Per General Recommendation No. 19 (1992), it interpreted GBVAW as discrimination under Article 1, applying to all Convention articles. General Recommendation No. 35 2017 affirmed this, establishing prohibition of GBVAW as customary international law. Even non-ratifying states are bound to protect women from GBVAW (United Nations, 2017).

4.3. Gender Equality in Marriage

Notwithstanding advancements in women's rights and economic independence, remnants of millennia-old patriarchal norms persist in contemporary society. The institution of marriage and associated gender roles continue to impose expectations on both women and men, shaping their identities and choices. The tension between conforming to traditional gender norms and embracing contemporary

⁹Practice of the CEDAW Committee, 2024.

understandings of male-female relations underscores the ongoing struggle against patriarchal expectations towards a more inclusive and egalitarian society (Crane-Seeber & Crane, 2010).

Article 45(3) of the Kenyan Constitution recognizes marriage partners as entitled to equal rights before and during the marital union and at its dissolution, aligning with Article 16(1) of the UDHR. This principle is further supported by the Marriage Act No. 4 of 2014. However, the legal framework in Kenya contradicts this principle by permitting polygamous marriages under sections 2, 3, and 6 of the Marriage Act and supported under Article 45(4) of the 2010 Constitution. The Constitution does not provide criteria for determining the equality of parties in a polygamous marriage.

Marriage in Kenya occurs under five marriage systems recognized under the Marriage Act: Civil, Christian, Hindu, customary, and Islamic. Consequently, the choice of system becomes a matter of agreement between the parties or subject to dictatorship by one party over the other. In patrilineal societies, the desires of men typically supersede those of women. While the Constitution does not offer explicit guidance on resolving conflicts between marriage systems, it establishes itself as the ultimate standard. Ideally, conflicts must be resolved based on constitutional principles, particularly equality and non-discrimination, but how this would be maintained remains unaddressed.

Despite international condemnation, polygamy remains a culturally accepted practice in Kenya, with the registration of polygamous marriages considered a pragmatic solution, even by some women. Polygamy inherently undermines the principle of equality between men and women, as articulated by the United Nations Human Rights Committee in General Comment 28. The Committee explicitly states that polygamy violates women's dignity and constitutes inadmissible discrimination against them, urging for its abolition wherever it persists. The Committee noted that inequality in women's rights globally stemmed from entrenched traditions, history, culture, and religious beliefs and urged States to prevent using tradition, history, religion, or culture to justify violations of women's equality before the law and enjoyment of Covenant rights (Office of the Special Adviser on Gender Issues and Advancement of Women, 2000). This stance has been reiterated in various UN reports, including the concluding observations of the Committee on the Elimination of Discrimination Against Women, which recognized patriarchal power dynamics and control over women as contributing factors to gender-based violence against women.¹⁰

Rather than outlawing polygamy, however, Kenya opted to regulate it under the Marriage Act of 2014, effectively legitimizing the practice in defiance of international norms and domestic legal provisions promoting gender equality. The case of *Muigai v Attorney General and another* (2015)¹¹ illustrates this contradiction, where the court acknowledged the inequality inherent in polygamous marriages but still ruled that consent from existing wives sufficed for a man to marry

¹⁰Practice CEDAW Committee, 2024.

additional wives.

Moreover, despite the legal provisions of equality of spouses, household chores and childcare responsibilities are disproportionately assigned to women in Kenya, regardless of their employment status. Even if a woman is engaged in full-time employment outside the home, she is often expected to bear the primary burden of domestic labour, including cooking, cleaning, and childcare. This double burden places significant physical and emotional strain on women and restricts their opportunities for personal and professional growth, further perpetuating their dependence on their spouses.

A 2022 report of the UN Women Africa highlighted the disproportionate burden of unpaid care and domestic work carried by women in Kenya, reflecting global trends where women perform more than three-quarters of such tasks compared to men. In Kenya, this responsibility starts early for both genders but intensifies for women throughout their lives despite their significant contributions to the informal sector. The report underscores the lack of economic quantification and valuation for this work. UN Women emphasized the need to recognize and value unpaid care and domestic work as part of Sustainable Development Goals (Goal 5 on gender equality), identifying it as a barrier to achieving gender equality and women's empowerment in Kenya, aligning with global efforts (UN Women, 2022).

Kenya's legal framework regarding marriage equality conflicts with international human rights standards and constitutional provisions. Tackling these challenges necessitates a comprehensive approach that addresses both systemic inequalities and cultural attitudes regarding gender roles and relationships.

4.4. Women and Leadership in Kenya

Traditional leadership theories have historically dominated studies, emphasizing specific qualities or traits determining effective leadership. One such theory, the "strong man" theory, also known as the "great man" or "trait" theory, posits that leaders possess innate qualities that set them apart and predispose them to leadership roles. This perspective suggests that leaders are extraordinary individuals with strength, courage, dominance, intelligence, decisiveness, assertiveness, and charisma. However, this theory tends to reinforce the notion of leadership as inherently masculine, perpetuating gender stereotypes by associating leadership with traditionally masculine characteristics (Eagly, 2007). Cultural norms and societal expectations often prescribe gender-specific roles and behaviours, perpetuating the belief that leadership is primarily a masculine trait.

These traditional theories often prioritize certain traits over others, implicitly favouring men as potential leaders while overlooking or dismissing qualities commonly associated with women, such as empathy, collaboration, integrity, honesty, sociability, and emotional intelligence, which are also integral to effective leadership (Northouse, 2015). Consequently, women have historically faced

¹¹Mary Wanjuhi Muigai v Attorney General & another [2015] eKLR.

barriers to leadership due to the framing of leadership in terms of traits aligning more closely with traditional masculine norms. This bias in leadership selection perpetuates gender discrimination and reinforces the glass ceiling that impedes women's advancement into leadership roles (Eagly & Karau, 2002). A 2019 study by Equileap found that Kenya had the highest percentage female representation in the board membership at 23% in all of Africa (James, 2021). This shows that gender diversity in the boardroom is rather insufficient leaving a lot of underrepresentation of women in top management positions. Therefore, traditional leadership theories have played a role in disqualifying women from leadership positions, perpetuating myths and fallacies prevalent in patriarchal societies.

The pervasive myth that women are inherently less capable or suitable for leadership roles compared to men has been used to justify their exclusion and marginalization from positions of authority and influence. This myth manifests in various forms, including (1) *Biological Essentialism*, which attributes societal roles to biological differences between men and women; (2) *Divine Mandate*, which suggests that leadership is divinely ordained for men; and (3) *Historical Precedents*, which reinforce male dominance in leadership roles.¹² These myths become ingrained in cultural norms over generations.

In the pre-colonial era of Africa, the dynamics between men and women were multifaceted, evolving, and culturally nuanced, albeit characterized by certain recurring patterns. While hierarchical structures were prevalent within communities, men predominantly occupied leadership roles, reflecting societal norms prioritizing motherhood and child-rearing as the primary domains of female responsibility (Saidi, 2020).

Across various societies, patriarchal systems severely constrained women's agency in both political and economic spheres. Women often found themselves relegated to subordinate positions under the guardianship of patriarchal figures, their autonomy contingent upon compliance with patriarchal mandates. For instance, within the Tswana community, women perpetually retained a legal minority status, with their access to land contingent upon the goodwill of their husband's lineage. Similarly, among the Shona people, women endured legal subordination, existing primarily as dependents of the male figures in their lives. Societal ideals upheld deference and obedience as virtues for women (Parpart, 1988).

In Islamic communities like Mombasa, women's exclusion from participation in local or chiefly judicial proceedings further marginalized them, resulting in political disenfranchisement. Additionally, public roles of authority were seldom occupied by women, who were also barred from assuming religious offices. Instances of egregious domestic violence perpetrated by male relatives frequently went unchallenged by prevailing social norms (Strobel, 1979). Despite the illusion of protection afforded by intertwined familial obligations, women harboured

¹²Crane-Seeber and Crane (n 41).

deep-seated anxieties regarding potential abandonment and destitution should they resist male dominance.

Although there has been significant improvement under the 2010 Constitution, the progress towards gender equality has been slow, and this is attributed to various factors, including inadequate implementation of laws and the sluggish transformation of discriminatory and patriarchal gender norms, attitudes, and practices. In a video released on January 19, 2023, UN Women reported instances of women facing taunts, intimidation, discrimination, and sexual harassment during their political campaigns, underscoring the pervasive challenges women encounter in the political arena ([Office of the Special Adviser on Gender Issues and Advancement of Women, 2000](#)). Regrettably, no legal action is taken against perpetrators of such harassment and discrimination.

The assessment of 2022 appointments and nominations in Kenya underscores the significant gap in achieving gender parity. Among the 25 National Assembly Chairpersons surveyed, twenty-four were men, indicating a substantial gender imbalance. Similarly, of the 51 Principal Secretaries appointed, only eleven were women, illustrating a clear disparity in representation. Regarding Cabinet Secretaries, the President's appointment of ten women out of 22 marks the highest number of female ministers ever appointed in Kenya ([Munde, 2022](#)). By contrast, the previous President had appointed only six women out of 21 Cabinet Secretaries, with a marginal improvement in 2020 upon the appointment of a seventh woman. This incremental progress was lauded, considering Kenya's historical marginalization of women in leadership roles in the past ([Jfrant, 2018](#)), yet it goes below what would be termed as gender parity.

These disparities persist despite legal provisions that often exist solely within legislation. It is debatable whether these laws are enacted to advance societal progress by promoting gender equality and upholding women's human rights or merely to fulfil obligations under international and regional agreements. The Kenya Human Rights Commission (KHRC) underscored these disparities in a press release dated November 8, 2022, denouncing the ongoing breaches of constitutional mandates despite purported commitments to achieving a 50:50 gender balance in appointments and nominations ([KHRC, 2022](#)).

4.5. Women, Land, and Property Ownership

Women's agency in land and property ownership is often constrained by entrenched patriarchal norms and values associated with these assets. Despite shouldering a significant portion of the world's work, women frequently find themselves in poverty, earning a fraction of what men do and facing disproportionate illiteracy rates. Research conducted by UN Women indicates that providing women with equal access to productive resources as men could lead to a 20 to 30 per cent increase in agricultural yields, potentially reducing global hunger rates by 12 to 17 per cent ([UN Women, 2025](#)).

In many contexts, men own the land while women perform most agricultural

labour, yet the latter has minimal control over property decisions. Even when doing two-thirds (43% per UN Women) of the world's work, they barely make one-tenth of their revenue and account for two-thirds of their illiterate population (Myers, 2011). Women's unpaid and unrecognized childcare, food preparation, and farming work perpetuate their economic vulnerability.

Critical resources like finance, land, and inheritance are often inaccessible to women, contributing to their exclusion from decision-making processes and perpetuating cycles of poverty. Data from 2014 to 2022 indicates a significant rise in the percentage of women without land ownership, particularly in agricultural and non-agricultural sectors, with 61.3% of women between the ages of 15 - 49 not owning land in 2014 and the number rising to 75.0% for agricultural land and 93.3% for non-agricultural land in 2022 (Lore & Baragu, 2024).

Despite legal provisions promoting gender equality in property rights, cultural norms and customary practices frequently undermine women's ability to assert ownership and control over property. In many cases, women are excluded from inheriting or owning property, particularly land, which further diminishes their economic autonomy and perpetuates their dependence on male relatives or spouses (Djurfeldt, 2020).

This is often worse in places where the practice of levirate¹³ occurs. Although the UDHR proclaims rights and freedoms as fundamental, inalienable, absolute, and devoid of cultural or traditional limitations, laws, including customary laws, written legislations, and legal precedents, often restrict these rights and freedoms based on cultural norms. In the case of *Egesa v Adongo* (2024)¹⁴, the High Court of Kenya exemplified this by denying an inherited widow the right to inherit her husband's estate. The court emphasized that widow inheritance did not constitute marriage; rather, it was a cultural practice aimed at assisting widows in coping with life after their husbands' passing without conferring upon them the status of the inheritor's wife. However, the court permitted a son born from this union to inherit. This case underscores how cultural traditions, with the support of the courts, often curtail or even nullify women's legal rights within the Kenyan context.

Data showed that between 2013 and 2017, only 10% of 3 million title deeds processed were issued to women. This disparity in land ownership directly affects women's access to finance, food, and water, influencing their economic participation and overall well-being. Legal efforts, such as Articles 40 and 60 (f) of the Constitution of Kenya and the National Land Policy of 2009, have been made to address gender discrimination in land ownership. However, challenges persist due to discriminatory practices, limited access to justice, and complexities in marital and inheritance laws (Lore & Baragu, 2024)¹⁵. This is in spite of inheritance rights

¹³Levirate marriage is the practice where a widow is obligated to marry her deceased husband's brother or other male relative, which was historically practiced in various cultures including ancient Israel and parts of Africa, often to ensure the continuation of the deceased man's lineage and provide economic security for the widow.

¹⁴*Egesa v Adongo* [2024] Busia High Court Succession Appeal E026 of 2021, KEHC 2956 KLR.

being afforded to women under the new Constitution.

Various recommendations have been proposed to address these challenges and promote women's land ownership. These include civic education initiatives to challenge discriminatory customary practices, reforms in laws like the Law of Succession Act to protect widows' rights and inheritance rights for women, and awareness campaigns to inform women of their land rights, particularly in rural areas. It also entails reshaping institutional structures to guarantee women's equal access to resources and opportunities.

Moreover, strategies to empower youth through group initiatives for land acquisition and advocating for fair land distribution regardless of gender are essential. Establishing women's groups and cooperatives in urban areas can enhance collective bargaining power while ensuring female representation in land governance structures, which can foster inclusive decision-making processes. Collaborative efforts involving government institutions, civil society, and local communities are crucial for advancing gender equity in land ownership and promoting socio-economic development in Kenya.

4.6. The Call for Change

In Kenya, as in many other patriarchal countries, there is a strong emphasis on preserving and maintaining traditional cultural heritage and practices, regardless of their impact on women and girls. This overshadows concerns about the rights and well-being of individuals within those societies (Msuya, 2020). The regional community and the Kenyan government have advocated respecting fundamental human rights while upholding traditional cultural values and practices. This has caused disconnects between international human rights instruments and local legislations, cultural norms, and practices.

Advocates for women's rights and the international community have been working to address this challenge by promoting the idea that human rights, including women's rights, are universal and indivisible. They posit that cultural practices should not serve as justifications for violating these rights. Instead, they campaign for a more balanced approach that respects and upholds fundamental human rights principles.

Notably, significant strides have been made globally and locally. In addition to other international instruments that promote gender equality and women's rights, the United Nations enacted the Sustainable Development Goals (SDGs) in 2015. The SDGs encompass 17 global goals and specific targets related to gender equality and women's empowerment. Goal 5 aims to promote gender equality and empower all women and girls, focusing on ending discrimination, eradicating violence, ensuring equal opportunities, and fostering women's participation in decision-making processes (United Nations, n.d.).

Although the UN has imposed sanctions on member states for human rights abuse or international law violations, specific sanctions exclusively related to non-compliance with gender equality obligations under CEDAW or other instruments

¹⁵Lore and Baragu (n 59).

are less prevalent. Instead, the UN often relies on diplomatic pressure, advocacy, and capacity-building efforts to encourage member states to fulfil their commitments to gender equality. It is, therefore, not a wonder that some countries, like Kenya, are not complying as they should and domination and oppression of women continues to be a systemic problem.

There is a need for total systemic change. The task is not for women to fit into a man's world or assimilate into patriarchy. Nor is it to prove that women can function like men and meet male norms. Rather, it is to change institutions to reflect and accommodate the value that should properly be accorded to characteristics and virtues traditionally associated with women: nurturing virtues such as patience, sympathy, love, and concern. It is not women who should change to meet existing institutions, but rather the institutions that should be changed to accommodate women or at least the best virtues associated with women.

Women should not be turned into clones of men. Women and men are different, so the standard of measure should not be male. The ideal society will not be one with sex-based disparities in power, security, and status, nor will it be a society where many of its members are denied substantial control over the terms of their daily existence. The state must sustain a vision to help men and women realize their full potential without discriminating against anyone based on sex.

In the 1971 John Rawls' "*A Theory of Justice*" from which the justice theory was coined, if laws and institutions are unjust, they must be reformed or abolished, no matter how efficient and well-arranged they may be. Rawls believes that the basic structure of a just society should be organized to every person's mutual advantage. By the basic structure, he means how society's main political and social institutions fit into one system of social cooperation, assign basic rights and duties, and regulate the division of advantages that arise from cooperation over time (Rawls, 2005).

Although Rawls' theory, just like other justice theories, has been criticized in that it does not tell us what policies or institutions are necessary if a just society has to be constructed or what political or social processes will help advocates implement the social changes in tangible ways (Robeyns, 2010), it is imperative to note that there is a call for governments, especially those in patriarchal countries, to devise ways of assuring justice for those traditionally seen as unequal in society.

The basic assumption of Rawls' theory is that people are equal, and this is found in the Universal Declaration of Human Rights, which declares in Article 1 that "all human beings are born free and equal in dignity and rights, and are endowed with reason and conscience and should act towards one another in a spirit of brotherhood"¹⁶. It is therefore necessary to recognize this inherent nature of the woman and accord her the necessary empowerment to attain her full humanity. This is because, with the unequal power imbalances in patriarchal societies, women face challenges in pursuing justice.

The legislative framework in Kenya, which includes the Constitution of Kenya, 2010, the Marriage Act, the Prevention from Domestic Violence Act, the Sexual

¹⁶Universal Declaration of Human Rights [UDHR], 1948.

Offences Act, the Penal Code, and the Judicature Act, should be reviewed to align with international instruments. In 2020, the World Bank advised codifying women's rights in the Constitution as human rights and not merely making blanket provisions (World Bank, 2012).

A comprehensive review of customary law relevant to marriage, succession, property, and gender-based violence should be conducted and, if necessary, formalized to prevent inconsistencies in judicial rulings. Otherwise, unwritten laws should not govern crucial life matters such as marriage, succession, interpersonal relationships, and property ownership. Additionally, the principles of English common law as of 1897 should be abandoned as a legal source in Kenya.

Moreover, fostering cultural change is imperative and can be accomplished through educational awareness campaigns challenging traditional gender roles and the promotion of gender equality in households, educational institutions, workplaces, and the media. By challenging deeply ingrained attitudes and beliefs, societies can gradually dismantle the structures of patriarchy that perpetuate the subjugation of women (Crenshaw, 1991).

Improved access to education for girls and women will be a key factor in advancing gender equality and challenging patriarchal norms. Initiatives aimed at eliminating barriers to education, such as gender-based violence, child marriage, and cultural norms that prioritize boys' education, will result in higher enrolment rates and educational attainment for girls (Global Education Monitoring Report Team, 2019). Comprehensive education on gender issues that addresses gender stereotypes, consent, and healthy relationships should be undertaken to help prevent violence against women. Additionally, incorporating gender studies into school curricula and at community levels will help raise awareness of gender issues and empower individuals to challenge patriarchal attitudes and behaviours.

Efforts to increase women's representation in political institutions should be made to enable greater gender diversity in decision-making processes. Measures such as quotas, electoral reforms, and support for women's political leadership will result in more women holding positions in parliament, cabinet, and other governance bodies (Sarah & Mona, 2008).

In many parts of the world, women's participation in the workforce has increased significantly due to expanding economic opportunities, changes in social norms, and supportive policies such as parental leave and childcare subsidies. This heightened participation has bolstered economic growth and challenged traditional gender roles and stereotypes.¹⁷ Research has shown that societies with higher female status tend to have lower rates of rape, highlighting the complex interplay between gender dynamics and social structures (Grubin, 1992; Sanday, 1981). Economic empowerment initiatives, therefore, such as promoting women's participation in the workforce, providing access to financial resources, and supporting women entrepreneurs, should be improved to help mitigate economic

¹⁷International Labour Organization, "Women in Business and Management: Gaining Momentum" (International Labour Organization, 2015).

disempowerment and reduce vulnerabilities to violence. Policies that ensure equal pay for equal work, affordable childcare, and parental leave also contribute to gender equality in the workplace.

Community-based interventions, including awareness campaigns, grassroots organizing, and support networks for survivors of violence, are essential for challenging patriarchal attitudes and norms at the grassroots level. In this regard, there is a need to incorporate men in women's advocacy and empowerment programs (Hodgson, 2002). Engaging men and boys as allies in the fight against gender-based violence through initiatives like gender sensitization workshops and men's support groups can be effective in promoting gender equality and preventing violence.

Notably, this is going to face resistance as has happened and is happening following the African Union (AU)'s efforts to address gender-based violence through its Men's Conference initiative, launched on November 25, 2021, in Kinshasa, DRC. This inaugural event produced the Kinshasa Declaration and Call for Action on Positive Masculinity, later adopted by the AU Assembly in February 2022. A key commitment requires member states to provide annual progress reports on ending violence against women and girls (UNFPA, 2022). These Men's conferences have been taking place every year since 2021.

In Kenya, however, a different version of the "Men's Conference" has emerged, seemingly at odds with the AU's efforts. Originating as a social media meme, Kenya's Men's Conference has evolved into real gatherings held annually on February 14th. These events, primarily in Nairobi, are framed as an escape from Valentine's Day pressures, offering men relief from what they perceive as unrealistic romantic expectations. The gatherings are backed by prominent figures, including businessmen, and are presented as lighthearted fun.

Critics argue that Kenya's Men's Conference undermines progress. Women's rights activists contend that it perpetuates misogyny and reinforces patriarchal norms. They also note that many of its leaders, often polygamists, appear to challenge societal expectations while framing the events as harmless rebellion. This contrast highlights resistance to change and raises questions about Kenya's commitment to broader gender equity initiatives championed by the AU (Rukanga, 2024).

It is hoped that, in the future, Kenya will embrace a more progressive stance on women's empowerment, and that the fight against sexual and gender-based violence against women and girls will be won for better social, political, and economic development of the nation.

5. Conclusion

In scrutinizing the intricate web of patriarchy, this article has unveiled the deeply ingrained systemic biases, cultural norms, and legal frameworks that perpetuate gender inequality across global, African, and Kenyan contexts. Patriarchy, entrenched within societal structures and upheld by legal frameworks, systematically

marginalizes and disempowers women, relegating them to subordinate roles and perpetuating male dominance.

The examination of customary law in African contexts highlights the complexities of reconciling traditional practices with human rights principles, underscoring the need for dynamic legal interpretations prioritizing gender equality and dignity. Moreover, the persistent gender disparities in leadership positions expose the gap between legislative intentions and practical implementation, necessitating sustained efforts to bridge this divide.

While progress has been made through feminist movements, international, regional, and local instruments, the journey towards gender equality remains unfinished. The call for change reverberates through the corridors of power, urging governments, institutions, and individuals to take decisive action to dismantle patriarchal systems and foster genuine gender parity. Concrete recommendations include advocating for legislative reforms, implementing gender-sensitive policies and programs, and investing in initiatives that empower women and girls.

The momentum for change is palpable in this era of global interconnectedness and social awareness. By embracing a collective commitment to justice, equality, and human dignity, we can pave the way for a future where patriarchy no longer dictates societal norms and women are empowered to fulfil their potential without constraints. It is through concerted efforts, informed by empathy and solidarity, that we can truly transform patriarchal structures and build a world where every individual, regardless of gender, can thrive.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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