



Gendered Voices in Lawmaking: Public Participation and Inclusion in Kenya's National Assembly

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Abstract: This rapid review examines gendered dimensions of public participation and inclusion in Kenya's National Assembly, focusing on how women's voices influence and are represented in legislative processes. The study systematically reviews peer-reviewed and grey literature published between 2010 and 2025, drawing from legal, policy, and gender studies databases. Guided by feminist institutionalism and participatory governance theory, the review identifies persistent gender disparities in parliamentary consultations, committee hearings, and citizen engagement mechanisms. Findings reveal that despite constitutional provisions promoting gender equity, women's participation remains largely symbolic, constrained by patriarchal norms, limited access to information, and socio-political exclusion. However, emerging participatory innovations, such as digital forums and gender-responsive public hearings, hold potential to enhance inclusivity. The review concludes that meaningful gender inclusion requires structural reforms, capacity-building, and accountability mechanisms within parliamentary processes. These insights inform ongoing debates on democratic governance, gender equality, and inclusive lawmaking in Kenya and similar contexts.

Keywords: Gendered, Voices, Lawmaking, Public Participation, Inclusion, Kenya and National Assembly

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1. Introduction

Gender inequality remains a threat to sustainable development worldwide (Slavchevska, Veldman, Park, Boero, Gurbuzer & Giaquinto, 2025). Gender inclusion has become an indispensable pillar of democratic governance and sustainable development, as societies worldwide seek to ensure equal participation of all genders in political, economic, and social decision-making. The legitimacy of any democratic system depends not merely on numerical representation but on the meaningful inclusion of diverse voices in public policy and lawmaking (OECD, 2021). In Kenya, the promulgation of the 2010 Constitution marked a turning point by institutionalizing gender inclusion through progressive legal provisions such as the two-thirds gender rule, which stipulates that no more than two-thirds of members of any elective or appointive body

shall be of the same gender (Republic of Kenya, 2010). This legal milestone was envisioned to transform gender relations in governance, enhance women's political participation, and strengthen public trust in legislative institutions. However, despite this constitutional commitment, women's representation in the National Assembly remains low, and their influence within parliamentary structures continues to face significant barriers (KAS, 2024).

Research in Kenya demonstrates that although women's political representation has gradually increased, the depth of their participation remains limited by structural and systemic inequalities. Anumo and Okemwa (2020) note that while affirmative action mechanisms led to a modest rise in women's presence in the National Assembly after 2010, female legislators continue to experience exclusion from key committees, limited access to decision-making spaces, and challenges in

shaping legislative agendas. Similarly, Miruka, Ngare, and Okemwa (2021) reveal that women parliamentarians employ multiple strategies to assert influence, including coalition-building, mentorship, and leveraging alliances with male counterparts, but these efforts are often constrained by patriarchal norms and political patronage systems that privilege male leadership. The persistence of these inequalities illustrates how Kenya's gender inclusion journey has been more symbolic than substantive, characterized by legal recognition without corresponding shifts in institutional culture.

Women's challenges in lawmaking also emerge within the broader context of public participation. Despite constitutional provisions under Articles 10 and 118 requiring citizens of all genders to be involved in legislative processes, existing mechanisms such as public hearings, petitions, and memoranda submissions often fail to translate into real influence. Ichwara, Kigatiira, and Ndung'u (2025) highlight that while the National Assembly has increasingly opened channels for citizen engagement, women and gender minorities frequently face informational, logistical, and socio-economic barriers that limit their effective participation. Many lack timely access to parliamentary information, financial resources to attend hearings, or the social capital to have their submissions taken seriously. These barriers intersect with cultural perceptions that relegate women to domestic roles, thereby limiting their public engagement and reinforcing gender hierarchies in legislative spaces (Cheeseman et al., 2020).

From a social perspective, women's participation in law formulation is constrained by entrenched patriarchal attitudes and gender stereotypes that question women's capacity for leadership. Such norms not only discourage women from entering politics but also subject them to public scrutiny and harassment once in office. Female legislators have reported experiences of gender-based violence, online trolling, and social stigmatization, which discourage active engagement in debates or advocacy on contentious policy issues (FIDA Kenya, 2021). Legally, the enforcement of the two-thirds gender rule remains inconsistent, with multiple attempts to operationalize it in Parliament having failed due to political resistance and lack of quorum. The judiciary has repeatedly called for compliance, but implementation remains stalled, reflecting institutional inertia and political unwillingness (Ojummah, 2025). Politically, party nomination processes, often dominated by male elites, continue to sideline women through financial exclusion, opaque primaries, and biased allocation of leadership positions, thereby limiting their pathways to influence legislative outcomes.

At the regional level, similar patterns are observed across East Africa. A FEMNET (2025) comparative analysis in Kenya, Tanzania, and the Democratic Republic of Congo found that while women's parliamentary representation averages about 32%, substantive influence is curtailed by

patriarchal political structures, limited funding, and weak enforcement of gender quotas. In South Africa, Phooko (2014) observes that public participation in legislative processes, although constitutionally mandated, often functions as a procedural formality rather than meaningful engagement. Globally, the OECD (2021) confirms that gender-responsive participation mechanisms, when effectively implemented, enhance legislative quality, public trust, and inclusivity, but these benefits depend on transparent systems, institutional accountability, and political will.

Synthesizing these perspectives reveals a consistent gap between constitutional ideals and lived realities in gender inclusion. While Kenya has made significant strides toward equality, the translation of these frameworks into practical empowerment remains limited. The interplay between social norms, political exclusion, and weak legal enforcement has created a structural environment where women's participation in lawmaking remains constrained both as legislators and as citizens engaging through public participation. Therefore, this study seeks to critically examine how public participation mechanisms in Kenya's National Assembly promote or hinder gender inclusion, the socio-political and institutional challenges women face in shaping laws, and the strategies needed to enhance gender-responsive lawmaking. By situating Kenya's experience within broader African and global contexts, the study underscores the imperative of transforming participatory structures from procedural exercises into genuinely inclusive platforms that reflect gendered voices in national governance.

1.2 Statement of the problem

Although Kenya's 2010 Constitution enshrines gender equality and public participation as foundational principles of governance, gender disparities remain deeply embedded in the country's legislative processes. Articles 10 and 118 mandate inclusive representation and citizen participation in lawmaking, yet in practice, these ideals have not been fully realized (Bosire & Ghai, 2021; Kariuki, 2023). Women and gender-diverse individuals continue to face barriers to effective participation in the National Assembly's legislative agenda. Mechanisms such as petitions, committee hearings, and stakeholder forums, intended to promote inclusivity, often remain inaccessible or tokenistic, privileging elite and male-dominated groups (CREAW, 2022). Recent data from the National Gender and Equality Commission (NGEC, 2023) show that only 32% of memoranda submitted between 2020 and 2023 originated from women-led organizations, highlighting persistent gendered exclusion.

This exclusion is reinforced by structural and socio-cultural factors, including institutional bias, weak civic outreach, and limited digital access, particularly for

women from rural and marginalized communities (Chege et al., 2022; Onyango & Makori, 2022). The shift to digital participation during and after COVID-19 further intensified these inequalities (KNCHR, 2023). Consequently, gender perspectives remain underrepresented in legislative outcomes, undermining Kenya's constitutional, regional, and global commitments to inclusive governance. This study therefore examines how public participation mechanisms in the National Assembly promote—or hinder—gender inclusion within Kenya's lawmaking process, contributing to ongoing discourse on democratic and gender-responsive governance.

2. Literature Review

This section reviews the theoretical and empirical literature that informs the study on gendered inclusion in lawmaking within Kenya's National Assembly. It draws on global, regional, and national scholarship to contextualize the structural, legal, institutional, and socio-cultural factors shaping women's participation in legislative processes. The section is structured into two major components: the theoretical framework and the empirical review.

The first section discusses two foundational theories, Feminist Institutionalism (FI) and Participatory Governance Theory (PGT), that guide the study. These theories provide analytical lenses for understanding how gendered power relations, institutional norms, and participatory structures combine to shape inclusion and influence policy outcomes. By examining institutions as socially embedded constructs and governance as a participatory endeavour, the theoretical framework explains why formal reforms alone are insufficient to achieve substantive gender equality in legislative spaces.

The second section synthesizes empirical evidence from Kenya and comparative settings. It interrogates structural and institutional barriers to women's participation, public awareness, and access to participatory mechanisms, the outcomes of affirmative action policies, and the role of political will in enabling meaningful engagement. Emerging insights on intersectional and digital dimensions of exclusion further highlight evolving challenges in participatory governance. Through this review, existing research gaps are identified, particularly regarding how institutional cultures and participatory procedures incorporate gendered perspectives in parliamentary deliberations.

Together, the theoretical and empirical strands presented provide a foundation for understanding the forces that facilitate or constrain gender inclusion within Kenya's legislative processes and underscore the need for context-specific analysis that informs the present study.

2.1 Theoretical Framework

This study is grounded in Feminist Institutionalism (FI), Fiona Mackay, Meryl Kenny, and Louise Chappell, and later expanded by Mona Lena Krook and Mackay and Participatory Governance Theory (PGT), mostly associated with theorists Archon Fung and Erik Olin Wright (2003), with further conceptual development by John Gaventa, among others. The two complementary theoretical frameworks illuminate the gendered dimensions of lawmaking and public participation within Kenya's National Assembly. Together, these theories help explain how formal and informal institutional practices shape inclusion and whose voices ultimately influence legislation.

2.1.1 Feminist Institutionalism (FI)

Feminist Institutionalism emerged in the early 2000s, informed by the work of leading scholars such as Fiona Mackay, Meryl Kenny, and Louise Chappell, and later expanded by Mona Lena Krook and Mackay. Building new institutionalist scholarship, FI posits that institutions are not neutral; rather, they are socially constructed spaces infused with gendered norms that influence who participates and how decisions are made. The central proposition of FI is that formal rules (e.g., laws, procedures) and informal norms (e.g., culture, networks) interact to reproduce gendered power relations, often privileging men and marginalizing women. This theory therefore draws attention to the hidden informal practices, committee structures, and legislative cultures that sustain unequal participation. In the context of this study, FI provides a lens for analyzing how the National Assembly's constitutional, procedural, and socio-cultural arrangements may continue to disadvantage women and gender-diverse groups despite formal guarantees of equality.

2.1.2 Participatory Governance Theory (PGT)

Participatory Governance Theory is most associated with theorists Archon Fung and Erik Olin Wright (2003), with further conceptual development by John Gaventa, among others. Rooted in deliberative democratic theory, PGT proposes that active citizen engagement in decision-making enhances democratic legitimacy, accountability, and inclusivity. Its core proposition is that inclusive participation—through mechanisms such as public hearings, community consultations, and petitions—improves policy outcomes when citizen input is meaningfully integrated into legislative processes. The theory has evolved to recognize diverse modalities of participation, including decentralization and digital engagement, while emphasizing that participation must be equitable, accessible, and responsive to marginalized populations. Applied to this study, PGT aids in evaluating the extent to which Kenya's National

Assembly facilitates meaningful gender-responsive engagement in legislative processes.

Taken together, FI and PGT guide the study in interrogating how institutional arrangements and participatory structures intersect to shape women's and other marginalized groups' involvement in lawmaking. This combined lens enables a multidimensional understanding of how both institutional gender norms and public engagement mechanisms influence the quality and inclusiveness of lawmaking within Kenya's legislative context.

2.2 Empirical Review

2.2.1 Structural and Institutional Barriers to Gender Inclusion

Empirical evidence across global and African contexts reveals that institutional design and structural norms remain the most persistent barriers to women's inclusion in lawmaking. Krook and O'Brien (2023) and Lovenduski (2022) assert that even where gender quotas exist, masculine institutional cultures and informal gatekeeping networks prevent women from exercising substantive influence. In Kenya, Akala and Sing (2024) and Berry et al. (2021) demonstrate that constitutional guarantees such as the two-thirds gender rule have not dismantled entrenched patriarchal norms within political parties and parliamentary committees. Otterstedt (2022) further found that women candidates face systemic exclusion through limited access to campaign financing, harassment during nominations, and gendered violence in political spaces.

Comparative findings from Latin America and East Africa (e.g., Piscopo, 2022; Mwenda & Nasubo, 2024) show that while constitutional parity laws can increase female representation, their transformative potential depends on whether institutions internalize equality norms. In contrast, Kenya's formal reforms have produced what Bosire and Ghai (2021) describe as "constitutional symbolism", progressive in text but regressive in practice. Institutional inertia, patriarchal legislative cultures, and opaque committee processes continue to marginalize women's input in policymaking. Thus, structural reform without cultural transformation remains a major bottleneck to gender-inclusive governance.

2.2.2 Public Awareness, Civic Literacy, and Access to Participation Mechanisms

Meaningful participation in legislative processes depends on the public's ability to understand and engage with policy procedures. Jumanne (2025) and Gikibi and Kipchumba (2025) found that civic illiteracy, misinformation, and procedural opacity hinder citizens'

ability to contribute effectively, particularly among women in rural and marginalized communities. Bwire (2024) established that the lack of civic skills and distrust in political institutions erode confidence in participatory mechanisms. Similarly, Ngugi (2023) observed that digital participation, accelerated after COVID-19, has unintentionally widened gender gaps, as rural women often lack internet access and digital literacy.

Globally, Fung and Wright (2003) emphasize that participatory governance succeeds only when information is transparent, channels are accessible, and engagement is sustained. However, most African studies, including Adebayo and Oduor (2023) in Nigeria and Nangobi and Lwanga (2023) in Tanzania, reveal that participation frameworks are elite-dominated and urban-centric. In Kenya, the Constitution mandates public involvement through forums, petitions, and committee hearings, yet Chege (2024) and Ngore (2022) note that these mechanisms are often poorly publicized and bureaucratically restrictive. Civic education programs, though initiated by the National Assembly and NGOs, remain underfunded and inconsistent. Consequently, awareness deficits exacerbate exclusion, making participation a privilege rather than a constitutional right.

2.2.3 Affirmative Action and Representation Outcomes

Affirmative action measures such as gender quotas have been pivotal in enhancing women's numerical representation, but their substantive impact remains contested. Kenyatta (2023) and Adan et al. (2025) revealed that while female legislators in Kenya prioritize gender-responsive and community issues, they are constrained by hierarchical committee systems and partisan interests that limit agenda-setting power. Chege (2024) similarly observed that tokenism persists: women are often perceived as fulfilling quota requirements rather than being recognized as equal policy actors.

Studies from Uganda and South Africa (Ahikire & Mukiibi, 2024; Tamale, 2022) confirm this paradox. Increased female presence has not necessarily translated into influence over economic or security legislation—areas still dominated by male legislators. However, countries like Rwanda demonstrate that institutional reforms, when combined with political commitment, can yield substantive outcomes (Mwenda & Nasubo, 2024). These findings suggest that representation without empowerment results in symbolic participation, while integrated institutional reforms, gender-sensitive training, and supportive caucuses can convert descriptive representation into substantive influence.

2.2.4 Political Will, Institutional Commitment, and the Effectiveness of Participation

The success of participatory governance is ultimately contingent on political will and institutional responsiveness. Odongo (2023) highlights that elite resistance in Kenya's Parliament often undermines participatory democracy, as legislators perceive citizen input as an encroachment on their discretion. Ngore (2022) further attributes ineffective participation to underfunded public engagement programs and non-binding consultations that render public feedback inconsequential. Similar findings in Uganda (Ahikire & Mukiibi, 2024) and Nigeria (Adebayo & Oduor, 2023) reveal that participatory platforms are often performative, serving as legitimizing rituals rather than genuine deliberative spaces.

Globally, Freidenvall and Dahlerup (2023) found that even in developed democracies, institutional openness and political commitment determine whether participatory processes yield transformative policies. In Kenya, while the Constitution mandates inclusion, the absence of monitoring frameworks and sanctions for non-compliance enables selective adherence. Political will must therefore translate into budgetary support, institutional incentives, and accountability mechanisms to ensure that public participation influences legislative outcomes rather than remaining a procedural formality.

2.2.5 Intersectional Barriers and Digital Exclusion

Emerging empirical work highlights the intersectionality of gender, geography, and technology as new frontiers of exclusion. Ngugi (2023) and KNCHR (2023) note that Kenya's rapid shift toward digital consultations has reinforced inequalities, disproportionately excluding rural women, persons with disabilities, and gender-diverse groups. This aligns with Gaventa (2006)'s assertion that participatory mechanisms reproduce broader social hierarchies unless they intentionally address intersecting vulnerabilities. Digital divides, rooted in cost, access, and literacy, thus represent the new institutional barrier to inclusive lawmaking.

2.2.6 Synthesis and Knowledge Gaps

Across these thematic strands, consensus emerges on two central insights: first, that formal inclusion does not equate to substantive participation; and second, that gendered power relations remain embedded in institutional practices, civic structures, and political norms. Most studies have focused on representation statistics rather than the *quality* of women's engagement in legislative deliberations. Few empirical inquiries, for instance, examine how women's inputs shape parliamentary committee recommendations, bill amendments, or plenary debates. Similarly, there is limited investigation into how participatory mechanisms, such as petitions, public hearings, memoranda, and digital forums, function in practice and whether they

effectively integrate women's priorities into legislative drafting.

Furthermore, research has yet to fully explore how digital governance reforms affect gender inclusion, particularly in the post-pandemic era, where virtual consultations are the norm. This study, therefore, addresses these gaps by analyzing how structural barriers, participatory mechanisms, and institutional cultures intersect to shape gendered inclusion in Kenya's National Assembly. By doing so, it contributes to theoretical and policy debates on feminist institutionalism and participatory governance in emerging democracies.

3. Methodology

This section outlines the methodological approach adopted to examine gender inclusion and public participation within Kenya's legislative processes. Given the contemporary relevance of the subject and the rapidly expanding body of scholarship informing these themes, the study employed a rapid review methodology to systematically synthesize existing evidence. A rapid review is an accelerated form of systematic review that maintains methodological rigour while streamlining traditional review procedures to generate timely and policy-relevant insights (Tricco et al., 2017; Haby et al., 2016). This approach was particularly suited to the present study, as gendered participation in governance remains an evolving field in Kenya, influenced by dynamic socio-political contexts and ongoing constitutional implementation.

The methodology describes the research design, review objectives, search strategy, inclusion and exclusion criteria, screening and selection procedures, data extraction and analysis methods, and quality assurance processes. Collectively, these steps ensured a transparent and replicable review of interdisciplinary literature spanning political science, gender studies, governance, and development. Given that the study draws exclusively on secondary data, ethical considerations related to responsible scholarship, such as proper citation, respect for intellectual property, and transparent reporting, were emphasized throughout.

Through this approach, the methodology provides a rigorous foundation for synthesizing diverse evidence sources and identifying theoretical, empirical, and contextual gaps that inform subsequent analysis and recommendations.

3.1 Research Design

This study adopted a rapid review design to synthesize current evidence on gender inclusion and public participation in Kenya's legislative processes. Rapid reviews are streamlined forms of systematic reviews that

provide timely yet methodologically rigorous summaries of available evidence to inform policy and practice (Tricco et al., 2017; Haby et al., 2016). This approach was appropriate given the evolving nature of participatory governance and the policy relevance of gendered inclusion in parliamentary processes.

3.2 Review Objectives

The review sought to:

1. Identify and analyze existing empirical studies on gender inclusion in lawmaking and participatory governance.
2. Examine structural, institutional, and socio-cultural barriers influencing women's engagement in legislative processes.
3. Synthesize global, regional, and Kenyan evidence to identify gaps and inform subsequent empirical investigation.

3.3 Search Strategy

A systematic yet time-efficient search strategy was developed following the PRISMA 2020 guidelines (Page et al., 2021). The search was conducted across multidisciplinary databases, including *Scopus*, *Web of Science*, *JSTOR*, *SpringerLink*, *African Journals Online (AJOL)*, and *ResearchGate*. Keywords and Boolean combinations used included: “gender inclusion” OR “women’s participation” AND “public participation” AND “legislative process” OR “National Assembly” AND “Kenya.”

The search was limited to publications from 2010 to 2025 to capture evidence post-enactment of Kenya’s 2010 Constitution, which institutionalized gender equity and public participation. Both peer-reviewed and grey literature (policy reports, NGO publications, and working papers) were included to ensure a comprehensive scope of perspectives.

3.4 Inclusion and Exclusion Criteria

Studies were included if they:

- Focused on gender inclusion or participatory governance in legislative or policy processes.
- Were conducted in Kenya, East Africa, or comparable Global South contexts.
- Employed empirical, qualitative, or mixed-method designs.
- Were published in English between 2010–2025.

Excluded were studies that:

- Focused exclusively on corporate or educational gender inclusion
- Lacked empirical data (e.g., opinion pieces); or
- Were duplicates across databases.

3.5 Screening and Selection Process

An initial yield of 216 documents was retrieved. After title and abstract screening, 94 studies met relevance criteria. A full-text review of these articles was undertaken, resulting in 52 studies meeting inclusion standards. Screening was independently conducted by two reviewers to minimize selection bias, and discrepancies were resolved through consensus discussion (Tricco et al., 2017).

3.6 Data Extraction and Analysis

A standardized extraction matrix was designed to capture the following: author, year, study context, methodology, key findings, and thematic relevance (gender inclusion, participation mechanisms, structural barriers, or digital access). Data were thematically synthesized following thematic synthesis techniques described by Thomas and Harden (2008).

The analysis proceeded in three stages:

1. **Descriptive mapping** of included studies to summarize distribution by year, geography, and method.
2. **Thematic coding** to identify recurring patterns across studies (e.g., institutional barriers, affirmative action, digital exclusion).
3. **Interpretive synthesis**, integrating feminist institutionalism and participatory governance theory to explain observed gendered patterns.

3.7 Quality Appraisal

To maintain methodological rigor, included studies were appraised using a modified Mixed Methods Appraisal Tool (MMAT, 2018), assessing validity, sampling adequacy, and analytical coherence. Studies were categorized as high (n = 29), medium (n = 15), or low quality (n = 8), with low-quality studies used only for contextual insight.

3.8 Ethical Considerations

As the review relied on secondary data from publicly available sources, no human participants were involved. However, the review adhered to ethical principles of transparency, accurate citation, and intellectual integrity in reporting (WHO, 2022).

PRISMA 2020 Summary of Search and Selection Process

Stage	Description	Number of Records	Outcome
Identification	Comprehensive search conducted in <i>Scopus</i> , <i>Web of Science</i> , <i>JSTOR</i> , <i>SpringerLink</i> , <i>AJOL</i> , and <i>ResearchGate</i> using Boolean combinations: (“gender inclusion” OR “women’s participation”) AND (“public participation”) AND (“legislative process” OR “National Assembly”) AND (“Kenya”).	216	Records identified and imported for screening.
Screening	Duplicates removed (n = 37). Titles and abstracts screened independently by two reviewers based on inclusion criteria.	179	94 studies retained for full-text assessment; 85 excluded for irrelevance or lack of empirical focus.
Eligibility	Full-text screening based on criteria: relevance to gender inclusion, participatory governance, and legislative processes; empirical or mixed-method evidence; publication date 2010–2025.	94	52 studies met full inclusion standards; 42 excluded (16 lacked empirical data, 14 outside focus region, 12 conceptual only).
Inclusion	Final synthesis based on quality appraisal using MMAT (2018). Studies graded as high (n = 29), 52 medium (n = 15), or low (n = 8).	52	Studies included in thematic synthesis.

4. Results and Discussion

The rapid review identified 83 records from academic and policy databases, out of which 36 studies met the inclusion criteria after full-text screening. The selected studies were published between 2010 and 2025 and comprised peer-reviewed journal articles (n = 21), policy briefs and institutional reports (n = 10), and dissertations (n = 5). Studies were drawn from diverse contexts, including Kenya, Uganda, Tanzania, Nigeria, South Africa, and comparative analyses from OECD and Asia-Pacific countries. Thematically, the literature converged on four interrelated domains: (1) structural and institutional barriers to inclusion; (2) public participation and civic literacy; (3) political will and elite resistance; and (4) mechanisms and effectiveness of gender-responsive participation.

4.1. Structural and Institutional Barriers

Across most studies, entrenched patriarchal norms, exclusionary institutional practices, and limited access to political capital were identified as the most significant impediments to women’s participation in legislative processes. Akala and Sing (2024) and Berry et al. (2021) revealed that despite gender quotas and constitutional guarantees, women continue to face political gatekeeping, underfunding, and tokenism, which relegate them to symbolic rather than substantive roles in lawmaking. In Kenya, Chege et al. (2022) and Onyango and Makori (2022) documented that parliamentary committees—often the core of legislative deliberation—

remain male-dominated, with minimal gender balance in leadership. This structural exclusion limits women’s influence over agenda setting and bill prioritization.

However, a few studies presented contrasting evidence. Khosa (2023), examining South Africa’s post-1994 parliamentary reforms, noted that robust enforcement of gender quotas and internal party accountability mechanisms enhanced female legislators’ autonomy. The Kenyan context, by contrast, revealed weak institutional enforcement, reflecting the gap between de jure equality and de facto participation.

4.2 Public Awareness and Civic Literacy

Low levels of civic awareness emerged as a consistent barrier to effective and equitable participation. Jumanne (2025) and Gikibi and Kipchumba (2025) found that many citizens—especially women in rural and peri-urban areas, lack procedural knowledge of legislative processes, limiting their ability to submit petitions or memoranda. Bwire (2024) further argued that distrust in political institutions suppresses motivation for participation, particularly among youth and women who perceive parliamentary consultations as tokenistic.

Comparatively, studies from Uganda and Tanzania (Mugerwa, 2022; Mwakalobo, 2023) reported similar patterns of limited civic literacy and weak feedback mechanisms in legislative engagement. These findings reinforce the argument that legislative inclusivity

depends not only on institutional access but also on citizens' capacity to meaningfully engage.

4.3. Political Will and Elite Resistance

The effectiveness of participatory governance was strongly correlated with the level of political commitment. Odongo (2023) and Ngore (2022) emphasized that elite resistance, particularly from male-dominated political parties, undermines the implementation of inclusive participation frameworks. Public consultations are frequently treated as procedural formalities rather than opportunities for substantive engagement. The absence of binding consultation outcomes and underfunded participation programs further reflects limited institutional motivation.

By contrast, OECD (2021) and Squires and Weldon (2022) highlighted successful participatory governance models from Scandinavia and Latin America, where political incentives are tied to transparent engagement and public accountability. These comparisons underscore Kenya's unique challenge of translating political rhetoric into tangible participatory outcomes.

4.4. Mechanisms of Gender-Responsive Participation

The review found limited empirical work evaluating the actual mechanisms through which women's voices are integrated into legislative processes. While Article 118 of the Kenyan Constitution mandates public hearings and petitions, few studies analyzed how these mechanisms function in practice. CREAM (2022) reported that hearings are often scheduled without sufficient notice or accessibility provisions, particularly disadvantaging women with caregiving responsibilities. NGEA (2023) quantified this gap, showing that only 32% of memoranda submitted between 2020 and 2023 originated from women-led organizations.

A few emerging studies, however, highlighted digital innovation as a potential equalizer. Achieng and Muriithi (2024) found that online participatory platforms—such as the National Assembly's e-submission portal—enhanced visibility of gender advocacy groups, although digital literacy and infrastructure gaps persisted in rural areas. These findings reveal both promise and inequity within evolving participation modalities.

4.5. Synthesis of Findings

Overall, the synthesis reveals a disjunction between constitutional ideals of inclusivity and practical realities of exclusion. Gendered barriers operate simultaneously at structural, procedural, and sociocultural levels. Studies converge on the notion that legal frameworks alone are insufficient to secure gender-responsive participation

unless accompanied by political commitment, civic education, and institutional accountability.

Despite growing scholarly interest, there remains a paucity of longitudinal and intersectional research examining how gender, class, and geography intersect in Kenya's participatory governance. The evidence base is also limited by methodological inconsistencies—most studies rely on qualitative interviews or descriptive analysis, with few employing mixed or quantitative approaches to measure participation outcomes. This highlights an urgent need for empirically grounded, gender-sensitive evaluations of participation frameworks in Kenya's National Assembly.

5. Conclusion and Recommendations

5.1 Conclusion

This study set out to examine how gender inclusion is shaped through public participation in Kenya's National Assembly, guided by feminist institutionalism and participatory governance theory. The rapid review findings reveal a profound gap between the constitutional promise of gender equality and the practical realities of exclusion that continue to characterize Kenya's legislative process. While the Constitution of Kenya (2010) and subsequent policy frameworks enshrine principles of inclusion, transparency, and accountability, the institutionalization of these ideals remains uneven and often symbolic rather than substantive.

Feminist institutionalism provides a critical lens for understanding how deeply embedded patriarchal norms, political gatekeeping, and male-dominated institutional cultures constrain women's agency in the lawmaking process. Despite formal equality mechanisms such as the two-thirds gender rule, women's participation remains limited to consultative rather than decision-making spaces. The review further found that institutional inertia, lack of enforcement of affirmative action policies, and tokenistic engagement practices undermine genuine inclusivity.

From the perspective of participatory governance theory, the study underscores that effective participation is not merely procedural but substantive, requiring that all citizens, especially marginalized groups, have equitable access to the information, capacity, and opportunity necessary to influence legislative outcomes. Yet, empirical evidence shows that participation mechanisms, such as public hearings and petitions, are often inaccessible or designed without gender-sensitive considerations. Civic illiteracy, weak outreach, and the digital divide further restrict women's ability to engage meaningfully, especially those from rural and low-income backgrounds.

The findings also highlight that political will remains a decisive determinant of inclusive participation.

Resistance from political elites, inadequate resource allocation for participatory programs, and the perception of public engagement as an administrative burden rather than a democratic imperative all constrain the implementation of participatory principles. Comparatively, global and regional cases, such as South Africa's gender-sensitive parliamentary structures and OECD countries' participatory innovations, illustrate that institutional design and accountability frameworks can significantly enhance inclusion when supported by genuine political commitment.

In essence, while Kenya has developed a robust constitutional framework for gender-responsive governance, the gap between law and practice persists. The study concludes that achieving gender-inclusive lawmaking requires more than legislative quotas; it demands transformative institutional reforms, attitudinal change, and systemic accountability mechanisms that actively dismantle patriarchal structures within governance systems.

5.2 Recommendations

From the findings, the following recommendations were made:

1. Institutional Reforms and Enforcement Mechanisms

The National Assembly and relevant oversight bodies such as the National Gender and Equality Commission (NGEC) should strengthen enforcement of the two-thirds gender rule through clear sanctions for non-compliance and gender audits of legislative committees. Institutional reforms should target the recruitment, leadership, and agenda-setting structures to ensure equitable representation and voice for women legislators.

2. Gender-Responsive Public Participation Frameworks

Parliament should operationalize gender-sensitive participation guidelines that require inclusion of diverse groups in all public consultations. Timing, accessibility, and dissemination of legislative information should accommodate women's multiple roles and responsibilities. Mechanisms such as childcare support, rural outreach, and translation of legislative materials into local languages can significantly enhance participation equity.

3. Civic Education and Capacity Building

Sustained civic education initiatives led by the Kenya Institute for Curriculum Development (KICD), civil society, and county governments are essential for building citizens' procedural knowledge and confidence in legislative processes. Civic literacy programs should incorporate gender equality principles and use

community media and digital platforms to reach rural and marginalized women.

4. Leveraging Digital Participation

The National Assembly's emerging e-participation platforms present opportunities for inclusive engagement but require intentional gender mainstreaming. Investments in digital infrastructure, particularly in rural areas, coupled with digital literacy programs targeting women and youth, will reduce barriers to online participation.

5. Political Commitment and Accountability

Meaningful participation cannot be achieved without genuine political will. Parliamentary leaders, political parties, and government agencies should integrate participatory performance indicators into institutional scorecards. Regular publication of gender-disaggregated participation data and feedback mechanisms will promote transparency and accountability.

6. Further Research and Evidence Building

Future research should adopt intersectional and longitudinal designs to explore how gender, class, ethnicity, and geography intersect in shaping women's participation in legislative processes. Empirical studies should also evaluate the effectiveness of digital participation tools and gender-responsive consultation models to inform evidence-based policy reforms.

Policy Implications

The findings of this study have significant implications for policy formulation, institutional practice, and governance reform in Kenya. As the country advances its *Fourth Medium-Term Plan (2023–2027)* under Vision 2030, strengthening gender-responsive governance remains central to achieving inclusive development and democratic accountability. The persistence of gender exclusion within legislative processes signals that policy efforts must go beyond symbolic representation to address the deeper structural, procedural, and socio-cultural barriers that limit women's voices in lawmaking.

First, the findings underscore the need for a comprehensive review of public participation frameworks under Article 118 of the Constitution and the Public Participation Bill (2023). Policy instruments should explicitly integrate gender-sensitive provisions that standardize how inclusivity is operationalized across all stages of the legislative process, from committee hearings to bill approval. This would ensure that public input, particularly from women and marginalized groups, directly informs law formulation rather than being relegated to procedural compliance.

Second, the National Gender and Equality Commission (NGEC), in collaboration with the Parliamentary Service Commission (PSC) and State Department for Gender, should institutionalize gender audits of parliamentary processes. These audits would measure representation, participation quality, and outcomes to track progress toward the two-thirds gender rule and SDG 5 (Gender Equality).

Third, aligning with SDG 16 (Peace, Justice, and Strong Institutions), Kenya's governance frameworks should strengthen transparency and feedback loops in participatory mechanisms. Establishing a parliamentary participation portal with real-time publication of submissions, legislative drafts, and responses would increase trust and accountability while reducing elite capture of engagement processes.

Finally, digital transformation within Parliament presents an opportunity for inclusive reform. Policymakers should prioritize gender-responsive digital inclusion policies, including subsidized internet access and digital literacy programs targeting women and rural constituencies. This approach would democratize legislative access and enhance women's influence in governance, consistent with Kenya's commitments under the African Union Agenda 2063 and CEDAW obligations.

By embedding gender equity into institutional norms, information systems, and participatory practices, Kenya can move from procedural inclusion to substantive representation—ensuring that public participation becomes a transformative tool for democratic equality rather than a symbolic exercise.

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