

CREATING AN AWARENESS AMONG KENYAN WOMEN OF THEIR LEGAL RIGHTS

Florence Butegwa

Florence Butegwa, professeure en droit à la Polytechnique du Kenya, s'adresse au besoin pressant d'une éducation en matière de droit – surtout pour les femmes – dans son pays. Cet article est le sommaire d'une enquête qu'elle a menée sur le degré de connaissance qu'ont les femmes du Kenya, en campagne ou en milieu urbain, des provisions légales et les droits qui les concernent le plus: droits de propriété, validité des mariages; la signification de la valeur monétaire des mariées; la garde des enfants; la violence contre les femmes, et l'application des droits légaux des femmes. En conclusion elle présente des moyens pour créer une conscience en matière de droit.

I have been a lecturer in law for more than six years, during which period a substantial percentage of my students were mature people, already working but studying law as part of their professional courses. During the course of lectures and class discussions I have, on numerous occasions, found myself in embarrassing and painful situations of having explained some legal principle which shattered one or more of the students' lives (so to say!) – for example, the shocking realization that in law she is not married, or that her children are illegitimate and she can not claim maintenance for them from their putative father. Most students so concerned have been women.

This led me to believe that there is dire need for legal education – especially for women; that the Kenyan woman must be informed of the law that concerns her most and the methods of enforcing those legal rights that the law has given her; that so much hurt and anguish could be prevented by that education! As the first step towards this conviction, this study was undertaken in the hope that it will generate active and constructive interest in this area.

This study aimed at establishing the extent to which women in Kenya know those legal provisions that concern them

most – especially as regards ownership of property, validity of marriages, custody of children, and wife beating. It was conducted among a random sample of both rural and urban women, educated and uneducated, ranging from eighteen years of age to eighty. It was found that, in general, a very large majority of women in Kenya are not aware of their legal rights; the level of awareness was much lower in the rural population. For instance, almost 60% of all women interviewed thought that a woman had no right to own property. Almost 50% said that a man had a right to discipline his wife! Close to 70% of the respondents felt that they had no right to marry the man of their choice unless bridewealth had been paid to their parents.

Although the need to create legal awareness exists for the entire population, this study was limited to women, the majority of whom are already handicapped by social, cultural and financial factors. Although Kenya law is discriminatory in its application to the sexes, it does give women some rights. The immediate problem is, therefore, not the absence or inadequacy of legal rights but the *lack of awareness*. Women form more than half of the adult population in Kenya and many are suffering injustices, discrimination and abuse. For example, on the death of a husband, while the widow is mourning, relatives of the deceased quickly remove and take as their own most of the personal and household property, leaving her and the children almost destitute. Many women frequently suffer physical abuse; thousands more are denied access to their children after being removed from the matrimonial home. I could go on and on with situations in which women need legal education to equip them both with the substantive law and the procedural law so that they can seek redress without necessarily going through an advocate, whose fee many cannot afford.

This report is based on data collected from Samia Location, Hakati Division of

Busia District and Embakasi Division of Nairobi District. The questions were distributed to women aged eighteen and above on a random basis. The marital status, educational background and/or specific age of the women was not taken into account at this stage. Because it was discovered that the Busia District women could not read or answer the questionnaires without assistance, four women from the area were recruited to interview them. All in all, 400 women were interviewed; subsequently, 48 questionnaires were found to be bad (mainly because more than one answer had been ticked without indicating the order of priority). Of the remaining 352 respondents, 310 were housewives, 18 single and unemployed, 8 single and employed, 10 married and employed and 2 self-employed. The remaining 4 did not respond to this question.

Nairobi District presented different problems. The area selected is mainly residential. Since most women were employed, the researchers had to visit the houses after 6 p.m. and leave the questionnaires, after explaining the purpose of the study. The questionnaires were to be collected on agreed days. In many cases the researchers had to go to the houses more than once before finding the respondents at home. Out of the 450 questionnaires distributed, only 165 were collected properly filled in. (Of the 165 women considered, 114 were married and 51 single. 111 of these were employed, 27 were housewives – married and not working or self-employed, 18 were unemployed and six were self-employed). Many women were literally *scared* of their husbands finding us in their houses talking of legal rights. Many refused to accept the questionnaires for fear of what would befall them if the husbands found out. Many of those who agreed to take the questionnaire claimed that they would have to hide them from their menfolk! At least four women were actually "forced" to return the questionnaires unanswered.



Kenyan woman with child

Credit: Phyl Kohut Sereda

I wonder how many of those questionnaires we never got back were unanswered on the same grounds!

The Director of the Women's Bureau in the Ministry of Culture and Social Services with whom I discussed this problem, felt that this was largely due to our culture. Women, as a whole, were expected to remain subordinate to men, to be or appear at all times to be subservient to their husbands. This is an aspect of our culture that many men would like to see preserved. Any talk of creating awareness in women of their legal rights is, therefore, likely to be viewed with suspicion. We were likely regarded as *agents provocateurs* of the highest calibre. To many men, this was bringing "women's lib" nonsense to their homes. I would have liked to talk to the men in question to find out if this was really the problem, but the women didn't want to take the risk. I should, however, mention the fact that, in the few houses

where I found men, they engaged me in the most lively discussions about the study. Many expressed the view that *they* also need to know the law and wondered why we were only concerned with women!

When I applied to the Office of the President for a licence to carry out this study, a public official asked me why I thought only women needed to know their legal rights. He was of the view that the whole adult population needed it. The same comment was made at the Busia District Commissioner's office when I presented my licence there, and it cropped up from both men and women throughout the fieldwork. These sentiments were reasonable and set me wondering whether, in fact, men were any better in terms of legal awareness! May be a similar study should be done and a comparison of findings made with this. The result could be of use to policy

makers and of interest to many non-governmental organizations and social workers.

What follows is the report on the questionnaire-based responses. It is divided into six parts on the basis of the topics covered by the questionnaire: women's rights over property; parent's rights over children; validity of marriage; husbands' "right" to discipline their wives; importance of bridewealth in marriage; and the actual enforcement of women's legal rights. I have tried to incorporate the views of the respondents as expressed in their answers to the open-ended questions. These answers provide valuable insight as to why the respondents gave certain answers. The researcher has also attempted, where necessary, to state the substantive legal principles involved.

WOMEN'S RIGHTS OVER PROPERTY

The report under this heading covers these questions:

- "Do you have property of your own?"
- "If you buy property with your money can you sell it without your husband's consent?"
- "Does a woman have a right to own property?"
- "Does a widow have any right over her late husband's property?"
- "If your husband insisted that you give him your salary every month what would you do?"

Before analysing the responses to the above questions, I will briefly outline the legal principles involved. Under the general law of contract, a woman – whether married or not – has contractual capacity. She may enter into valid contracts on her own behalf without involving or affecting her husband. The English Law Reform (Married Women and Tortfeasors) Act 1935 which is applicable to Kenya provides that a married woman can acquire, hold and dispose of any property. The Registered Lands Act does not discriminate against women as regards land ownership. Ownership of land, or any other property, carries with it the legal right to deal in that property (for example, to dispose of it) at one's will unless that power is otherwise restricted by law. The Law of Succession Act 1972 allows a widow to apply to court for provision if her late husband's will does not adequately provide for her. If the husband died intestate, the widow is

entitled to his personal and household effects absolutely, and to the whole of the remainder (net estate) for the rest of her life or until she remarries. This is the only law governing the inheritance to personal property of persons who die while domiciled in Kenya, unless the deceased leaves a valid will to the contrary.

With the above principles as guidelines, the significance of the respondents' answers can now be appreciated. 58.8% were not aware that a woman has a right to own property! It is significant, however, to note that the vast majority of this group were rural respondents; the majority of urban respondents were aware of this right. This seems to indicate that women in the urban areas have been more exposed to women owning property and are aware of their rights in this respect. Almost all respondents agreed that a widow had a right over her late husband's property. All the urban women who responded to this question and almost 96% of the rural women gave a positive answer when asked whether a widow had any right to her late husband's property. If this response is combined with the rural respondent's view that a woman has no right to own property, it can only lead to the conclusion that what the respondents (at least the rural-based ones!) were referring to was the right of *use* as opposed to the right of ownership: what they agreed to was the widow's right to continue occupying and using her late husband's land and other property (as long as she did not remarry).

The last question under this section was only given to women in Nairobi because it was felt that the majority would be working and earning a salary. Slightly more than half the women who responded to this question said that they would "absolutely refuse" to hand their salary to the husband. A variety of reasons were given: many expressed the fear that a man was more likely to misuse the money without adequately providing for his wife and children; some said that the woman had earned the salary and therefore had a right to decide or at least participate in the decision as to how it will be applied (it is these few who looked at the whole question as related to a woman's legal right to hold and use her property in the way she considered fit). Almost a quarter of the women said they would give their husbands the salary if he insisted. Their reasons

included the following: "the money I earn is for both of us;" "give it to him if he agrees to meet all family expenses;" "it is his right, so he can have it;" "to avoid quarrels and beatings for the money." These responses seem to indicate a belief in a sizeable number of women that the husband has a right to his wife's money or at least that it is 'joint-property.' The remaining women said that they would give the salary to the husband after discussion or if he gave good reasons as to why he needed the money.

PARENTS' RIGHTS TO CUSTODY OF THE CHILDREN OF THE MARRIAGE

The law governing the parents' right to have custody of the children of the marriage is to be found mainly in provisions of the Guardianship of Infants Act. Where the mother and father of a minor are legally married to each other and are cohabiting, they are *joint* guardians and have joint custody of the issues of the marriage: each has equal rights over the children. The Act specifically states that on divorce or separation or during cohabitation either parent may apply to court for an order granting him custody of the children. Although the Magistrate Courts Act 1967 includes custody of minors as one of the matters that may be determined according to African Customary law, the Guardianship of Infants Act provides that when the court is considering an application for custody of a minor, the determining factor shall be the welfare of the minor. Thus the court shall not be unduly influenced by customs or religious rules. Where the parents of a minor are not legally married to each other, the legal position is the same.

The above being the law, it is worth noting that in the customs of the different communities in Kenya, there seems to be clear-cut "rules" as to which of the two parents is "entitled" to the children. In some communities, for example, the Luhya, children belong to their father and it is considered outrageous for a woman on divorce or separation to refuse to surrender the children to their father. Even where a young girl gets a child out of wedlock, she takes it as her duty to take the child to its father immediately after it stops breastfeeding. Among the Kikuyu, the practice seems to be that the mother takes custody of the children. Several

elderly Kikuyu men told me, however, that the original (or real!) custom of the Kikuyu was for the woman to take the children while they were still very young (during the breastfeeding and weaning stage). Once the child was big enough to fetch water, if a girl, or to graze goats, if a boy, then their father had the right to her/his custody.

Answers given by the respondents to questions under this heading may have been heavily influenced by the customary law and practices of their respective communities. The responses clearly underscore the need to bring to the attention of the general public (both men and women!) that customs are not necessarily the law of the land.

The questions under this heading were:

- "Who has got a bigger right over children in a marriage?"
- "Of the following persons, who has got the principal claim over the children on the death of their (the children's) father?" a) their mother b) their paternal grandparents c) their paternal uncles or aunts d) their step-mother (if any) e) I don't know."

Of the 506 women who responded to the first question, 8% said that the father had the principal right to the children, 49.8% said that the mother had the principal right, and the remaining 42% said that both parents had equal rights to the children. There was a significant difference in the opinions of the rural and urban women in this respect: While 75% of urban women said that both parents had equal rights, more than 65% of the rural women felt that the mother had the principal right to the children. Almost all respondents knew that the mother of the children has the principal claim over them should their father die.

VALIDITY OF MARRIAGES

The report under this section covers the responses to these questions:

- "Does a man married in church have a right to marry another woman?"
- "Are you "properly" married if no ceremony is performed?"
- "If you have been living with a man you are not married to and you find out that he is going to marry another girl, can you stop that marriage?"
- "If you have been living with a man and he sends you out of his house because he is going to marry another girl, what would you do?"



Kenyan women dancers at Forum '85

Credit: Shelagh Wilkinson

A marriage in church (or a Christian marriage) is governed by the African Christian Marriages and Divorce Act which in turn makes applicable to such marriages most of the provisions of the Marriage Act. These two Acts provide that in order for a valid marriage to be celebrated, neither party must be already married either according to customs or Muhammedan law. Once a valid marriage has been celebrated, it continues to exist until the death of one of the parties or until the marriage is dissolved by a court of competent jurisdiction. During the subsistence of such marriage, neither party has the capacity to contract any other marriage under any other law or customs. It is an offence punishable by a maximum of five years' imprisonment for a person to contract a marriage under the Marriage Act or the African Christian Marriages and Divorce Act when he or she is already married in accordance with native law or custom. It is also an offence for a person already married under the Acts to contract another marriage in accordance with native law or custom. Also worth noting is Section 42 of the Marriage Act which reads: "Whoever, being unmarried, goes through the ceremony of marriage with a person whom he or she knows to be married to another person shall be liable to imprisonment for a period not exceeding five years."

As far as "marriage without ceremony" is concerned, the Kenyan legal system recognizes as valid statutory, customary, Muslim and Hindu marriages. For each of

these types of marriage there is some form of ceremony to mark or solemnize the marriage. It is, however, possible for the court to presume the existence of a marriage if a man and woman cohabit for a reasonable length of period and that cohabitation is coupled with the reputation of being husband and wife even if no actual ceremony ever took place. Living with a man, apart from raising the presumption of marriage, may – if coupled with a promise to marry – result in an enforceable contract.

With the above principles in mind, let us look at the responses to the relevant questions. Of the 512 women who responded to the first question, over 73% said that a man married in church had no right to marry another wife; almost 21% said that he had the right, and the rest said that they didn't know. Asked whether one would consider herself as properly married if no ceremony was performed, more than 60% of the women said "Yes" and almost 31% said "No;" the rest said that they didn't know. More than 72% of the rural sample said that they were legally married even if no ceremony was held. This reflected the recent trend in which a woman just starts living with a man of her choice without complying with either the customary or statutory formalities and requirements. It seems that courts in Kenya tend to regard these unions as mere "casual relationships."

Many of the urban respondents concluded that if they had been living with a man they were not married to and he sent them away, they would simply leave his

house since they would have no 'claim' over him. A similar stand was taken by the rural respondents. All in all, 75% of all women who responded to this question were of this view. Some of the reasons given were: "It is better to leave his house because by that time the man can even kill you. Your children and parents would then be the losers;" "Because he would have sent me away;" "He prefers the other girl to me so I can't force my way when I am unwanted;" "To avoid embarrassment;" "Because I want peace;" "Because I am not yet married to him and he has right to do his will."

Only 13% of the women felt that they would have cause to file a case against him, or apply to court for any orders or declarations: "I assume that I would not live with a man unless I was married to him; so I would take him to court because if we were married officially I don't see why he should think of getting married to another girl;" "Because he is not allowed to have more than one woman;" "Because he has wasted my time waiting for him;" "Because he has been using me: if I wasn't there may be he would have hired a housekeeper, etc. He should compensate by paying a certain amount of money to me." Ten per cent of the women gave other courses of action: "I would just stay in his house. He can build for his new wife;" "I would stay because he swore before God and the people that I am his wife until death;" "I can't go away because I have children;" "Stay because I have no alternative prospect of marriage when I have children;" "Go on loving him."

In response to the question which asked each woman whether on the discovery that the man she has been living with was planning to marry another girl, she could stop that marriage, slightly over 49% said they had no right to stop it, 45% said they could stop it, and the rest said that they didn't know.

HUSBANDS 'RIGHT' TO DISCIPLINE THEIR WIVES

This part consisted of three questions:

- "Do you think men have a right to discipline their wives?"
- "Is it lawful for a husband to beat his wife?"
- "If your husband was to beat you, what would you do?"

Beating a person is both a crime and a tort, unless done in self-defence and the force used is reasonable under the circum-

stances. The Penal Code creates offences like common assault and assault causing actual harm or grievous harm. Men are not exempted from persecution and/or conviction for contravening the above-mentioned provisions of the Penal Code and, in fact, there are many instances where men have been convicted of assaulting their wives. The legal position as regards the tort of battery (which a man definitely commits when he beats his wife) is different. The English Common law, which is one of the sources of law in Kenya, creates a legal fiction that once a man and woman are legally married they become one in law. This concept has been largely eroded by statute, especially as regards the law of property and contract, but it still survives in the law of tort. The effect is that a married woman may not maintain an action in tort against her husband (and vice versa) since one cannot sue oneself! One of the grounds on which a petition for divorce may be based is cruelty. A woman whose husband beats her may therefore petition for divorce, judicial separation, or report to the nearest police station. A sizeable number of women interviewed were of the opinion that the last alternative above does not work in practice because police officers tend to regard any complaint of beatings from a wife as a purely domestic affair and therefore not of their concern.

A surprising 44.7% of the women were of the view that a man had a right to discipline his wife; 61% of these were from the rural sample and the rest from Nairobi. Forty-seven per cent of all the women who responded said that a man had no right to discipline his wife, and the remaining 8.3% did not know whether he had such a right or not. Seventy-eight per cent of the women felt that it was not lawful for a man to beat his wife. If you compare this percentage with the relatively large number of women who said that a man had a right to discipline his wife, it leaves one wondering what form of disciplinary action the women had in mind: Twenty-six per cent of the urban sample felt that it was lawful for a man to discipline his wife, while a mere 13% of the rural sample agreed – which is surprising. Some women leaders explained this disparity by arguing that the customary “authority or supremacy” of men is more threatened in urban areas, which often “forces” them to resort to physical violence in order to reassert themselves.

When asked what she would do if her husband beat her, a staggering 61% said

they would run away (clear survival instinct?): “. . . so that I come back when his temper has cooled so that we discuss our differences, and come to a compromise;” “To protect myself;” “It is customary to run away and come back later;” “To avoid being killed.” 13.6% said that they would report to the police station, 11% would divorce the man, and another 11.7% said they would do neither. The majority of this last group said that they would simply do nothing; they would just stay at home: “Stay, discuss and reconcile;” “Just stay with him; do nothing;” “It is normal to fight, so I would do nothing;” “Apologize and plead with him;” “He married me so I would just stay;” “It is his right.” This group clearly sees nothing wrong with wife beating, they have accepted it as “normal” or as being the man’s right! The rest (16.3%) said that they would beat him too, in self-defence or to ensure that he didn’t take such liberties again.

BRIDEWEALTH AND MARRIAGE

The questionnaire carried only one question on bridewealth:

- “If a man you loved wanted to marry you but was unable to raise the bride-wealth demanded by your parents, what would you do? a) Elope with him b) Go ahead and marry him c) Give him more time to raise the dowry d) Convince my parents to lower the dowry e) Other.”

Bridewealth has been and still is an essential element of a valid customary marriage. If a man does not pay bridewealth to the parents of the girl he intends to marry no marriage will be recognised by her family and community. Bridewealth is not essential for the validity of civil or Christian marriages, but in practice parties to such marriages do still pay bridewealth before they can think of going through a marriage ceremony. Payment of bridewealth is so embedded in the system that one frequently hears of educated women (even university graduates!) worrying that the husband has not finished the bridewealth and her parents are threatening to take her back to their home! Some women do go back to their parents’ home on their own accord if their husbands do not complete the dowry in good time. Most women think they would be the laughing stock of their community if ever they continued living with a man who refused to pay bridewealth for them.

Of the 500 women who responded to this question, over 69% indicated that they would not go ahead and marry the man they loved unless he had paid the bridewealth: they would either give him more time to raise the bridewealth, or try to convince the parents to lower the bridewealth. These women represented 75% of the urban women who responded and 66.9% of the rural respondents, which tends to indicate that the majority of women in Kenya regard bridewealth as an indispensable requirement.

The remaining 31% who said that they would go ahead and marry him or elope with him despite the non-payment of bridewealth, gave the following reasons: “Bridewealth is not an essential element to our marriage;” “The major thing is happiness. If I can get this from this man, then I don’t just see why I should wait for extended formalities;” “If I choose to listen to my parents’ demands, the man might leave me and I would be the loser, not my parents;” “I would marry him, so that we can raise the bridewealth together. My parents would understand.”

WILLINGNESS TO ENFORCE LEGAL RIGHTS

This whole study was carried out on the assumption that there was a genuine need to make women, especially married women, aware of their rights and protection in the Kenyan legal system. It was, however, not clear whether once the women had this legal awareness they would be prepared to enforce their legal rights. It is also common knowledge that some women who know the law are rarely ready to go to court to protect those legal rights or obtain a remedy at law! Two questions were therefore put to the respondents to get an idea of their views on the matter:

- “If you had a legal right would you go to court to enforce or protect it?”
- “Many women who know their rights do not enforce them. Why is this so?”

Over 70% said they would go to court, 17% said that they would not, and the rest did not know whether or not they would. The women in the first category represented 79% of the rural sample and 52% of the urban sample. These percentages seem encouraging but a casual look through Law Reports shows that, apart from divorce petitions, there are very few reported cases in which a married woman tried to enforce her legal



WANGU WA MAKERI

Woman chief in Murang'a district Kenya 1902—1909. Wangu Wa Makeri became a legend among the Kikuyu's in Kenya, as she proved to be a successful leader of both men and women in her area, which was not customary at that time. She was made a chief because she was friendly with the overall chief of Murang'a. She brought about change



and progress in agriculture and education. Her son was one of the first to go to a Missionary School. She was forced to resign her post in 1909, when people became upset and angry with her, because she joined (while she was improperly dressed) in a Kikuyu dance which was for men only.

rights against the husband, even against third parties unless the husband happened to have some interest in the subject matter.

Almost 49% thought that the main reason why women rarely try to enforce their legal rights (when known) was "fear of wrecking their marriages;" 14% thought that it was "lack of knowledge as to what to do." Slightly over 15% thought that such women just didn't want to go to court; the remaining said that the main reason was either the negative response from law enforcement officers or that the women feared what other people would say if they filed cases, especially against their husbands

or had the latter prosecuted.

All in all, it might be said from the above that legal awareness does not go hand-in-hand with an influx of litigation that will significantly disrupt the marriage institution. Rather it makes the woman wiser; gives her some options and, in case of real need, gives her some assurance that she has a remedy in law! It is humbly submitted that a woman is an intelligent and reasonable creature, that she is unlikely to act rashly in most cases, and that knowledge of the law is more likely to create a fair and just society than endanger it. Thus the fear expressed by some men who were interviewed that legal

awareness might lead to higher divorce rates is unfounded.

METHODS OF CREATING LEGAL AWARENESS

In the past there have been few concerted efforts to make the general public aware of the law. The most notable ones are "Radio Lawyer," a programme broadcast by Voice of Kenya (V.O.K.) twice a week; "Vioja Mahakamani," V.O.K. television programme in comedy form; weekly columns in two of the three English dailies in Kenya, and a short column by the Public Law Institute in the *Consumers' Digest*. At best, these efforts can be described as grossly inadequate! Each has very grave shortcomings. The women interviewed felt that they never had time to listen or to learn anything from the radio programme. Many women in the rural area didn't even have a radio; those with one felt that the duties of a woman in a rural home ruled out radio education — she was either collecting firewood, or cultivating in the fields, or cooking with the children around at the time of the broadcast! The same view was taken by some of the urban women, about 40% of whom conceded the fact that it was not so much the lack of time as the lack of incentive for taking the radio programme more seriously. They argued that topics of interest to them were rarely covered and that even if they are, there is not sufficient prior publicity.

At the time of writing this report (March 1985), the television programme "Vioja Mahakamani" was no longer on the air. It had the obvious disadvantage of reaching only the urban, reasonably well-to-do families who could afford television sets and had electricity supply. In addition the comic format worked against any serious educational purpose: people tended to treat it as an entertainment programme falling within the category of "The Jeffersons" and "Sanford and Son."

The newspaper columns designed to create legal awareness, although simply written, are difficult to keep for future reference. About 30% of the urban respondents who acknowledged ever having read such columns, said that they never made efforts to keep the articles: the newspapers are used to light charcoal "jikos" or are resold to the nearest kiosk owner!

The Luhya questionnaire used in this study carried a question as to the methods(s) the respondent would prefer to see being used in creating awareness among Kenyan women. An overwhelming 80% chose public meetings or "barazas" – open to both men and women – organised by community development officers (who incidentally are civil servants). Various women's leaders and government officers interviewed also thought that this was indeed the *only* primary method of introducing legal awareness.

The Chairman of the Women's Bureau of the Ministry of Culture and Social Services and other women in responsible positions in the government felt that in the new government-sponsored "District Focus for Rural Development" programme, the District Women Development Committees (DWDC) will be the ideal tool through which this project for legal education for women throughout Kenya could be channelled. The DWDC are designed to co-ordinate women's activities at district level; they are composed of representatives of each non-governmental women's organization in the district. It does not matter what the primary aim of the group is – it may be handcraft-making, chicken-rearing, etc. – they are all to be represented. The DWDC is, therefore, an ideal channel for reaching all the organized women's groups in each district.

I was made to understand that the Government has already given the green light for legal education through the Women's Bureau. The Bureau says that the funds are available but because of staffing problems it cannot undertake the project itself. It has, however, indicated to various women's organizations that, should they come up with plausible or feasible proposals to promote legal education among Kenyan women, it will provide all necessary financial backing to make it a success. None of the women's organizations had so far come up with concrete proposals towards this end.

The Women's Bureau strongly believes that for the legal education programmes to benefit the women in Kenya, they must be initiated by the women themselves. Consultation Centres could be established at district level for this purpose. It would be desirable for such centres to be separate from government offices to ease congestion and remove the bureaucracy normally associated with government offices.

They should be staffed by women of integrity in the local community, to prevent public opinion from taking a negative view of the whole programme.

The local DWDC could be instrumental in setting up such consultation centres: any future efforts in legal education either by the government or non-governmental organizations and individuals could be channelled through them. Such centres could also be used to identify priority areas to be tackled in

each district, and to provide an agency for follow-up measures and monitoring services. Dissemination of any new information or research findings would also be greatly facilitated.

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