

Influence of One Third Gender Rule on Gender Participation in Management of Water Projects in Njoro Sub-County, Kenya

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Abstract

In Kenya the importance of one third gender rule in management of rural water supply projects has often been emphasized, yet the implementation of the policy has not been fully operationalized into action. Project managers and management committees in rural water projects have not perceived the importance of gender aspects as potential contributor to sustainability of water supplies projects. However, the dynamics of power relations between women and men in management committees is commonly influenced by socio-cultural factors that perpetuate the subordinate position of women in management affairs of water projects. In Njoro sub-county some water management committees, do not put into consideration one third gender rule in electing or appointing leaders in leadership position. This paper therefore focuses on one third gender rule on water resource management in Kenya with the intension of filling the gap between policy and practice.

Key words: One-third gender policy, Gender participation, Water projects, Management.

1.1 Introduction

Gender participation in water management committee has been recognized as a precondition for effective and sustainable water resource management. In order to have improved and a sustainable management of water supply, the involvement of both men and women in decision making process is very critical (Kulkarni, 2011). Management of water projects remains critical for its operationalization as well as continuity of the project. Most projects that are managed well outlive their functions. Integrated water resource management involves the development, coordination and management of water putting into consideration all factors affecting its utilization and management in terms of participation representation in decision making levels. It seeks to maximize social and economic welfare in an equitable manner, to sustain ecosystems and bring together the technical, social and political spheres, (UNEP, 2009). In many cases, gender relations and project procedures undermines women chances to participate in discussions and decisions, in spite of their roles as users and managers of water (Katui-Katua, 2004). Underlying these are the strategic constraints: no equitable division in autonomy over access to and control over resources and independent choices in decision making by women in domestic and public domains. This may prevent participation of women and men at all levels of project planning. According to UN women (2011) the exclusion of women in decision making not only delays delivery of benefits but also affects equity and institutional efficiency.

Kenyan government has decentralized water management responsibilities to county governments with the aim of promoting local governance and public participation in water projects. Decentralization strategy facilitates greater social ownership of water resources and hence more sustainable environmental outcomes and proper management (Government of Kenya, 2010). In addressing gender inequality in the water service sector, both the practical needs and strategic needs of women have to be addressed. In terms of the practical needs, women need to access water as a basic service to ensure the functioning of the family unit and sustain a minimum quality of life (Ellis & Cutura, 2007). In terms of strategic needs of women, the barriers that prevent women and men from operating at the same level, need to be removed and women need to be empowered to enjoy the same status as men to realize their full potential and contribute to national, social and cultural development (GWA, 2006). The Kenyan government has implemented the constitution which advocates for one third gender rule in any management appointments or elective position (Government of Kenya, 2010). This may not be the case in many development projects and especially in water user's association projects where women have fewer opportunities than male counterparts in management position. This may be due to the nature of the power relations and socio-cultural factors in the rural communities which promotes male dominance consequently vesting power to the men who formulate the policies and plans which women then have to adhere to. In Njoro water projects failure of the management committee to implement one-third gender rule as stipulated in the Kenya constitution have led to the development of water projects that are nonresponsive to women's practical and strategic needs hence

reinforcing gender inequalities in the rural water management committees.

2.0 Literature review

2.1 Participation of Gender in Water Resource Management

Gender relations are hierarchal in most African societies and are patriarchal in nature and tend to disadvantage women than men (Mugaka, et al., 2006). These hierarchies are often socially and culturally acceptable and are subject to change over time (Kabane, 2010). Gender relations are subject to change and are characterised by conflict and cooperation and regulated by other factors such as social class, gender and economic status of the family. At the policy level, the importance of gender aspects in rural water supply is often emphasized, yet its implementation has become elusive. Policy makers and project managers do not yet properly perceive gender aspects as potential contributors to sustainable water supplies (Joshi, 2011). However, the dynamics of power relations between women and men committee members, women's involvement in real decision making and the structural factors that perpetuate the subordinate position of women in community affairs are given little attention. In addition, the participation and involvement of women and men in most community water management committees is not based on equality. According to World Bank (2010) men dominate decisions making positions such as chairpersonship and office of treasurer and while women are almost always kept as ordinary members with no defined tasks.

Gender cuts across the dimensions of intra-community differentiation and hierarchy. On matters concerning access and control of resources both women and men interact with other aspects of socio-economic differences hence making both genders not to be considered homogeneous category in terms of their interests and needs (Ong'or, 2005). Interest in terms of control and use of water for different purposes such as: agriculture, domestic water supply, waste disposal, industrial use, transport and energy differ among different categories of individuals (Khwaja, 2004). Therefore, benefits and costs of water use must accrue equitably to all groups of society. This is only possible if all groups are involved and their voices heard. It follows, therefore, that effective integration of women in water management will to a larger extent result into effective solutions because, as the largest category of water users.

2.2 Key Legislation and Policies in Water Resource Management in Kenya

The government of Kenya has committed itself towards sound management and sustainable utilization of water and environment resources for the present and future generation. This has called for reforms in the water sector. The government has evaluated and formulated water legislations to be in line with regional and international arrangements related to water resources management. For this paper, three key documents are chosen for analysis, that is, the Kenyan Constitution (2010), the National Water Policy (2012) and the Water Act (2002).

2.2.1 The Kenyan Constitution (2010)

The Constitution of Kenya (2010) (CoK) recognizes equality in gender participation. Kenya is a signatory to the Beijing Declaration and Platform for Action, the Universal Declaration of Human Rights and the Solemn Declaration on Gender Equality in Africa (Moser & Moser, 2005). These international, regional and sub-regional instruments are all meant to uphold the principle of equal gender participation. Kenyan government has over the years attempted to attain equal gender participation in public institutions (Wafula, 2010). Recognizing the importance of equal gender participation, the Constitution of Kenya (2010), domesticates the government efforts to safeguard human rights and fundamental freedoms and entrenches the concept in article 81 (b) that not less than one thirds of the members of elective or appointive bodies shall be of the same gender. In article 27(8) of the constitution the requirement is that the government shall take measures and legislative reforms to implement the rule of not less than one third in elective posts in public institution shall not be of the same gender. The Constitution of Kenya espouses the rights of men and women should be equal in all legislation and both genders should have equal opportunities in the social, economic and political spheres (Government of Kenya, 2010).

The new constitution promotes gender equality and equity, including cultural diversity. The Constitution reflects a widely-held belief that guarantees of equality, equitable distribution of resources and balance of power represent in the best way to reduce the influence of ethnicity on political decision-making and thereby secure a peaceful future for the country (Liebhardt, 2010). On one hand, the new constitution provides a legal framework for combating discrimination. Deriving from the constitution, a national cohesion and integration policy was enacted to deal with difficulties in enhancement and implementation of the national cohesion and integration. The Constitution obliges the government to ensure that the minority, marginalized groups and gender are provided with equal opportunity for representation in governance, and to provide access to employment and special opportunities in education, land rights and economic fields (Nyanjom, 2011). Effective implementation of constitutional provisions is expected to diffuse the grievances of marginalization of women and men in

leadership and management of projects and programmes for sustainability.

2.2.2 The Water Act (2002)

The Water Act was enacted in 2002 as the legal framework under which water management was separated from water supply delivery services (Government of Kenya, 2002). The Act has introduced comprehensive and radical changes to the legal framework for the management of the water sector in Kenya. The overall goal of the Act is to decentralize water management in order to ensure community participation and hence increase ownership of the water projects. The Act is structured around the following themes: decentralization of water resource management from the provision of water services; separation of water legislation formulation roles from water operation and administration activities; decentralization of functions to lower level state organs; and the involvement of other entities in the provision of water services (Nyanjom, 2011).

The Act also delegated responsibilities for water resources management and water services provision to local level functions. This has, notably, been the principal mechanism for improving accountability and transparency in the water and sanitation sector (Wafula, 2011). Another key element is that the Act address financial aspects of the water sector and established the Water Services Trust Fund (WSTF) to channel government resources and donor funds for water supply to disadvantaged communities. The Act introduced new government water institutions with clearly defined roles and responsibilities (NEMA, 2007). It stipulated that overall responsibility for water management, including policy formulation, coordination and resource mobilization, lies with the Ministry of Water and Irrigation (MWI).

The Water Services Regulatory Board (WASREB) was also set up to regulate water and sewerage services, including licensing, quality assurance, and setting water tariff guidelines, and handling public complains on water service provision (Government of Kenya, 2002). The Act also provided for establishment of a further eight Water Service Boards (WSB) to be responsible for the efficient and economical provision of water and sewerage services within their area of jurisdiction. However water service boards have transferred the role of water provision to water service providers who may be community groups, church organizations or other entities established by local authorities.

The Water Resources Management Authority (WRMA) was created as a semi-autonomous institution responsible for managing, protecting and conserving water resources. The Authority is also in charge of developing principles, guidelines and procedures for the allocation of water resources. The Act recognizes the importance of public participation and provides for decentralized and stakeholder involvement by creating the Catchment Area Advisory Committees (CAAC) to support the WRMAs at the regional level. At the grassroots level, stakeholder engagement will be through Water Resource User Associations (WRUAs).

2.2.3 The National Water Policy (2012)

The main objective of the National Water Policy (NWP, 2012) is to develop a comprehensive framework for sustainable water resource management in the country. The policy aims at ensuring that beneficiaries participate actively in community based domestic water supply schemes. Additionally, this policy seeks to address cross-sectorial interests in water, watershed management and integrated water resource management. Also, the policy lays a foundation for transfer of roles and responsibilities from the National level to the water user's association projects in the grass roots level.

Gender can influence water policies in two fundamental ways: First, there are policies relate to the sustainable management of water resources and commonly rely on a broad base of stakeholder participation and consultation (NEMA, 2007). Therefore, the diverse roles of men and women in the control and management of water resources should be viewed as separate entities consequently match various policy goals and objectives accordingly. Second, the development of water resource management policies can have differentiated impacts on women and men (NEMA, 2007). As such, gender sensitive water policies should be clear on ways to protect the rights of both men and women in respect to the manner water resources are used and allocated. Thus, the incorporation of a gender perspective will aid in addressing issues of water accessibility as well as protecting the livelihoods of the men and women who depend on water resources.

The roles that women play are different in any given society, and their situation is determined by legislation, religious norms, economic status or class, cultural values, ethnicity and types of productive activity in their country, community and household. Women are usually responsible for domestic work, the care of children, family health, cooking and providing food and other household services. In each of these areas - reproduction, production and community - women have often been adversely affected by the development process. There is a

wide gap between women's extensive economic participation and their low political and social power, and development strategies have usually taken the needs of the most vocal and politically active as a starting point.

2.3 Community Participation Theory

The most important process in any development project is the encouragement of the active participation of the local community. Without community participation it is not possible to have sustainable management of water projects. According to Harvey and Reed (2007) participation of project beneficiaries' is of great essence in that it enhances the sense of ownership among members. This is important in ensuring that water projects are operated and maintained after the implementation phase. Community participation theory assumes that the higher the community participation in a decision, the less the likelihood of interferences of external organizations on that decision. In this theory focus is given on the participation of beneficiaries and not that of personnel from the implementing agencies in development projects. Community participation is attained through collaborative or joint involvement of project beneficiaries and the implementing agencies (Khawaja, 2004).

Gender divisions are learned behavior and change over time as circumstances force communities to adapt to situations by changing gender roles. It is important to look at gender relations in any development project. In this context, gender relations take into account the different roles that men and women assume within a household and community. These roles determine men's and women's own specific perspectives, knowledge and needs which in turn are linked to their assigned tasks within the household and the community (Lachapelle, 2008). Both women and men have valuable knowledge, which should be incorporated in to watershed management programs in order to ensure their sustainability. However, men's perspective, knowledge and needs tend to be considered in watershed management programs whereas the women are overlooked.

Water resources are essential to life on earth and play a key role in the development and functioning of society. Water provides habitat and sustenance for a rich diversity of plant and animal species that make up aquatic and riparian ecosystems. It provides the basis for many of the goods and services received by society in terms of basic resource for activities such as irrigation, livestock production, fisheries, aquaculture, and hydroelectric power (Majory, 2009). It is adequate in households, businesses and manufacturing in prerequisite of economic growth. Clean water and sanitation are strongly needed for reducing the incidence of waterborne diseases. Population growth is the most important demographic trend affecting water resources. In today's world, much water is wasted or used inefficiently, and often demand is growing faster than the supply can be replenished by nature (Harvey & Reed, 2007). The growing scarcity and competition for water stands as a major threat to future advances in poverty alleviation. However, while competition over water resources can be a source of conflict, history has shown that shared water can also be a catalyst for cooperation (Kariuki, 2013).

According to the Millennium Ecosystem Assessment, one-third of the world's population is now subject to water scarcity, and population facing water scarcity will double over the next 30 years (UNESCO, 2013). According to Keen (2007) in Africa decrease of water availability can have exponential negative effects on the human population well-being. Water scarcity have a strong burden for women, and to a lesser extent to children, which are the main actors in charge of draw, transport, and store of water for household and animal use. However, their involvement in managing water resource is still nowadays very weak (Keen, 2007). The theory asserts that women improve their position relative to men in ways that are beneficial to the community and that the state's role is to provide social services that promote women's emancipation. In this theory, women are seen as agents of change, rather than passive recipients of development (Majory, 2009). It advocates for the local, equitable participation of men and women in processes of decision making that concern development. It is in the interest of this theory that women's legal rights be strengthened and that the existing power relations in society should be upsetted. It exposes and challenges the gendered power relations that perpetuate inequities. The aim is to understand the dynamics of gender relations in community participation contexts and thereby to identify women's bargaining position and formulate strategies to improve women participation.

3.0 Research Design

The study employed *Ex post facto* correlation research design. The research design is appropriate to behavioral science as independent variable cannot be manipulated. It attempts to investigate the causes or consequences of differences that exist between or among groups of individuals (Orodho, 2003). This is to say independent variable has already occurred (socio-cultural factors) and the study examined the existing state of affairs (level of gender participation in management of water projects in Njoro sub-county).

3.1 Study Location

The study will be carried out in Njoro sub-county which has four administrative divisions (Njoro, Lare, Kihingo and Mau-Narok) in Nakuru County. The sub-county is selected because there is widespread scarcity and gradual

destruction of water resource in the region. According to Jenkins (2008) the current water crisis is not only due to degradation of the environment but also as a result of increase in population and competition of household water with agricultural production.

3.2 Sampling Procedures and Sample Size

Purposive and stratified random sampling procedures were used. Purposive sampling procedure was used to select 3,556 registered members who were currently connected with water supply in their households/plot out of the 7,230 registered members in all the 38 registered water projects in the sub-county. In order to ensure equal representation in each category of water management (communal, Church and Nakuru Rural Water and Sewerage Company) stratified random sampling using the lottery technique was used to select 212 respondents for the study. From the 212 respondents only 203 respondents complied with the study and gave their responses.

3.3 Instrumentation

Data was collected using interview schedule for the divisional water officers and questionnaires for the respondents which were developed by the researcher. Data was analyzed using statistical package for social science.

4.0 Results and Discussions

4.1 One third Gender Rule in Management of Water Projects

Water projects are public institution which are obliged to implement the constitutional requirement following the promulgation of the new constitution of Kenya in 2010, Article 81(b) states that; not more than two thirds of either gender of the members of elective public bodies shall be of the same gender. Water projects in the study are working towards implementation of what is referred to as the one third gender rule.

4.1.1 Level of Gender Equality in Management Across the Water Projects

This study sought to find out whether gender equality in management of water projects exists and the responses were summarized in figure 4.1. About 49% of the respondents reported that their projects had met the one third gender rule and even some had superseded the one third gender rule hence high and very high gender equality. About 51% of the respondents reported that their water projects had not meet the one-third gender rule and was much below the required one-third gender rule in the management composition.

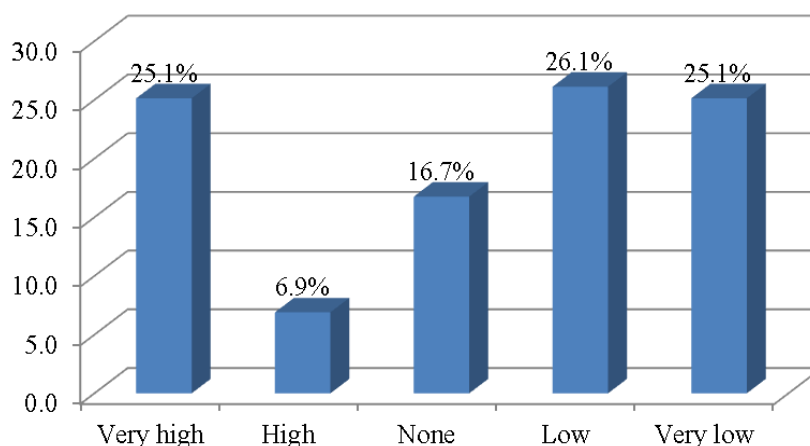


Figure 4.1. Level of Gender Equality across the Water Projects
Source: Field Data, 2016

This is an indication that gender inequality still exists in the water projects in the study area. This may be attributed to male dominating in leadership position than female counter parts despite the government enacting one third gender rule in any management position in public institutions/organizations. The results indicate that despite several measures being taken by the state and water projects there is still gender disparities in management of water projects. In Kenya, the need to involve women in management of water resource at all levels is highly underscored (Onyango, 2012). In Kenya, the government has encouraged women to access management positions in all institutions by putting in place various gender equality policies as a commitment to redressing the disparities (Nyanjom, 2011).

The constitution of Kenya (Republic of Kenya, 2010) states that in all appointments one third gender policy must be applied. This legislation was put in place because previously almost all management positions in almost all sectors of the economy were held by men, yet there were qualified and competent women who could also occupy these positions (Onyango, 2012). In 2008, the Kenya government took a bold step through a policy framework

(Republic of Kenya, 2008) to make it compulsory that at least one third of water management board's positions should be held by women (Sihanya, 2012). This policy has not been fully implemented in all water projects. The Kenya government's determination to involve women in management of water project is also being emphasized (TNA, 2013).

According to World Bank (2009) if water projects are to address the concerns of both women and men, water users association projects need to play an active role in local water management in recognizing the multiple uses of water in and around households. Studies by Sever (2005) noted that greater participation by women in water service providers has been achieved in cases where membership is open to multiple users of water (not only irrigators, but also livestock owners and fishers). More recently, policymakers have undertaken efforts to encourage women's participation in water user's association projects. However, women face many setbacks in joining water user's association projects despite policy statements favouring their active membership. This may be due to women's lack of confidence in speaking up for their rights and illiteracy and social norms preventing women from taking up any public role (Muiru, 2012).

According to studies by Innstrand, Langballe, Falkum and Aasland (2011) they observed that where water user's association projects are required by law to establish a minimum quota of women, the membership is given to local elite women (in Nepal, for example, where water users association projects are obliged to have a minimum of 20 per cent women members). These women are often wives of influential farmers and are unfamiliar with the problems faced by poor women. According to studies by UN Women (2011) women are rarely involved in decisions relating to water policies and strategies, water resource management, or tariff setting and technology choices creating gender inequalities. In some of the water projects women are missing in key areas of management decision making positions.

4.1.2 Availability of Gender Policy in Water Projects in Project By-laws

From the study responses some water projects had a gender policy in their by-laws of electing leaders while others lacked as indicated in figure 4.2. About 56.7% of the projects had a gender policy in place, while 43.3% of the water projects lacked a gender policy in place. Despite the government creating awareness on one third gender rule in leadership position some of the water projects still lack gender policy in place to regulate project activities to be gender sensitive.

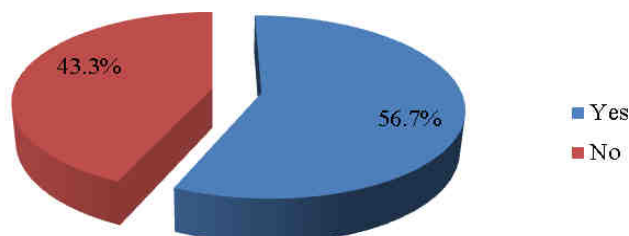


Figure 4.2. Projects with Gender Policy
Source: Field Data, 2016

Majority of the water project 56.7% in the study area have a gender policy in place which have been entrenched in their project by-laws to provide guidance in electing management team in the water projects and division of labour in management activities. The aim of the policy is to ensure that fairness is exercised in decision making to avoid being biased which when not taken care of will lead to gender inequality in management of water projects. According to Nyanjom (2011) a gender policy increase gender participation and also enhances project sustainability enhancing supply coverage. Gender policies have legitimacy to the extent that all stakeholders (including political leaders, government officials, donors, women and men in general public) collaborate in their development and see them as valid expression of current government actions and future intentions. Therefore in order for policies to be effective in guiding changes they must be developed and formulation with the involvement and participation of all stakeholders (UN Women, 2011).

4.1.3 Barriers to Implementation of One-third Gender Rule in the Water Projects

From the study responses there were various barriers that hindered implementation of one third gender rule in

electing or appointment of leaders in management team as indicated in table 4.1. About 42.4% of the respondents reported that cultural issues were a major barrier; while 24.6% reported that unwillingness of women to take position was another barrier. About 32.5% of the respondents reported that unwillingness by leaders to implement the gender policy was a barrier, while 30.1% of the respondents reported that voting and voters regulations were another barrier, 16.7% of the respondents quoted political influence, while another 16.7% of the respondents quoted lack of awareness and another 4.93% of the respondents quoted religious affiliation as a barrier in implementation of one third gender rule.

Table 4.1
Barriers in Implementation of One-third Gender Rule

Barriers	Frequency	Percent
Lack of awareness	34	16.7
Political influence	34	16.7
Cultural issues	86	42.4
Unwillingness to take position by women	50	24.6
Unwillingness by leaders to implement the gender policy	66	32.5
Voting and voters regulations	10	4.9
Religious affiliation	61	30.1

Source: Field Data, 2016

From the study results various barriers were highlighted as the major causes of inhibiting projects to implement one third gender rule. It was also noted that patriarchal nature of the society where men are expected to lead have affected women from seeking leadership position in the water projects since majority of the project members were men due to their rights to own land and resources. Cultural prejudices such as emphasize on the superiority of men and the inferiority of women affects implementation of one third gender rule. Lack of awareness and unwillingness by project leaders to implement the one third gender rule were also noted as some of the challenges in realization of one third gender rule in management position which may be due to project members being ignorant of their rights. It was also noted that area politicians to a certain extent interfere with the management of water projects. This may cover from member of county assembly level up to highest levels like Member of Parliament who dictate the funding of water projects from the CDF kitty. For example the leaders of CDF initiated water projects are believed to be supporters of the area politician. Usually men more preferred by politicians than women to hold leadership posts as men are thought to be more party supporters than women. It was also noted that women feared management challenges, and feel that they cannot handle. Such challenges include insufficient support from their female and male counter parts to run the water projects, low academic achievements and political interference. As a result, they fear negative criticisms and this makes them give up attempts to aspire for management positions in the water projects.

The study further revealed that gender roles deprived women from participating in management activities of the water projects due to the major responsibility of parenting and taking care of the family affecting them to participate actively in management. The study also found out that one-third gender rule had not been fully translated into practice and have not been fully monitored and implemented at all levels. Voter and voting regulations in democratic elections in most of the water projects have been set to high affecting women qualifications for leadership this affects the implementation of one third gender rule since most women could not meet the requirements hence disqualified automatically. According to Sihanya (2012) the political culture, socialization and mobilization of project members to elect women as project leaders have meet a snag in most developing countries.

According to Onyango (2012) in water sector, gender policy is necessary due to the scarcity of women leaders, and the need to eliminate the entrenched cultural and traditional attitudes towards women in water management, gender stereotyping, and perceptions that women lack managerial and technical skills. No individual factor can adequately explain the absence of women in water governance, policy making, and water agencies. Rather, it is the confluence of the multiple elements that work in tandem to keep women at the margins of water leadership. According to studies by Nyanjom (2011) there is need for affirmative action to eliminate gender imbalance through implementation of gender policy in the Kenya water sector, particularly at the upper echelons of power and privilege hence why the drafters of the Kenyan constitution drafted the one third gender rule. This gender disparity is pervasive in all the other sectors of public institutions (Siaroff, 2011).

4.1.4 Influence of One-third Gender Rule on Gender Participation in Management

The study sought to test the hypotheses which state that one third gender rule has no statistical significant influence on gender participation in management of water projects in Njoro Sub-county using ordered logistic regression and the results summarized in table 4.2. The log likelihood for the fitted model of 153.27 and the log likelihood chi-squared value of 0.38 indicate that the two parameters are jointly significant at 5%. Pseudo R^2 of 0.312 meet the statistical threshold of 20% confirming that gender inequality was well attributed to the existence (or absence) of gender policies within the sampled water projects. The results further reveal that the coefficient for the gender policy was negative and statistically significant at 5%. Based on these results, the null hypothesis was rejected. Thus gender policy has a statistical significant influence on gender participation in management of water projects in Njoro Sub-county.

Table 4.2

Ordered Logistic Regression for the Influence of gender policy on gender participation in management of water projects

Gender inequality	Coef.	Std. Err.	Z	P> z
Gender policy	0.191	0.312	0.61	0.541

N = 203, Log Likelihood = 153.277, LR χ^2 (1) = 0.38, Prob> χ^2 = 0.54, Pseudo R^2 = 0.312

The study results imply that the existence of gender policy among the water projects reduces gender inequalities. Several obstacles have prevented women from advancing to senior management positions in water projects and have been identified to include; lack of land ownership as membership criteria, low levels of education, low social-economic status which affects financial contributions in the water projects and having no political influence in the study area which are other preconditions for leadership position.

According to studies by Hicks (2012) low representation and participation of women in water resource management is as a result of socio-cultural beliefs which acts as the major barriers in this regard. These beliefs emphasize the superiority of men and the inferiority of women. They form an integral part of the socialization process and the gender education and training most men and women are exposed to from childhood (UNESCO, 2013). Based on the concept of role expectancy, an individual develops through the years his or her own set of internalized values, beliefs, attitudes, ideals and aspirations. Another barrier is the institutional framework guiding the gender division of labour, recruitment and upward mobility. According to studies by Kabane (2010) men dominate public decision-making bodies, leading to male values being reflected in decision-making meetings and boards.

In Kenya women's participation in key decision-making positions is still minimal. Women's participation in decision-making and political leadership is an obligation mandated by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Kenya is a signatory (UN Women, 2011). Additionally, the Constitution of Kenya 2010 in Article 27 (1) enshrines the equality of all persons: "Every person is equal before the law and has the right to equal protection and equal benefit of the law". The Constitution further provides for affirmative action to ensure the realization of equality, specifically Article 27 (8): in addition to the measures contemplated in clause (6), the State shall take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender (Onyango, 2012). Thus the Constitution prescribes at least one way in which the government can ensure greater representation of women.

5.0 Conclusions

From the study results one-third gender policy is either not present or not operationalized in the project by-laws hence affecting participation and representation of women and men in management of water projects at leadership level. Failure to implement one third gender rule in the water project have affected the realization of gender equity and equality in management of the water projects.

5.1 Implications of the Study

The findings of this study have a number of implications:

This study has established that the one third gender rule in guiding the appointment and electing of leaders in management position have not been fully operationalized in the water projects in the study area despite the government's affirmative action and enactment of the Kenya constitution 2010. The study has also established that most management activities and positions are dominated by males. In projects which have gender policy in place and have set aside certain positions for females for affirmative action women have no influence in the decision making process and they are mostly awarded less influential positions that may have no impact in decision making process. Gender equity and equality in management of the water projects have not been fully

realized as a result of failure to put into consideration socio-cultural factors during the implementation of one third gender rule by project stakeholders and project leaders hence sensitization on the necessity to implement and reinforcement of the one third rule in electing or appointment should be followed up by relevant authority and socio-cultural factors put into consideration in order to ensure full compliance of one third gender rule by all water projects.

5.3 Recommendation

This study recommends the following: Water projects should have affirmative action in their project by-laws in order to ensure one-third gender rule is observed during electing or appointing of project leaders management positions. In order to effectively deal with the situation where women feel that the position allocated for through affirmative action is inferior, women should be empowered on the essence to elect their female counter parts in order for her to champion their needs since they interact with water more than men in their daily activities.

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