

**TRADITIONAL THEOLOGICAL INTERPRETATIONS AS A BARRIER TO
ACHIEVING GENDER EQUALITY IN KENYA**

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By

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DECLARATION

I, STEPHANIE ATIENO OCHIENG, do hereby declare that this research is my original work and that to the best of my knowledge and belief, it has not been previously, in its entirety or in part, been submitted to any other university for a degree or diploma. Other works cited or referred to are accordingly acknowledged.

Signed:

Date:

This dissertation has been submitted for examination with my approval as University Supervisor.

Signed:

CECIL ABUNGU

Date:

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LIST OF LEGAL INSTRUMENTS

Domestic Laws

The Constitution of Kenya 2010.

The Employment Act (Act No. 81 of 2007).

The Succession Act (2012)

LIST OF CASES

Centre for Rights Education and Awareness (CREAW) & 7 others v Attorney General (2011) eKLR.

Adrian Kamotho Njenga v The Judicial Service Commission & 9 Others (2017) eKLR.

LIST OF ABBREVIATIONS

COK – Constitution of Kenya

Abstract

My study looks into the influence of traditional theological interpretations on the efforts to achieve gender equality in Kenya, considering the cultural diversity. Significant advancements have been made to push the agenda of gender equality, including the implementation of gender-sensitive policies. However, cultural and religious beliefs are still barriers to achieving true gender equality. Consequently, this research explores the historical context of gender roles in traditional African communities and religion, and how these interpretations form stereotypes for women.

Utilizing doctrinal research from legislation and scholarly work, I gained insights into the reality of gender inequality in Kenya, as well as what fuels the said gender inequality. The analysis of these sources revealed the existence of progressive interpretations, which would support gender equality if adopted. Sadly, some communities remain resistant and cling to outdated views, enabling the breeding of gender inequality.

The existence of this issue calls for dialogue and education for us to shift from using harmful interpretations, re-evaluate theological interpretations, and gain an equitable understanding of gender roles in religious institutions.

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1.0 Introduction

1.1 Background

Kenya is a diverse country where religion plays a significant role in influencing societal norms, values, and communal behaviors.¹ This includes the social, economic, and political contexts. The political space in Kenya has historically been characterized by abuse of power and corruption caused by historical domestic tensions.² The Constitution 2010 was a step forward toward fishing Kenya out of its political crisis.³

It reduced the president's powers, clearly separated the three arms of government, and reformed electoral and budget processes. Of substantial importance, it introduced the Bill of Rights, which strongly focused on the needs of children and women.⁴ Furthermore, it advocates for women's rights, and gender equality by dealing with the exclusion of women in traditional contexts and further enabling the inclusion of women in decision-making. In addition, the COK increased the number of slots in political institutions that should be mandatorily filled by women and advised institutions to refrain from discriminating against the female gender.⁵

Apart from gender equality being protected by the Constitution,⁶ it is also protected by national legislation such as the Marriage Act Cap. 150 of 2014, the National Cohesion and Integration Act No. 12 of 2008, its amendment No. 6 of 2019, the Sexual Offences Act Cap. 63A, and the Employment Act Cap. 226 of 2007. The government has used other gender mechanisms such as setting up the Ministry of Gender, Children and Social Development, the National Commission on Gender and Development, the National Gender and Equality Commission within the parliament, the Kenyan Women Parliamentary Association, the

¹ Wambui N, 'The Impact of Religion on Values, and Behavior in Kenya' 1(1), *European Journal of Philosophy, Culture and Religious Studies*, 2017, 51.

² Hansen T, 'Political violence in Kenya: A study of causes, responses, and a framework for discussing preventive action' Institute for Security Studies, 2009, 5.

³ Ghai y and Ghai J, 'Kenya's Constitution: An Instrument for Change' 2nd ed, Katiba Institute, Nairobi, 2021, 11.

⁴ Kenya National Commission on Human Rights, 'Kenya @ 10: A Decade After: The State of Human Rights Post the 2010 Promulgation of the Constitution' 2020, 8.

⁵ Kenya National Commission on Human Rights, 'Kenya @ 10: A Decade After: The State of Human Rights Post the 2010 Promulgation of the Constitution' 2020, 16-18.

⁶ Article 27, Constitution of Kenya (2010).

National Task Force for Gender and Education and the Ministerial Task Force on Girls' Education just to mention some.

Despite all these legal efforts, gender inequality persists in Kenya.⁷ It cannot be assumed that gender equality is guaranteed by the mere presence of gender-neutral legislation. Since the laws cater to both men and women, there has been de facto discrimination where pre-existing discrimination is not considered, nor are the consequences of the law considered.⁸ The law usually operates in the social, economic, and political context, which has not been efficient enough to support gender equality.⁹ Religious influences and customary traditions prevent the realization of the full potential of girls and women politically, socially, and economically.¹⁰

Religion influences the right to gender equality, especially in churches where traditional theological interpretations are used. Religious teachings usually uphold conservative traditional gender roles, where women are confined to subordinate positions as men are viewed to be leaders within the church.¹¹ This is common in Catholic churches and some protestant churches as well, where women congregants are usually excluded from the role of priesthood, decision-making, and leadership roles.¹²

Such churches are characterized by the use of traditional theological interpretations, which negatively shape how they adhere to gender rights. Traditional theological interpretations rely on long-standing practices that often involve patriarchal structures and interpret meanings as they are written. These patriarchal structures, long-standing practices, traditional norms, and religious scriptures promote male supremacy all round. Consequently, it acts as a barrier to the full achievement of gender equality. It also makes equality rights inadequate to protect women.

⁷ Kenya Law Reform Commission, Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya, 24 April 2024, 95.

⁸ Kenya Law Reform Commission, Strengthening Gender Equality in Law: Mapping Discriminatory Laws against Women and Girls in Kenya, 24 April 2024, 26.

⁹ Nzomo M and Mbote P, 'Gender Issues in the Draft Bill of the Constitution of Kenya: an Analysis contribution for the Constitution Review Commission of Kenya' International Environmental Law Centre, IELRC Working Paper, Number 1, 2003, 14 -< <http://www.ielrc.org/content/w0301.pdf> >- in 2003.

¹⁰ United Nations Entity for Gender Equality and the Empowerment of Women, 'Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya' 24 April 2024, 95.

¹¹ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1) International Journal of Culture and Religious Studies, 2023, 64.

¹² Haskins C, 'Gender Bias in the Roman Catholic Church: Why Can't Women be Priests?' 3(1), University of Maryland Law Journal of Race, Religion, Gender and Class, 2003, 102.

The friction between traditional theological interpretations and the constitutional right to gender equality is an area of legal concern. It is therefore important to understand how Traditional theological interpretations shape the view of gender roles and their effect on the right to gender equality in Kenya.

1.2 Problem statement

This study will explore how traditional theological interpretations affect constitutional rights to gender equality in Kenya.

1.3 Research questions

- 1) How do traditional theological interpretations view gender roles in Kenya?
- 2) What is the importance and meaning of equality rights in Kenya?
- 3) How can churches pursue interpretations that are in line with gender roles in Kenya?

1.4 Research objectives

- 1) To explore how traditional theological interpretations view gender roles in Kenya.
- 2) To identify the importance and meaning of equality rights in Kenya.
- 3) To explore how Kenyan churches can pursue interpretations that are in line with gender roles.

1.5 Hypothesis

Traditional theological interpretations significantly affect constitutional rights to gender equality in Kenya, obstructing the full actualization of gender equality.

1.6 Justification of the study

Among those who will benefit from my study are gender equality activists and women who are constantly being denied the right to equality. My recommendations and insights will sire new strategies on how they can engage with religious institutions to promote

gender equality and its policies, challenge traditional norms, and ultimately achieve their goal of gender justice

Religious leaders and institutions will also gain from this study as they will gain a deeper understanding of how their theological interpretations affect gender equality. It will be a guide for them to adjust their religious values with modern societal expectations and the Constitution by providing training programs and retreats on the importance of equality for both men and women in leadership.

Policymakers and legislators also benefit as they will gain insights into the type of theological interpretations used in society, which usually influence peoples' perceptions of gender roles and gender equality. With this knowledge, they will understand how legislation and policies are interpreted and implemented, identify areas where there is resistance to gender equality laws, and create policies that respect the freedom of belief while complying with the Constitution.

1.7 Literature review

1.7.1 On the traditional theological interpretations of gender roles

In Kenya, traditional theological interpretations have affected the societal perception of gender roles, where women have often been degraded and men have been given priority, even over necessities like healthcare.¹³ The religious and sociocultural norms form gender stereotypes, which even affect the uptake of maternal health services, as only men are given priority in making decisions for women. As a result, seeking antenatal, postnatal, and pregnancy care becomes an issue in some communities.¹⁴

Traditional theological interpretations often support patriarchal norms. Historical texts and Biblical texts project androcentric situations and conditions as the Bible originated

¹³ Mochache V, Wanje G, Nyagah L, Lakhani A, El-Busaidy H, Temmerman M and Gichangi P, 'Religious, socio-cultural norms and gender stereotypes influence uptake and utilization of maternal health services among the Digo community in Kwale, Kenya: a qualitative study' International Centre for Reproductive Health, Research Paper number 17, 2020, 8-<https://doi.org/10.1186/s12978-020-00919-6>-> on 24 May 2020.

¹⁴Mochache V, Wanje G, Nyagah L, Lakhani A, El-Busaidy H, Temmerman M and Gichangi P, 'Religious, socio-cultural norms and gender stereotypes influence uptake and utilization of maternal health services among the Digo community in Kwale, Kenya: a qualitative study' International Centre for Reproductive Health, Research Paper number 17, 2020, 8-<https://doi.org/10.1186/s12978-020-00919-6>-> on 24 May 2020.

in a patriarchal structure. Traditional theological interpretations are heavily influenced by religious practices and societal values, controlling the application of gender roles.¹⁵ It justified the division of labour, power, and authority based on gender.

For example, in Christianity, Biblical passages like Ephesians 5, 22-24 require women to submit to their husbands as they do to the Lord. Using the traditional theological interpretations, which have an 'extract and apply' characteristic to decode this scripture, justifies the subordination of women, denying them the right to pursue leadership roles in the church.¹⁶ It also places men on a higher ranking, as them being the head of households, and fit to take up leadership roles in church. The traditional theological interpretations have created a framework where the roles of women in society have been restricted, especially in Kenya, where Christianity plays a crucial role in influencing an individual's way of life.¹⁷

Traditional theological interpretations also affect gender roles in the Islamic context as their teachings give men the role of leaders that women have to follow.¹⁸ The book of Surah 4:34 from the Quran states that men are the protectors and maintainers of women. Using traditional theological interpretations of this verse implies that women ought to be subordinate to men. These teachings have been used to restrict the participation of women in leadership. There is proof of this, as we can barely identify female Islamic religious leaders.¹⁹

The same case applies to indigenous African belief systems. Traditional African beliefs are often patriarchal and strongly respect gender roles as prescribed by ancestors.²⁰ Men are typically the heads of households, while women fall subordinate to them, taking on domestic work and child upbringing. Practices such as dowry payment brought about the

¹⁵ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1) International Journal of Culture and Religious Studies, 2023, 64.

¹⁶ Dinkler M, 'The Bible and Women? We Need to Talk' Yale Divinity School, 2019, 2.

¹⁷ Makena C, 'An uneasy but necessary alliance: Navigating faith and feminism in Kenya' Voice Global, 2023, 21 -< <https://voice.global/blog/an-uneasy-but-necessary-alliance/>>- on 21 November 2023.

¹⁸ Karimullah S and Aliyah S, 'Feminist Criticism of Traditional Understanding of Women's Roles in Islam' 16(2), Journal of Gender Studies, 2023, 199.

¹⁹ Koburtay T, Abuhusseini T, Sidani Y, 'Women Leadership, Culture, and Islam: Female Voices from Jordan' 183, Journal of Business Ethics, 2022, 360.

²⁰ Ngubane S, 'Gender Roles in the African Culture: Implications for the Spread of HIV/AIDS' Published degree of Master of Philosophy in HIV/AIDS Management, Stellenbosch University, Cape Town, 2010, 21.

belief that women belong to their husbands because it is believed that gender hierarchy needs to be respected.²¹

The traditional theological interpretations in Christianity, Islam, and Traditional African Societies interpret gender roles as men being of more importance and women being subordinate to men. It enforces patriarchal structures that limit the autonomy and capability of women.

1.7.2 On the constitutional right to gender equality in Kenya

Gender equality refers to the state in which people's rights, responsibilities, and opportunities are not affected by their gender.²² Kenya has made significant strides in a bid to achieve this through the Constitution of Kenya promulgated in 2010. It guarantees a state of equality and non-discrimination among women and other marginalized groups.²³ Several sections of the Constitution, such as Articles 27, 28, 56 and 81 advocate for the protection of minorities and gender balance in political representation respectively.

The Constitution aimed to advocate for women's rights and gender equality by dealing with the exclusion of women in traditional contexts and further enabling the inclusion of women in decision-making. In addition, it increased the number of slots in political institutions that should be mandatorily filled by women and advised institutions to refrain from discriminating against the female gender.²⁴

However, the achievement of gender equality in Kenya remains elusive.²⁵ Laws that seem to be gender-neutral tend to be discriminatory in practice, meaning they do little for the advancement of women. For example, the Constitution upholds the right to freedom of

²¹ Onyango E, 'The Negative Consequences of Dowry Payment on Women and Society' 30(1), The Academic Journal of CBE International, 2016, 1.

²² NCA United, 'What Is Gender Equality? Learn the Definition with Examples' United Way of the National Capital Area, 8 August 2024 -< <https://unitedwaynca.org/blog/what-is-gender-equality/>>- on 8 August 2024.

²³ Article 27(3), Constitution of Kenya (2010).

²⁴ Kenya National Commission on Human Rights, 'Kenya @ 10: A Decade After: The State of Human Rights Post the 2010 Promulgation of the Constitution' 2020, 16-18.

²⁵ Kenya Law Reform Commission, 'Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya' 2024, 95.

religion²⁶ as well as the right to freedom from discrimination.²⁷ Within the Kenyan religious space, the right to non-discrimination is often breached. This is because different religions hold different beliefs, some of which are not gender neutral. Therefore, in religious practice, discrimination based on gender is common because of the right to belief, religion, and conscience, which is granted by the Constitution.

A gap exists between the constitutional guarantee of gender equality and its implementation in real-time.²⁸ Furthermore, its realization is impeded by traditional and religious interpretations of gender roles.²⁹ Therefore, gender equality rights remain a matter of discourse within the Kenyan jurisdiction.

1.7.3 Contribution

This study is unique as it checks the balance between theological interpretation and legal compliance while existing literature focuses on gender equality mostly in catholic churches and the aftermath of the promulgation of the 2010 Constitution on women and children's rights. My study will contribute to the existing body of knowledge by elaborating on the traditional theological interpretations and how they affect the perception of gender roles, affecting legal compliance in Kenyan churches. The combination of theology, legal theory, and gender studies fills a gap in the literature.

1.8 Conceptual Framework: Institutional adaptations to legal norms

For this study, I will anchor my work on the concept of institutional adaptations, better known as isomorphism. The concept asserts that social organizations ought to adapt their internal structures, practices, and norms to modern societal and legal expectations as they keep evolving.³⁰ A unit in a population is usually forced to resemble others that face the same set of environmental conditions. Isomorphism happens when organizational

²⁶ Article 32, Constitution of Kenya (2010).

²⁷ Article 27(3), Constitution of Kenya (2010).

²⁸ Nzomo M and Mbote P, 'Gender Issues in the Draft Bill of the Constitution of Kenya: an Analysis contribution for the Constitution Review Commission of Kenya' International Environmental Law Centre, IELRC Working Paper, Number 1, 2003, 14 -< <http://www.ielrc.org/content/w0301.pdf> >- in 2003.

²⁹ Keter J, 'Gender Inequality in Kenya' Unpublished, United States International University, Nairobi, 16.

³⁰ Dimaggio P, Powell W, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields.' 1983, 149, - <<https://www.jstor.org/stable/2095101>>- on, April 1983.

beliefs and strategies respond appropriately to their environment and adjust their structures accordingly.³¹

In this instance, the institutions involved are all institutions that tend to use traditional theological interpretations and how they react to the legal norm of gender equality. Progressive theoretical interpretations being adopted accommodate constant legal and social adaptations. This results in more efficient compliance with gender equality laws from institutions that use progressive theoretical interpretations. On the other hand, traditional interpretations tend to resist adaptations, leading to a lower likelihood of compliance.

This concept involves key aspects such as external legal pressure. Institutions such as the church do not operate independently. They are subject to the laws of the nations as well as expectations from society. Gender equality being a legal norm asserts that the church ought to adjust its practices to comply with this law. Institutional change is also an aspect of the concept. This is where the church as an institution, changes its operations from within so that they are in line with legal requirements usually termed morphogenesis.³² This could involve shifting their theological interpretation, revising their policies, and adjusting their structures. There is also a matter of legitimacy and relevance involved as institutions seek to maintain a positive status quo with society, the government, and other stakeholders. This pushes them to adjust to what is expected of them.

The concept of institutional adaptation has been established in both sociology and organizational studies. However, its relevance still applies where institutions interact with evolving legal frameworks such as gender equality. Scholars say that religious institutions tend to adapt to external pressures so that they resemble other institutions that are considered legitimate by society.³³ They also argue that institutions conform to societal norms to maintain legitimacy. This is seen in how they resist or adopt progressive or traditional theological interpretations, influencing gender equality.

³¹ Dimaggio P, Powell W, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields.' 1983, 149, - <<https://www.jstor.org/stable/2095101>>- on, April 1983.

³² Rafael P, 'Environmental Governance: The Role of Institutions in Causing and Confronting Environmental Problems' 2003, 413-430, - <[10.1023/B: INEA.0000005802.86439.39](https://doi.org/10.1023/B:INEA.0000005802.86439.39) >- on January 2003.

³³ Dimaggio P, Powell W, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields.' 1983, 149, - <<https://www.jstor.org/stable/2095101>>- on, April 1983.

The concept of institutional adaptation to legal norms will direct the exploration of how traditional theological interpretations influence responses to external pressures like gender equality legislation. It will also help frame how churches adopt or resist changes in their practices and how either of these affects their adherence to gender equality laws.

1.9 Methodology

To make this study a success, I will use various techniques to explore different aspects of the research problem and answer each research question, including the main research question. I will also incorporate both primary and secondary sources in my work.

Chapter two will utilize information from theological documentaries, scholarly works like chapters, sermons, religious texts, and church doctrines, which have guided traditional gender norms within religious institutions in Kenya. I will also supplement this by conducting interviews with church leaders to get their first-hand thoughts and experiences working with traditional theological interpretations and their effect on gender equality. A content analysis will be conducted on these sources to spot repetitive arguments and themes. Using inductive reasoning will help answer the research question: “How do traditional theological interpretations view gender roles in Kenya?”, as the chapter aims to identify patterns from the collected data and generate insights about how gender equality rights are affected by traditional theological interpretation.

Chapter three will address the second research question, “What is the importance and meaning of equality rights in Kenya?”. It will review legislation, specifically the COK, books, and articles that cover the meaning and importance of equality rights in Kenya. It will also be important that I include case studies and other legislation, such as the Employment Act and Sexual Offences Act, which protects gender equality. Using content analysis of the above-mentioned sources, I will bring out an understanding of how gender equality rights are enforced in Kenya and its importance as well. To gather proof of the meaning, implementation, and significance of equal rights, I will apply inductive reasoning.

Chapter Four will entail recommendations from legal documents, articles, books, working papers, and journals on how churches can pursue interpretations that are in line with gender roles in Kenya. This answers the third research question. I will also acquire

recommendations from church leaders via interviews and congregants' opinions through conducting surveys. Doing an institutional analysis shows how the theological views of church leaders and their congregants are influenced by community pressure and denominational doctrines.

My three research questions will ultimately help in answering my main research question by incorporating content analysis, institutional analysis, and philosophical analysis. Inductive reasoning will be used to explore emerging patterns, test pre-existing theories, and gain an understanding of the different sources of data mentioned above. I will then be able to show that Traditional theological interpretations significantly affect constitutional rights to gender equality in Kenya, obstructing the full actualization of gender equality.

1.10 Chapter breakdown

This study will be presented in chapters to help me prove my above-stated hypothesis. In my first chapter, I will give an introduction. This will entail the background of my study, followed by my problem statement, research questions, research objectives, hypothesis, justification of my study, literature review, theoretical framework, methodology, and this chapter breakdown, in this order.

In chapter two, I will lay out how traditional theological interpretations view gender roles in Kenya, which answers the first research question. It will explore how traditional theological interpretations mould opinions and views on gender roles and their eventual effect on gender equality.

The third chapter will answer the second research question: 'What is the importance and meaning of equality rights in Kenya?' The chapter will explain gender equality in the societal and legal dimensions, using the COK and other acts of parliament. Further, it will explore the benefits of gender equality religiously, culturally, politically, economically, and socially.

Moving to chapter four, I will break down how Kenyan churches can pursue interpretations that are in line with gender roles. I will also explain the role of church leaders and theology school training in changing the trajectory of gender equality in

churches. Furthermore, I will also shine a light on the challenges that may come with changing theological interpretations.

Finally, chapter five will entail the conclusion and recommendations. It will give a summary of my research findings, which is the effect of traditional theological interpretations on the constitutional right to gender equality in Kenya.

2.0 How traditional theological interpretations view gender roles in Kenya

2.1 Introduction

The interplay between traditional theological interpretations and gender roles is significant in understanding societal structures, especially in traditional African societies and Christian contexts. Traditional theological interpretations are often rooted in historical beliefs and practices.³⁴ They usually serve as a lens through which gender roles are constructed, influencing how men and women are treated in religious and cultural frameworks.³⁵ Interpretations are not merely academic concepts. They are lived realities that shape daily interactions, institutional norms, and social expectations, affecting the fabric of the community.³⁶

This research delves into the characteristics of traditional theological interpretations. It will highlight their literal approach to sacred texts, emphasizing tradition, conservatism, and rejection of radical change. The literal interpretation of sacred texts often leads to a rigid understanding of concepts.³⁷ In this context, gender roles adopt a very rigid understanding. This is because scriptures are viewed as unchangeable truths and, hence, dictate the responsibilities of men and women.³⁸ This conservatism is further reinforced by tradition, as historical practices are upheld as the standard, leaving little room for progressive reinterpretation or adaptation to contemporary societal needs.

³⁴ Oviedo L, 'Theology and Cultural Evolution' St Andrews Encyclopaedia of Theology, 2024, 20.

³⁵ Rovis-Tipei I, 'The Role of Religion in Contemporary Society – Mapping a Research Itinerary' 7(2) RAIS Journal for Social Sciences, 2023, 117-118.

³⁶ Yeboah P, Owusu E, Obimpeh-Quayson E, 'The Influence of African Traditional Beliefs and Practices on Neo-Prophetic Christianity: An Analysis' 10(4), E-Journal of Religious and Theological Studies (ERATS), 2024, 91.

³⁷ Eryilmaz F, 'Translating Inspired Language, Transforming Sacred Texts: An Introduction' Brill, 2020, 334.

³⁸ Vanhoozer K, 'The Inerrancy of Scripture' Knowing & Doing C.S Lewis Institute, 2010, 1.

By examining communities such as the Agikuyu, Luo, and Maasai, as well as the influence of Christianity in Kenya, patriarchal structures that dominate gender roles are uncovered. It will also uncover how these structures are perpetuated through religious teachings and cultural practices. The analysis of these different communities reveals how traditional theological interpretations not only marginalize women's contributions but also reinforce male authority, ultimately shaping societal expectations that dictate the roles of people based on their gender.

In addition, the implications of these traditional theological interpretations extend beyond individual communities. They resonate throughout broader societal structures, influencing social interactions, social institutions, governance, and policies.³⁹ By navigating through these interconnections, we discover that interpretations ought not to be static. They should be subject to reinterpretation in light of evolving societal values, particularly the ongoing quest for gender equality.⁴⁰

This research shows the need to re-examine interpretations with the focus of achieving a more inclusive understanding that recognizes the equal worth and potential of individuals regardless of gender. Initiating dialogues that challenge norms of injustice and promote egalitarian perspectives will break historical barriers that have limited women's contributions. This is a necessary step towards creating a more equal society, where men and women thrive and contribute within their capacities.

To foster a just and inclusive society, redefining traditional theological interpretations is necessary. It calls for a collective effort to reinterpret cultural practices and sacred texts in ways that support the potential and dignity of every individual. This creates a future where outdated interpretations do not dictate gender roles.

³⁹ Kimani S, 'The Influence of Religious Beliefs on Social Behavior and Community Cohesion' 3(3), *International Journal of Humanity and Social Sciences*, 2024, 64.

⁴⁰ Tamunomiegbam A, Arinze D, 'From Tradition to Transformation: Evolving Gender Norms in Contemporary Africa' 9(3), *American Journal of Public Policy and Administration*, 2024, 15.

2.2 An Overview of Traditional Theological Interpretations and Their Characteristics

2.2.1 What are traditional theological interpretations

Traditional theological interpretations refer to various understandings of different concepts within social and religious domains that are usually transmitted through oral tradition. These interpretations encompass religious practices and beliefs that existed before colonialism. Theological interpretations shape how individuals comprehend various concepts, hence influencing their perspectives on societal norms, practices, and values.⁴¹ Traditional theological interpretations maintain a normative and are rooted in ancient belief systems of cultural societies.⁴² These interpretations have subsequently influenced major religious beliefs, including Christianity.⁴³ Traditional theology was woven into the fabric of daily life, influencing governance, morality, social order, gender roles, legal systems, and family dynamics of indigenous communities.

2.2.2 Features of Traditional Theological Interpretations

2.2.2.1 Literal interpretations of sacred texts

This characteristic of literal interpretation contrasts with progressive theological interpretations as it allows for reinterpretation and change guided by societal and cultural shifts.⁴⁴ In traditional theological interpretations, sacred texts are regarded as divinely inspired.⁴⁵ This means that they are seen as the literal word of God. As such, they are considered authoritative and communicate the absolute truth.⁴⁶ They are believed to represent direct communication between divinity and humanity.

Given their divine inspiration, sacred texts adhere to a literal understanding, interpreted without alterations.⁴⁷ The commandments and teachings in scriptures are therefore

⁴¹ Rovis-Tipei I, 'The Role of Religion in Contemporary Society – Mapping a Research Itinerary' 7(2) RAIS Journal for Social Sciences, 2023, 117-118.

⁴² Oviedo L, 'Theology and Cultural Evolution' St Andrews Encyclopaedia of Theology, 2024, 20.

⁴³ Yeboah P, Owusu E, Obimpeh-Quayson E, 'The Influence of African Traditional Beliefs and Practices on Neo-Prophetic Christianity: An Analysis' 10(4), E-Journal of Religious and Theological Studies (ERATS), 2024, 91.

⁴⁴ Tarte A, 'Clash of Convictions: Examining Divergences Among Traditional and Progressive Christians in Contemporary America' Published, Liberty University, Virginia, 45.

⁴⁵ Slater J, 'Theological reflection, divorced from the incarnational nature of the Christian faith, invalidates the Bible' 77(4), HTS Theologies Studies/Theological Studies, 2021, 8.

⁴⁶ Vanhoozer K, 'The Inerrancy of Scripture' Knowing & Doing C.S Lewis Institute, 2010, 1.

⁴⁷ Eryilmaz F, 'Translating Inspired Language, Transforming Sacred Texts: An Introduction' Brill, 2020, 334.

interpreted as factual and unchangeable. In addition, Traditional theological interpretations view scripture as timeless, and its truth is not open to reinterpretation or modification.⁴⁸ This perspective reinforces a sense of permanence as their validity is applicable across all times, cultures, and contexts.

The characteristic of literal interpretation contrasts with progressive theological interpretations, which allow for reinterpretation in response to cultural and societal changes.⁴⁹ Progressive approaches appreciate the importance of context, encouraging the consideration of social, cultural, and historical factors while engaging with sacred texts.⁵⁰

2.2.2.2 Conservatism in doctrinal beliefs

Traditional theology focuses on doctrines that have been established over time and are regarded as immutable truths.⁵¹ These doctrinal beliefs and scriptures are viewed through the lens of inerrancy, meaning they are considered without error and are authoritative in their teachings.⁵² As a result, traditional theological interpretations adopt a conservative stance on various moral, ethical, and social issues, including gender roles, abortion, marriage, divorce, and homosexuality.

Additionally, this conservatism may lead to resistance to change. Adherents may view any challenge to already established doctrines as a threat to the integrity of their faith. This creates an environment where alternative viewpoints are dismissed, reinforcing traditional norms. In summary, traditional theological interpretations focus on established doctrines, nurturing a conservative approach toward social issues.⁵³ While conservatism provides a sense of stability and continuity within faith, it hinders inclusivity and progress for individuals seeking to navigate their beliefs in a changing world.

⁴⁸ Canale, F, 'Revelation and Inspiration: Method for a New Approach' Andrews University Seminary Studies Press, 1993, 174.

⁴⁹ Tarte A, 'Clash of convictions: Examining Divergencies Among Traditional and Progressive Christians in Contemporary America' Unpublished, Liberty University, Virginia, 2024, 24.

⁵⁰ Bhat P, 'Progressive Interpretation of the Constitution: Ideology, Application and Efficacy' 3(2), CMR University Journal for Contemporary Legal Affairs, 2021, 48.

⁵¹ Canale, F, 'Revelation and Inspiration: Method for a New Approach' Andrews University Seminary Studies Press, 1993, 174.

⁵² Graham M, 'The Inerrancy of Scripture: A Doctrine Under Fire' Journal of the Liberty University Online Religion Capstone in Research and Scholarship, 1(13), 2016, 1.

⁵³ Tarte A, 'Clash of convictions: Examining Divergencies Among Traditional and Progressive Christians in Contemporary America' Unpublished, Liberty University, Virginia, 2024, 24.

2.2.2.3 It has an emphasis on tradition

Traditional theological interpretations of sacred texts have been passed down to the generations through the historical teachings of scholars who have interpreted them throughout the years.⁵⁴ Theologians, priests, elders, and the clergy are regarded as the prime interpreters of sacred texts as they are seen as anointed and understand the meaning of scriptures deeply. In addition to textual interpretations, various liturgies, celebrations, and teachings have also been passed down within communities, playing an important role in the communal expression of faith. Furthermore, the active participation of the community has played a role in preserving their faith and expressing it through various practices.

2.2.2.4 Rejection of radical change

Traditional theological interpretations often dismiss ideas that oppose established norms.⁵⁵ This includes movements such as feminism, LGBTQ+ rights, and scientific theories contributing to religious beliefs. Such rejections are closely linked to the commitment to preserving traditional values and identities deemed inseparable from faith.⁵⁶

Additionally, such resistance to change can cause intolerance, where individuals advocating for progressive interventions may be unwelcome within their various religious communities. The rejection of radical change also results in a narrow understanding of morality and ethics, limiting communities' engagement with pressing social issues. This is because of their rooted desire to maintain established norms.

2.3 How traditional theological interpretations view gender roles in traditional African Societies

2.3.1 Agikuyu

The Agikuyu hold the view that only men ought to take up spiritual leadership roles. They are seen as the custodians of authority and religious practice.⁵⁷ Men lead the community

⁵⁴ Jody L, 'World Religions: The spirit of searching' Minnesota Libraries Publishing Project, in 2020 -<
<https://mlpp.pressbooks.pub/worldreligionsthespiritsearching/chapter/chapter-2-sacred-texts/>>- in 2020.

⁵⁵ Oviedo L, 'Theology and Cultural Evolution' St Andrews Encyclopaedia of Theology, 2024, 20.

⁵⁶ Oviedo L, 'Theology and Cultural Evolution' St Andrews Encyclopaedia of Theology, 2024, 20.

⁵⁷ Omondi C, 'Kĩama Kia Athuri' Rituals, and Challenges to Agikuyu Christians' 5(1), Research gate, 2024, 86.

in rituals and sacrifices. Furthermore, Ngai, their supreme being, is believed to be a male deity, therefore, men are also perceived to have power and authority within the society.⁵⁸

On the other hand, women are viewed as unworthy or unqualified to hold such spiritual power and practice these roles. They are given secondary roles. In religious practice, women are confined to fertility rituals and participate in rites for harvest.⁵⁹ Furthermore, they were excluded from leadership roles in religious ceremonies and decision-making; rather, they were confined to domestic duties and taking care of the home.⁶⁰

2.3.2 Luo

Within the Luo community, male figures dominated the religious space despite the presence of female deities.⁶¹ Theologically, men were responsible for leading rituals and sacrifices and communicating with their ancestors.⁶²

In contrast, women were excluded from spiritual leadership and, like the Agikuyu women, played roles in family rituals and fertility. They were always placed subordinate to men, had limited power in decision-making, and were confined to domestic duties.⁶³

2.3.3 Maasai

The Maasai community is also male-dominated, as indicated by their leadership and story of creation. Theologically, men hold authority. They are responsible for leading the community in making sacrifices and generally overseeing religious ceremonies.⁶⁴ Their connection to their god 'Enkai', is seen as that of strength and kindness.

⁵⁸ Karangi M, 'The Sacred Mugumo Tree: Revisiting the Roots of Gikuyu Cosmology and Worship' unpublished, School of Oriental and African Studies University of London, London, 2005, 86.

⁵⁹ Munyi P, 'Changing Roles of the Gikuyu Women and their Implications for the Family' Published, University of Nairobi, Nairobi, 2005, 8.

⁶⁰ Munyi P, 'Changing Roles of the Gikuyu Women and their Implications for the Family' Published, University of Nairobi, Nairobi, 2005, 10.

⁶¹ Sudhe S, Gumo S, Iteyo C, 'A Theological Perspective on the Socio-historical Grounds for Gender Disparity in the Nomiya Church' 3(8), Horizon Research Publishing, 2015, 399.

⁶² Nyandiwa C, 'Elements of Luo Traditional Sacrifice: An Anthropological Approach' International Journal of Research and Innovation in Social Science, 2024, 4 -< <https://dx.doi.org/10.47772/IJRIS.2024.801012> >- on 23 January 2024.

⁶³ Sudhe S, Gumo S, Iteyo C, 'A Theological Perspective on the Socio-historical Grounds for Gender Disparity in the Nomiya Church' 3(8), Horizon Research Publishing, 2015, 399.

⁶⁴ Morgan A, 'Tanzanian Maasai Culture and the Implications for Worship and Women's Ministry' Published, Liberty University, Lynchburg, 2015, 22.

On the other hand, women are passive and subordinate. They have a duty to ensure the health of the family and fertility and take up domestic duties. Furthermore, they were forbidden from performing rituals and other duties meant for men as they had those of their own, which were fewer than those of men.⁶⁵

The examples above are a few among many that indicate that traditional theological interpretations in Traditional African Societies are rooted in patriarchal structures placing men at the center of spiritual and social life, while women ought to take up subordinate roles. Women lack authority, especially where male dominance exists both religiously and socially.

2.4 How traditional theological interpretations view gender roles in Christianity

2.4.1 Gender Roles in Catholic, Protestant, and African Indigenous Churches in Kenya

Indigenous cultural practices and Western theological interpretations have greatly influenced Christianity in Kenya. Christianity was introduced in Kenya during the colonial period, where interactions between Christian missionaries and Kenyans brought about the adoption of gender roles that often represented European patriarchal structures.⁶⁶ A strict understanding of gender was formed, which was not any different from the Traditional African Society norms when it comes to matters of gender equality.⁶⁷ Often, biblical interpretations have been used to indicate male authority spiritually. Traditional theological interpretations have also shaped societal gender views as women being subordinate in the family and the church.⁶⁸ This hinders them from achieving a high level of success and respect like men, resulting in discrimination. The rigidity of traditional theological interpretations still manifests in present-day churches.⁶⁹

⁶⁵ Morgan A, 'Tanzanian Maasai Culture and the Implications for Worship and Women's Ministry' Published, Liberty University, Lynchburg, 2015, 24.

⁶⁶ C

⁶⁷ Bertolt B, 'Thinking otherwise: theorizing the colonial/ modern gender system in Africa.' 22(1), African Journals Online, 2018, 3.

⁶⁸ Wood H, 'Gender inequality: The problem of harmful, patriarchal, traditional and cultural gender practices in the church' HTS Theologies Studies, 2019, 2.

⁶⁹ Wood H, 'Gender inequality: The problem of harmful, patriarchal, traditional and cultural gender practices in the church' HTS Theologies Studies, 2019, 2.

Gender roles in Christianity viewed through the lenses of traditional theological interpretations have been shaped by specific Biblical scripture, which promotes patriarchal norms.⁷⁰ An example is the Book of Genesis, whereby in the story of creation, woman was created to be man's helper and companion. Traditional theological interpretations would create an understanding that women were created to serve men.⁷¹ Similarly, the book of Ephesians 5:22-24 states 'Wives, submit yourselves to your husbands as you do to the Lord. For the husband is the head of the wife as Christ is the head of the Church. Now as the Church submits to Christ, so also wives should submit to their husbands in everything.' Interpreting such a scripture using traditional theological interpretations will only justify the subordination of women to men in the Church.⁷² This is because the scripture will have been interpreted and understood as it is, without putting other factors into consideration.

It is argued that the above-mentioned scriptures, among others in the Bible, merely pass the teaching that men and women have different 'God-ordained' roles and are not meant to attribute to gender inequality.⁷³ However, in the scope of traditional theological interpretations, gender inequality is quite evident. Gender roles in Christianity are similar to the gender roles in traditional African societies, as men are meant to be spiritual leaders in the church, communities, and families, as women take up domestic duties and focus on child-rearing.⁷⁴ Gender roles as interpreted by traditional theological interpretations emphasize women being submissive to men.⁷⁵ This aspect is highly respected in most Christian denominations in Kenya. In addition, women are always reminded to be submissive, especially during their wedding ceremonies. This, however, justifies gender discrimination within the Church.

⁷⁰ Nicholson S, Domoney-Lyttle Z, 'Women and Gender in the Bible and the Biblical World Editorial' De Gruyter Open Theology' 2020, 709.

⁷¹ Wood H, 'Gender inequality: The problem of harmful, patriarchal, traditional and cultural gender practices in the church' HTS Theologies Studies, 2019, 3.

⁷² Low M, 'An Egalitarian Marriage: Reading Ephesians 5:21-33 Intertextually with Genesis 2' 33(1), ASIA Journal of Theology, 2019, 11.

⁷³ Belz L, 'The Rhetoric of Gender in the Household of God: Ephesians 5:21-33 and Its Place in Pauline Tradition' Published, Loyola University, Chicago, 112.

⁷⁴ Rwafa U, 'Culture and Religion as Sources of Gender Inequality: Rethinking Challenges Women Face in Contemporary Africa' Unisa Press Journals, 2016, 46.

⁷⁵ Wood H, 'Gender inequality: The problem of harmful, patriarchal, traditional and cultural gender practices in the church' HTS Theologies Studies, 2019, 2.

Since traditional theological interpretations of gender roles have limited the realization of women's full potential in leadership and decision-making, modern interpretations have started evolving.⁷⁶ Scholars have argued that the scripture needs to be interpreted in its historical context rather than being applied as they are in the modern-day setting.⁷⁷ Churches need to incorporate gender-inclusive theological interpretations that see both men and women as equal in the church and society as a whole. Below are some Christian denominations and how they perceive gender roles.

- **Catholic churches**

Catholic churches have always operated under the idea of male supremacy as they incorporate traditional theological interpretations in the understanding of scripture.⁷⁸ This has also affected the type of rules and norms expected to be followed within the church.⁷⁹ They perceive men to be spiritual leaders while women are relegated to domestic roles. The emphasis on male leadership is applied in the church and is expected in congregants' homes as well. This doctrinal stance in the church has, however, sparked a call for regress as catholic women with the desire to join the clergy are prevented from doing so by the church, resulting in gender inequality.⁸⁰

- **Protestant churches**

Just like Catholic churches, protestant churches with evangelical orientation uphold traditional gender roles, viewing men as spiritual leaders in the church and women as subordinates.⁸¹ However, some of them have seen the need to start changing their theological interpretations as they have been negatively affecting gender roles in the church. Progressive theological interpretations have been adopted in some protestant churches, allowing the accommodation of new societal developments such as the need for gender equality. As a result, these churches treat men and women as equals and are given

⁷⁶ Tamunomiegbam A, Arinze D, 'From Tradition to Transformation: Evolving Gender Norms in Contemporary Africa' 9(3), American Journal of Public Policy and Administration, 2024, 29.

⁷⁷ Adamo D, 'The task and distinctiveness of African biblical hermeneutic' Old Testament essays, 2015, 33.

⁷⁸ Gulick R, 'In the Name of God: A Critical Analysis of the Role the Christian Church has Played in the Subordination of Women' Published, University of Michigan, Flint, 1999, 49.

⁷⁹ Brown J, Mulukom V, Jong J, Watts F, Farias M, 'Exploring the relationship between church worship, social bonding and moral values' 44(1), Sage Journals, 2022,6.

⁸⁰ Gulick R, 'In the Name of God: A Critical Analysis of the Role the Christian Church has Played in the Subordination of Women' Published, University of Michigan, Flint, 1999, 57.

⁸¹ Howell S, Duncan K, 'Christian Women's Beliefs on Female Subordination and Male Authority' The Academic Journal of CBE International, 2018, 1.

equal opportunities to join the clergy, lead church services, and make important decisions on behalf of the church.⁸²

This affirms the concept of isomorphism, where institutions ought to change their structures and norms due to external societal pressure.⁸³ The theologically advanced protestant Churches have changed their operations from within so that they are in line with legal requirements on gender, a process termed morphogenesis.⁸⁴ Their shift in theological interpretation, revising their policies, and adjusting their structures seek to maintain a good status quo with their congregants and the community as well.⁸⁵

- **African Indigenous churches (AICs)**

Traditional theological interpretations in AICs incorporate traditional religious values and Christian doctrines simultaneously. Their hybrid gender structure imposes men as leaders, but women also have roles, however, they come secondary to men. Just like the Anglican Churches, AICs are flexible in the interpretation of gender roles.⁸⁶

2.4.2 Influence of Theological Christian Teachings on leadership roles, family, and societal expectations of gender

Religion holds a lot of influential power within societies.⁸⁷ It is similar to a way of life that people of different faiths choose to follow or live by. Just as people in the past lived by their ethnic community's norms, beliefs, and practices, so do modern people choose to abide by religion. Their perception of what is right and what is wrong is controlled by religion. With all other factors like context, ethics, or morality being considered, their choices and way of life will always fall back to religion. In this modern day, religion, especially Christianity, has a great influence on its believers to the extent that it is

⁸² Bukachi G, 'Leadership Opportunities, Challenges, and Perceptions: A Case Study of Women Clergy from Christ is the Answer Ministries and All Saints Cathedral from 2003-2007' Published, Daystar University, Nairobi, 2008, 66.

⁸³ Dimaggio P, Powell W, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields.' 1983, 149, - <<https://www.jstor.org/stable/2095101>>- on, April 1983.

⁸⁴ Rafael P, 'Environmental Governance: The Role of Institutions in Causing and Confronting Environmental Problems' 2003, 413-430, - <[10.1023/B: INEA.0000005802.86439.39](https://doi.org/10.1023/B:INEA.0000005802.86439.39)>- on January 2003.

⁸⁵ Dimaggio P, Powell W, 'The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organizational Fields.' 1983, 149, - <<https://www.jstor.org/stable/2095101>>- on, April 1983.

⁸⁶ Daniel K, 'The role of women in the Church in Africa' 2(6), International Journal of Sociology and Anthropology, 2010, 138.

⁸⁷ Githui F, 'Impact Religious Leaders' Involvement in Kenya's Politics' Research gate, 2024, 1.

'brainwashing'. Christianity even succeeds in influencing its congregations to engage in activities that are out of the ordinary.

Following its influence, religion plays a pivotal role in shaping societal beliefs, norms, and expectations.⁸⁸ Gender roles are not exempted from religious influence. Many Christian teachings have enforced patriarchal structures in different aspects of life. They emphasize the idea that men are heads of households and are, by default, expected to be sole providers, relegating women to taking care of domestic responsibilities. This has been adopted by families in Kenya. A hierarchical perspective has also been placed on marriage, as wives are instructed always to be submissive while husbands assume authority over their wives.⁸⁹ The expectations of wives submitting to their husbands come as a result of traditional interpretations of marital roles.⁹⁰

Catholic and some protestant doctrines have marginalized women by reinforcing the idea that leadership positions are reserved for men.⁹¹ Women's participation in the church remains limited, with most authoritative positions held by men.⁹² Since religion is a crucial part of society, it has influenced the societal expectations of gender through Christian teachings.⁹³ The expectations are that women are supposed to be homemakers and caretakers and support all their husbands' endeavors. Men, on the other hand, are expected to be leaders, providers, and decision-makers.⁹⁴ This shows how scriptural interpretation and religious doctrines dictate societal structures and personal behaviors. As a result, women find themselves marginalized within religious and societal contexts. They end up missing out on opportunities for leadership, personal development, and education as well. These theological interpretations have had a lasting effect on Kenyan

⁸⁸ Rashid M, 'The Role of Religion in Shaping Societal Values and Attitudes' 1(1), *Liberal Journal of Language and Literature Review*, 2023, 35.

⁸⁹ Gulick R, 'In the Name of God: A Critical Analysis of the Role the Christian Church has Played in the Subordination of Women' Published, University of Michigan, Flint, 1999, 76.

⁹⁰ Chacko T, 'Marital Life and Role Expectations' eGyanKosh, 73.

⁹¹ Gulick R, 'In the Name of God: A Critical Analysis of the Role the Christian Church has Played in the Subordination of Women' Published, University of Michigan, Flint, 1999, 49.

⁹² Bwire J, 'Mainstreaming, Women Roles And Challenges For Church Growth In Africa' *Africa Multidisciplinary Journal of Research*, 2017, 5 -< <file:///C:/Users/Stephanie/Downloads/45-79-1-SM.pdf> >- in 2017.

⁹³ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), *CARI Journals*, 2023, 60. in 2017.

⁹³ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), *CARI Journals*, 2023, 60.

⁹⁴ Mwangi A, 'Women's Economic Empowerment' 7(1), *A Journal of the African Women Studies Centre*, 2022, 161.

society as gender roles continue to be patriarchal, despite the constant fight for gender equality.⁹⁵

Furthermore, in previous elections, religious institutions, especially churches, have been used to influence votes. Political leaders recognize that they need the influence that religious leaders have on their congregations. They have previously used this to sway the congregations towards their corner. Religious institutions also influence laws and policies in their favour.⁹⁶ The marginalization of women is reinforced by the religious community's expectations and institutional practices where traditional views of gender roles are perpetuated.⁹⁷

2.5 The interconnection between traditional theological interpretations and gender roles

There has constantly been an evolution of cultural norms, beliefs, and practices. They have shown the interconnection between Traditional African interpretations of gender roles, religious interpretations of gender roles, and traditional theological interpretations. Both frameworks provide significant insights into the roles assigned to genders within different societies. They mirror the interplay between different social dynamics. Such interconnections provide an understanding of how gender roles are formed, maintained, and challenged both in the religious and cultural spheres.

The interconnections between traditional theological interpretations and African thinking on gender roles reveal that both entail patriarchal structures.⁹⁸ It creates a classification of roles, where some are superior and others are complementary roles.⁹⁹ Both frameworks show gender role expectations, with men being positioned as leaders and decision-makers, both in the cultural and religious context.¹⁰⁰ Through traditional

⁹⁵ Njoni N, 'Assessment of Women Participation in Church Leadership: A Case of National Independent Church of Africa (NICA), Kenya' Published, Kenya Methodist University, Nairobi, 2022, 12.

⁹⁶ Githui F, 'Impact Religious Leaders' Involvement in Kenya's Politics' Research gate, 2024, 1.

⁹⁷ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), CARI Journals, 2023, 60.

⁹⁸ Nkatini K, Hundzukan P, Buqa W, & Machimana N, 'Gender role changes in African households: A challenge to theology and psychology' 57(1), Open Access Scholarly Journal Publishing, 2023, 4-5.

⁹⁹ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), International Journal of Culture and Religious Studies, 2023, 61.

¹⁰⁰ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), International Journal of Culture and Religious Studies, 2023, 60.

theological interpretations, there is a reinforcement of male authority and dominance, creating a societal framework that often marginalizes women's contributions to society.¹⁰¹

In Kenya, families, communities, and social institutions have always placed men in positions of power, especially in traditional African societies.¹⁰² As mentioned earlier, the Kikuyu men were seen as the heads of households.¹⁰³ They were also responsible for making decisions on the family, land, and finances.¹⁰⁴ This similarity is drawn in some Kenyan Christian denominations, such as the Catholic Church, where men are seen as spiritual leaders and women are frequently allocated 'supportive' roles within the church.¹⁰⁵ This duality of male leadership in both cultural and religious spheres reinforces a framework created by traditional theological interpretations. This framework privileges male authority and often suppresses women. In this sense, the interconnection between traditional theological interpretations and gender roles is depicted.

Men and women having roles classified by importance is a recurring theme within cultural history.¹⁰⁶ In many Kenyan communities, the belief that men are leaders, providers, and protectors while women are caregivers is deeply ingrained.¹⁰⁷ This manifests itself in the current day, especially in homes, some workplaces, and churches.¹⁰⁸ Some individuals view this situation from a rather positively inclined point of view. They claim that complementary gender roles nurture the family and community, creating societal cohesion.¹⁰⁹ For example, when women in many different cultures manage households and raise children, they maintain social networks, hence ensuring community

¹⁰¹ Diko M, 'Exploring women's challenges and victories in the New Testament through liberation theology' 48(1), *Theologia Viatorium*, 2024, 2-3.

¹⁰² Musya N, 'Advocating positive traditional culture to eradicate harmful aspects of traditional culture for gender equality in Africa' 41(1), University of Kwa Zulu Natal, 2020, 61.

¹⁰³ Jommo K, *Facing Mount Kenya: The Tribal Life of the Gikuyu*, Mercury books, London, 1961, 9-10.

¹⁰⁴ Jommo K, *Facing Mount Kenya: The Tribal Life of the Gikuyu*, Mercury books, London, 1961, 9-10.

¹⁰⁵ John B, 'Mainstreaming, Women Roles and Challenges for Church Growth in Africa' *African Multidisciplinary Journal of Research*, 2017, 5.

¹⁰⁶ Daniel K, 'The role of women in the Church in Africa' 2(6), *International Journal of Sociology and Anthropology*, 2010, 129.

¹⁰⁷ Chege C, 'Mothers Leading by Example: Maternal Influence on Female Leadership in Kenya' Unpublished, Antioch University, California, 2022, 47.

¹⁰⁸ Chege C, 'Mothers Leading by Example: Maternal Influence on Female Leadership in Kenya' Unpublished, Antioch University, California, 2022, 44-45.

¹⁰⁹ Bingham J, 'Gender Differences in the Effects of Complementary versus Competitive Gender Stereotypes on System Justification and Tolerance of Sexism' Unpublished, University of Nebraska, Omaha, 2021, 5.

stability. Such thinking and perceptions are influenced by Traditional Theological interpretations.

However, this group fails to realize the possibility of there being equal capacities. In an evolving society, there cannot be roles played by men alone, yet women are also more than capable of playing the same role. I support the opinion that complementary gender roles only create an excuse for women's suppression and gender inequality.¹¹⁰

Traditional Theological Interpretations often fuel patriarchy by ensuring that concepts, terms, laws, and scripture are interpreted as is. Considering the historical dynamic of social structures, laws, and scripture, which were also patriarchal, interpreting them as is would amount to gender inequality both in the Traditional African Communities' point of view and religious point of view as well.¹¹¹

Religious and traditional cultural frameworks are dynamic and evolve in response to social changes.¹¹² However, traditional theological interpretations expect a stagnant or rather specific understanding of concepts, especially when it comes to gender roles.¹¹³ They are therefore being challenged, as scholars now advocate for new egalitarian interpretations that are gender inclusive, both in the religious and cultural sphere.

Following the above discussion, it is noted that cultural beliefs and religion shape societal attitudes toward gender roles. In turn, cultural beliefs and religion are greatly influenced by traditional theological interpretations, which are often patriarchal. This creates a significant obstacle to the achievement of gender equality. Such resistance manifests through the reluctant support of Affirmative action and in most cases, fear of reporting cases of discrimination. The patriarchal characteristics and influence of Traditional theological Interpretations in religion cause an imbalanced view of gender roles in society. Gender inequality in this context then becomes a legal issue that needs to be addressed.

¹¹⁰ Keter J, 'Gender Inequality in Kenya' unpublished, United States International University, Nairobi, 2020,4.

¹¹¹ Zaluchu F, 'Redeeming gender imbalances: How Biblical Interpretations Affect Women's Health in Indonesia' 9(2), Christian Journal for Global Health, 2022, 17.

¹¹² Idang G, 'African Culture and Values' 16(4), Scielo, 2015, 100.

¹¹³ Eryilmaz F, 'Translating Inspired Language, Transforming Sacred Texts: An Introduction' Brill, 2020, 334.

2.6 conclusion

In conclusion, the connection between traditional theological interpretations and gender roles is a dynamic phenomenon that reflects deep-rooted religious and cultural beliefs shaped over centuries. Such beliefs are lived experiences that influence the day-to-day lives of communities and individuals. They dictate how men and women interact and what gender roles they assume in society.¹¹⁴ This has been depicted in African Societies and Christian denominations where gender roles are frequently defined by a rigid adherence to historical interpretations of scripture and cultural norms prioritizing male authority.

As societal values shift and a call for gender equality gains momentum, progressive theological interpretations become a need. They are needed to challenge traditional views and promote an equitable understanding of gender roles.¹¹⁵ Reinterpreting traditional theological beliefs is essential in dismantling patriarchal barriers in the social sphere. This paves the way for a future where gender roles are defined by equality and mutual respect.

3.0 What is the meaning and importance of equality rights in Kenya

3.1 Introduction

Fairness, justice, and human dignity are rooted in equality rights.¹¹⁶ They are essential in communities to ensure that all individuals, regardless of their characteristics, live free from discrimination, access equal opportunities, and enjoy the recognition of their inherent worth.¹¹⁷ Equality rights are well enshrined in the COK, showing the effort to ensure that all individuals are treated with dignity, fairness, and respect.¹¹⁸ They also cause national harmony and social cohesion, resulting in the country's development.

¹¹⁴ Huberman P, 'The Role of Religion in Shaping Gender Norms and Attitudes: A Case Study of Tanzania' 4(1), CARI Journals, 2023, 68.

¹¹⁵ Mbangwa S, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), European Journal of Philosophy, Culture and Religious Studies, 2024, 57.

¹¹⁶ Kiran M, 'The pillars of human rights: dignity, equality, justice, and liberty' 3(2) Journal of Emerging Technologies and Innovative Research, 2016, 72.

¹¹⁷ Kiran M, 'The pillars of human rights: dignity, equality, justice, and liberty' 3(2) Journal of Emerging Technologies and Innovative Research, 2016, 69.

¹¹⁸ Article 27, Constitution of Kenya (2010).

Through equality rights, inclusivity is promoted. It ensures that the potential of all individuals is realized, resulting in innovation and growth.¹¹⁹

In addition, the COK enshrines the principle of equality by emphasizing that people are equal before the law and should have equal benefits and legal protection. It acknowledges that achieving true equality demands proactive substantive measures to address systemic disadvantages. Equality rights aim to provide equal treatment to all while addressing unequal starting points that individuals may face due to historical or social factors.¹²⁰

Formal equity ensures that laws are applied uniformly, while substantive equality ensures that equality laws further address the disadvantages suffered by marginalized groups.¹²¹ Both approaches to achieving equality are recognized in the COK. This ensures that equality is not only theoretical but also translates to real life, covering all sectors of society. This chapter will delve into the meaning and significance of equality rights in Kenya, examine how they are promoted through constitutional provisions, and their role in fostering justice, social progress, and gender equality.

3.2 Understanding Equality Rights

Equality is an important concept that is crucial in attaining human dignity as well as social justice.¹²² Equality can be termed as the state where both men and women, people of different races, religions, and beliefs can access opportunities on an equal common ground and be treated fairly as well.¹²³ Aristotle held the idea that equality means ‘Things that are alike should be treated alike’, which is the most widespread understanding of equality today.¹²⁴ Equality rights play a crucial role in the protection of the fundamental

¹¹⁹ United Nations Human Rights, Minorities and Cohesive Societies: Equality, Social Inclusion, and Socio-Economic Participation, 30 November 2023.

¹²⁰ Dike F, ‘Analysis of Equality, Equity, and Social Justice’ ResearchGate, 2023, 10 -< https://www.researchgate.net/publication/371780785_Analysis_of_Equality_Equity_and_Social_Justice_By_Frank_Dike_2023/ >- in June 2023.

¹²¹ Fredman S, Goldblatt B, ‘Gender equality and human rights’ UN Women, Discussion paper number 4, 2015,11, -< https://eugender.itcilo.org/toolkit/online/story_content/external_files/TA_Justice_RES_UNWomen.pdf >- in July 2015.

¹²² Yamin A, ‘Shades of dignity: Exploring the demands of equality in applying human rights frameworks to health’ 2009, 1 -< <https://www.hhrjournal.org/2013/08/29/shades-of-dignity-exploring-the-demands-of-equality-in-applying-human-rights-frameworks-to-health/>>- in 2009.

¹²³ Cambridge Dictionary, 4th ed.

¹²⁴ Aristotle, ‘On Voluntary Action’ in Ackrill J, Urmson J (eds), *Ethica Nicomachea*, Oxford University Press, England, 1980, 112-117.

rights of citizens. They aim to ensure that individuals are treated with respect and fairness, have access to opportunities, and acquire legal protection, regardless of their characteristics.¹²⁵ Furthermore, the Kenyan Constitution recognizes equality as a right that applies to all Kenyan Citizens regardless of their background.¹²⁶

However, equality has been categorized into two dimensions: formal equality and substantive equality.¹²⁷ Formal equality majorly concerns written law, where constitutions and legal statutes require that individuals be treated equally without favouritism, promoting consistency in the moral virtue of fairness.¹²⁸ Formal equality plays a role in the laws of many countries with non-discrimination provisions. It justifies the principle of merit, which implies that individuals should only receive opportunities based on their qualifications, skills, achievements, and abilities, and not based on personal attributes such as religion, race, and gender.¹²⁹ To maintain the principle of merit in society, formal equality is needed.

On the other hand, substantive equality achieves true equality by applying differential treatment to overturn systemic inequality.¹³⁰ More often than not, true equality is not achieved by the mere recognition or adoption of formal equality. Discrimination still finds a way to manifest itself, especially in the lives of women and girls.¹³¹ However, substantive equality looks beyond the guarantee of equal treatment. Laws and their interpretations need to consider the different forms of discrimination that exist in society and address them to achieve true equality.¹³² Substantive equality pertains to taking affirmative action to provide for disadvantaged groups opportunities that they were previously denied.¹³³

¹²⁵ Article 27, Constitution of Kenya (2010).

¹²⁶ Article 27, Constitution of Kenya (2010).

¹²⁷ Bălan S, 'Formal and Substantive Equality of Opportunity' 4(4), Research Gate, 2012, 85.

¹²⁸ Murray W, 'Equality and Social Rights: An Exploration in Light of the South African Constitution' Public Law, 2007, 751.

¹²⁹ McCurdden C, 'Merit Principles' 18(4), Research gate, 1998, 543-550.

¹³⁰ Albertyn C, Fredman S, 'Equality beyond dignity: Multi-dimensional equality and Justice Langa's judgments' Acta Juridica, 2015, 433.

¹³¹ United Nations Entity for Gender Equality and the Empowerment of Women, Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya, 2024, 25.

¹³² United Nations Entity for Gender Equality and the Empowerment of Women, Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya, 2024, 27.

¹³³ Fredman S, 'Substantive equality revisited' 14(3), International Journal of Constitutional Law, 2016, 728.

3.3 Constitutional provisions on equality rights in the Kenyan context

3.3.1 Article 27 Constitution of Kenya (2010)

Article 27 of the Constitution focuses on equality. It provides that ‘Every person is equal before the law and has the right to equal protection and benefit of the law.’¹³⁴ In addition, it also implies that states ought not to discriminate against citizens on the grounds of their personal characteristics, which they are unlikely to change. This further elaborates on the concept of equality. Furthermore, Article 27 (8), which speaks about the two-thirds gender rule, addresses gender inequality in the political sphere, especially in political representation.¹³⁵

The state has done its best to abide by this specific provision through the implementation of the two-thirds gender rule in parliament. This means that there should be a gender balance within the government.¹³⁶ Furthermore, this is part of the Kenyan electoral system and process, as stated in the Constitution. The two-thirds gender rule further abides by Article 27 (6) of the constitution which implies that the state should take legislative measures, including affirmative action programs and policies designed to redress any disadvantage suffered by individuals or groups because of past discrimination.¹³⁷ It gives the state direction to enact laws that promote equality.

The impact of Article 27 of the COK is also shown through the enactment of legislation such as the Employment Act 2007, which prohibits discrimination in workplaces.¹³⁸ This form of protection enables employees to seek legal redress if their employment rights are violated. Additionally, a commission was established by the National Gender and Equality Commission Act of 2011, whose task was to ensure compliance with the constitution, hence the application of Article 27.¹³⁹ Additionally, policies such as the National Policy on Gender and Development aim to curb gender differences in health, education, and the economic space.¹⁴⁰

¹³⁴ Article 27 (1), Constitution of Kenya (2010).

¹³⁵ Kenyatta G, ‘The Political Participation of Women in Kenya’ 25(2), *Journal of International Women’s Studies*, 2023, 3.

¹³⁶ Article 81 (b), Constitution of Kenya (2010).

¹³⁷ Article 27 (6), Constitution of Kenya (2010).

¹³⁸ Section 5, Employment Act (Act No. 81 of 2007).

¹³⁹ Section 3, National Gender and Equality Commission Act (2011).

¹⁴⁰ Sessional Paper No. 02 of 2019, National Policy on Gender and Development, 2, October 2019.

In the bid to actualize equality, the government has also established the National Gender and Equality Commission. This body has been tasked to promote and monitor gender equality across various sectors.¹⁴¹ It also conducts research and gives recommendations on various ways in which marginalized groups can be protected. Furthermore, they hold the government accountable, ensuring equality.¹⁴² The COK appreciates substantive equality as a method to ensure gender equality.¹⁴³

Despite these efforts, women suffer discrimination in education, employment, social facilities, and their families. This is because of cultural barriers, which prioritize household responsibilities over education.¹⁴⁴ This leads to high dropout rates in girls compared to boys.¹⁴⁵ Take for example the Maasai community who live in rural secluded areas. Girls are expected to drop out of school to get married and take care of their homes, denying them education.¹⁴⁶

Gender discrimination is also depicted in family law, especially in divorce issues as Customary laws tend to favour men. In the law of succession, women also lose the right to be beneficiaries upon remarriage, a policy that does not also apply to men.¹⁴⁷ This amounts to discrimination based on gender.

Another form of discrimination that is barely noticed, is the limitation of women's duties within the church. In most denominations, women are not allowed by church policies to take up clergy roles and high leadership positions.¹⁴⁸ This is because of the patriarchal foundations of traditional theological interpretations which are used by the church.

¹⁴¹ National Gender and Equality Commission, Mandate and functions of the commission -< <https://www.ngeckkenya.org/about/15/mandate> >

¹⁴² National Gender and Equality Commission, Mandate and functions of the commission -< <https://www.ngeckkenya.org/about/15/mandate> >

¹⁴³ United Nations Entity for Gender Equality and the Empowerment of Women, 'Strengthening gender equality in law: Mapping discriminatory laws against women and girls in Kenya' 2024, 25.

¹⁴⁴ Kirigo E, 'Breaking Barriers to Girls' Education in Kenya' Women Educational Researchers of Kenya, 29 July 2024 -< <https://werk.co.ke/breaking-barriers-to-girls-education-in-kenya/> >- on 29 July 2024.

¹⁴⁵ Kirigo E, 'Breaking Barriers to Girls' Education in Kenya' Women Educational Researchers of Kenya, 29 July 2024 -< <https://werk.co.ke/breaking-barriers-to-girls-education-in-kenya/> >- on 29 July 2024

¹⁴⁶ Mwakio N, 'Overcoming Obstacles to Educational Access for Kenyan Girls: A Qualitative Study' 18(2), Journal of International Women's Studies, 2017, 264.

¹⁴⁷ Section 35, Law of Succession Act (2012).

¹⁴⁸ Njoni N, 'Assessment of Women Participation in Church Leadership: A Case of National Independent Church of Africa, Kenya' Published, Kenya Methodist University, Nairobi, 2022, 12.

Efforts made to address gender discrimination have faced resistance. This calls for the need to supplement legal reforms with general societal change.

3.3.1.1 The principle of equality before the law

Article 27 is important in the sense that it promotes human rights and social justice in Kenya. It addresses historical injustices and systemic inequalities, especially those of marginalized groups.¹⁴⁹ Article 27 is a cornerstone that upholds the principle of equality in Kenya.¹⁵⁰ This principle is essential in the promotion of justice.¹⁵¹ Equality before the law ensures that all individuals have access to the same legal protections and are treated impartially regardless of their personal characteristics.¹⁵² This perspective is important as historical injustices have often created inequalities for women and other marginalized groups. Therefore, the equality principle needs to be applied to foster respect for the rule of law in Kenya and human rights as well.¹⁵³ It is also the role of the judiciary to ensure that equality laws are interpreted in a manner that sets a positive tone toward the goal of achieving gender equality.¹⁵⁴

The principle of equality is not merely a rule of law but a human right that must be upheld by the state. A responsibility is placed on the state to ensure that policies do not discriminate against individuals.¹⁵⁵ They, therefore, have to address systemic barriers that hinder access to justice in terms of equality for marginalized groups. The effective

¹⁴⁹ Thuo L, 'Ending the Oppression Olympics: Promoting the concomitant political participation of marginalized groups in Kenya' *Strathmore University Journals*, 2021, 57 - <<https://doi.org/10.52907/slj.v5i1.140>> on 1 June 2021.

¹⁵⁰ Ajwang F, 'Amending Kenya's 2010 Constitution: Navigating Institutional Interests, Citizen Aspirations, and Constitutional Values' *Academian.edu*, 2024, 1.

¹⁵¹ Ajwang F, 'Amending Kenya's 2010 Constitution: Navigating Institutional Interests, Citizen Aspirations, and Constitutional Values' *Academian.edu*, 2024, 1.

¹⁵² Odhiambo R, Oduor M, 'Gender Equality in the New Constitutional Dispensation of Kenya' *Social Science Research Network*, 2010, 19.

¹⁵³ Shiek Z, 'The Legal Perspective of Human Rights and Development in Kenya' Unpublished, University of Nairobi, Nairobi, 2018, 53.

¹⁵⁴ Thuo L, 'Ending the Oppression Olympics: Promoting the concomitant political participation of marginalized groups in Kenya' *Strathmore University Journals*, 2021, 79 - <<https://doi.org/10.52907/slj.v5i1.140>> on 1 June 2021.

¹⁵⁵ Thuo L, 'Ending the Oppression Olympics: Promoting the concomitant political participation of marginalized groups in Kenya' *Strathmore University Journals*, 2021, 57 - <<https://doi.org/10.52907/slj.v5i1.140>> on 1 June 2021.

implementation of Article 27 requires a commitment to social justice rather than formal concepts.¹⁵⁶

3.3.1.2 Non-discrimination

Article 27 prohibits discrimination on various grounds, such as sex, race, marital status, pregnancy, social, origin, colour, religion, disability, belief culture, or health status. The prohibition of discrimination is essential for addressing historical injustices. The state must, therefore, take positive measures to ensure that citizens enjoy their rights fully.¹⁵⁷ All policies adopted by the state need to be gender considerate, from political representation to education, employment, and other social spheres. Article 27 further serves as a legal tool for individuals facing discrimination, as they can seek legal redress.¹⁵⁸ It also encourages marginalized groups to assert their rights and acquire equal access to resources and opportunities.

The relation between non-discrimination and Article 27 is significant. Article 27 provides a legal framework for equality. Its effective implementation is essential to achieve gender equality.¹⁵⁹ This constitutional provision needs to be interpreted in a way that promotes gender equality by deconstructing systemic blocks that prevent female participation in social life.¹⁶⁰

3.3.2 Article 28 Constitution of Kenya (2010)

Equality is an important aspect of maintaining man's dignity.¹⁶¹ Article 28 of the Constitution reinforces equality rights, stating, 'Every person has inherent dignity and the

¹⁵⁶ Onyoyo P, 'Understanding Enforceability Challenges Facing Equality Rights Under Art. 27 of the Constitution of the Republic of Kenya' 2(5), Researchgate, 2014, 185.

¹⁵⁷ Shiek Z, 'The Legal Perspective of Human Rights and Development in Kenya' Unpublished, University of Nairobi, Nairobi, 2018, 4.

¹⁵⁸ Miyandaz V, 'Human Rights and Equality Commissions in Kenya and Their Role in Tackling Poverty and Economic Inequality' 51(4), Sage Journals, 2023, 424.

¹⁵⁹ Kameri-Mbote P, 'Constitutions as Pathways, to Gender Equality in Plural Legal Contexts' 5(1), International Environmental Research Center, 2018, 22.

¹⁶⁰ Kameri-Mbote P, 'Constitutions as Pathways, to Gender Equality in Plural Legal Contexts' 5(1), International Environmental Research Center, 2018, 26.

¹⁶¹ Yamin A, 'Shades of dignity: Exploring the demands of equality in applying human rights frameworks to health' 2009, 1 -< <https://www.hhrjournal.org/2013/08/29/shades-of-dignity-exploring-the-demands-of-equality-in-applying-human-rights-frameworks-to-health/>>- in 2009.

right to have that dignity respected and protected.¹⁶² The application of equality rights guarantees human dignity. It ensures that citizens do not fall subject to discriminatory treatment, which may be degrading. Article 28 links equality with human dignity, implying that individuals need to be respected and valued as equal members of society apart from being treated equally.¹⁶³

The above-mentioned articles, Articles 27 and 28 of the COK, recognize the importance of having substantive measures that aim to achieve true equality and not just focus on legal equality. They show that equality is not only about eliminating discrimination but also about addressing entrenched disadvantages faced by minority groups.¹⁶⁴

3.3.2.1 The link between equality and human dignity

The link between equality and human dignity is well articulated in Article 28 of the COK. This article is essential in establishing legal foundations for the protection of human dignity, as it is a prerequisite for the actualization of equality rights.¹⁶⁵ It suggests that every individual possesses inherent dignity, which must be protected by the state. Respect for dignity is essential for the protection of all other rights as it establishes a moral and ethical framework for social interactions and governance.¹⁶⁶

The application of equality rights ensures that individuals are not subjected to degrading treatment. It fosters a culture of recognition and respect for all individuals as equals in society. This perspective is important, especially in situations where historical injustices like discrimination have marginalized minority groups. The recognition of dignity is not only a legal formality but also a moral obligation that gives foundation to the essence of human rights.¹⁶⁷ This moral point of view is crucial to creating a society that values all individuals despite their characteristics, fostering a sense of belonging.¹⁶⁸

¹⁶² Article 28, Constitution of Kenya (2010).

¹⁶³ McCrudden C, 'Human Dignity and Judicial Interpretation of Human Rights' 19(4), *European Journal of International Law*, 2008, 667.

¹⁶⁴ Fredman S, 'Substantive equality revisited' 14(3), *International Journal of Constitutional Law*, 2016, 738.

¹⁶⁵ Messetti P, Dallari D, 'Human dignity in the light of the Constitution, human rights and bioethics' 28(3), *Journal of Human Growth and Development*, 2018, 283.

¹⁶⁶ Messetti P, Dallari D, 'Human dignity in the light of the Constitution, human rights and bioethics' 28(3), *Journal of Human Growth and Development*, 2018, 283.

¹⁶⁷ Riley S, 'Human Dignity and the Rule of Law' 11(2), *Utrecht Law Review*, 2015, 92.

¹⁶⁸ Wokabi V, 'The Value of Moral Education and Leadership in Fighting Corruption in Kenya' 7(5), *International Journal of Education and Research*, 2019, 5.

Article 28 also recognizes that equality is not just a legal concept but a moral imperative that underpins the fabric of a just society. The article's intertwining of dignity and equality directs the state to adopt policies that actively ensure citizens' well-being. Policies need to address social, economic, and political disparities that are not proportionate. In addition, public institutions need to be held accountable for upholding the rights of all citizens.¹⁶⁹

3.3.2.2 Substantive equality and formal equality

While Article 27 provides a legal framework for equality, Article 28 pushes for the need for substantive measures to address discrimination faced by marginalized groups. To achieve true equality, more measures are required aside from doing away with discriminatory laws. It necessitates proactive measures that address socioeconomic barriers hindering the actualization of equality rights. This is specifically relevant in the Kenyan context, where there have been deeply rooted inequalities that cannot be solved through formal legal reforms only.

Substantive equality entails the recognition of different starting points of individuals and putting in place measures that level the playing field.¹⁷⁰ This includes affirmative action policies and social and economic empowerment initiatives that aim to assist marginalized groups.¹⁷¹ The Constitution must be interpreted in a way that promotes equity, rather than merely adhering to formalistic notions of equality.¹⁷² The legal framework on equality needs to be complemented by policies that promote equity and dismantle systemic barriers.

3.4 The concept and Importance of the idea of gender equality in Kenya

3.4.1 The concept of gender equality in Kenya

Gender equality is a fundamental human right and a cornerstone of social justice. The Constitution of Kenya, promulgated in 2010, enshrines the principle of equality and non-

¹⁶⁹ Abuya E, 'Promoting transparency: Courts and operationalization of the right of access to information in Kenya' 46(2), *Common Law World Review*, 2017, 116.

¹⁷⁰ Fredman S, 'Substantive equality revisited' 14(3), *International Journal of Constitutional Law*, 2016, 712.

¹⁷¹ Fredman S, 'Substantive equality revisited' 14(3), *International Journal of Constitutional Law*, 2016, 729.

¹⁷² Mutunga W 'The 2010 Constitution of Kenya and its interpretation: Reflections from the Supreme Court's decisions' *South African Legal Information Institute*, 2015, 11.

discrimination, particularly in Articles 27 and 28, which advocate for equal rights and the inherent dignity of all individuals.^{173, 174} However, despite these constitutional guarantees, gender inequality remains pervasive in various sectors, including politics, education, and the workforce.¹⁷⁵

The concept of gender equality encompasses the idea that all individuals, regardless of their gender, should have equal rights, responsibilities, and opportunities.¹⁷⁶ It is not merely about treating men and women the same but recognizing and addressing the different needs and challenges faced by each gender.¹⁷⁷ This understanding is crucial in a society like Kenya, where traditional gender roles and cultural norms often dictate the opportunities available to individuals based on their gender.¹⁷⁸ For instance, women in many communities are often expected to fulfill domestic roles, which can limit their access to education and economic opportunities.¹⁷⁹

Achieving gender equality requires a comprehensive approach that includes legal reforms, public awareness campaigns, and the active involvement of the community as allies in the fight against gender discrimination.¹⁸⁰ Engaging the community in discussions about gender roles and responsibilities is essential for dismantling harmful stereotypes and fostering a culture of respect and equality. This engagement can take various forms, including educational programs that challenge traditional notions of masculinity and promote shared responsibilities in domestic and professional spheres. Furthermore, the role of women in leadership and decision-making positions is critical for promoting gender equality.¹⁸¹ Despite constitutional provisions aimed at increasing women's representation in political and public offices, women remain underrepresented

¹⁷³ Article 27, Constitution of Kenya (2010).

¹⁷⁴ Article 28, Constitution of Kenya (2010).

¹⁷⁵ Presbey G, 'Women's Rights in Kenya since Independence: The Complexities of Kenya's Legal System and the Opportunities of Civic Engagement' 6(1), *The Journal of Social Encounters*, 2022, 32.

¹⁷⁶ Nanni G, *Gender Equality, Equity, and Equal Opportunities*, Springer, New York, 2023, 2.

¹⁷⁷ Iqbal A, Hassan S, Mahmood H, Tanveer M, 'Gender equality, education, economic growth, and religious tensions nexus in developing countries: A spatial analysis approach' 8(11), *Science Direct*, 2022, 1.

¹⁷⁸ Chebet E, 'Effects of Gender Stereotypes on Career Aspirations in Adolescents in Kenya' 9(2), *International Journal of Psychology*, 2024, 3.

¹⁷⁹ Chebet E, 'Effects of Gender Stereotypes on Career Aspirations in Adolescents in Kenya' 9(2), *International Journal of Psychology*, 2024, 3.

¹⁸⁰ Onamu B, Matanga F, Odhiambo E, 'The Nature of Gender Mainstreaming Policies in Nakuru and Narok Counties, Kenya' 5(4), *African Journal of Empirical Research*, 2024, 1275.

¹⁸¹ Ojwala R, Buckingham S, Neat F, Kitada M, 'Understanding women's roles, experiences and barriers to participation in ocean science education in Kenya: recommendations for better gender equality policy' *Science Direct*, 2021, 1.

in leadership roles.¹⁸² The two-thirds gender rule, which mandates that not more than two-thirds of the members of elective public bodies shall be of the same gender, has faced numerous challenges in implementation.

The barriers to achieving gender equality are multifaceted and deeply rooted in societal norms.¹⁸³ Cultural beliefs often perpetuate the idea that men are the primary breadwinners and decision-makers, while women are relegated to subordinate roles.¹⁸⁴ This cultural context necessitates a shift in societal attitudes and values to create a society where gender equality can thrive. Education plays a pivotal role in this transformation as it empowers individuals to challenge discriminatory practices and advocate for their rights. By fostering a culture of equality and respect, Kenya can work towards dismantling the systemic barriers that hinder progress in achieving gender equality.

3.4.2 The importance of gender equality in Kenya

3.4.2.1 Economic growth and development

Empowering women and promoting gender equality can lead to enhanced economic growth.¹⁸⁵ Closing gender gaps in labour force participation could tremendously boost the country's GDP if women were to participate in the economy at the same rate as men.¹⁸⁶

When women are granted equal access to education, employment, leadership, and resources, they significantly contribute to economic productivity.¹⁸⁷ This improves the standards of living in individual families and enhances national economic performance.¹⁸⁸ Women's participation in the workforce can lead to diverse perspectives fostering innovation and improved decision-making. For instance, companies with higher female

¹⁸² Kenyatta G, 'The Political Participation of Women in Kenya' 25(2), *Journal of International Women's Studies*, 2023, 9.

¹⁸³ Sonya G, Jeanne C., 'Gender equality in the 21st century: Overcoming barriers to women's leadership in global health' 86(9), *Journal of Dental Education*, 2022, 1145.

¹⁸⁴ Jeptum V, Mwihia N, 'The influence of societal norms and patriarchal structure on female solidarity in the blossoms of the savannah by Henry ole Kulet' 9(8), *International Journal of Novel Research And Development*, 2024, 161.

¹⁸⁵ Hellqvist L, Heubaum H, 'Energising equality: The impact of globalization on women's empowerment in Kenya's renewable energy sector' *Science Direct*, 2024, 6.

¹⁸⁶ International Labour Organization, *Economic impacts of reducing the gender gap*, 20 September 2017, 1.

¹⁸⁷ Kabeer N, 'Women's economic empowerment and inclusive growth: labour markets and enterprise development' Department for International Development (DFID), Working paper 1, 2012, 3 -< <https://www.womenindisplacement.org/sites/g/files/tmzbd1471/files/2020-10/> > in 2012.

¹⁸⁸ Karani F, 'The Situation and Roles of Women in Kenya: An Overview' *The Journal of Negro Education*, 56(3), 2025, 423.

representation on their boards have proven to have better financial performance as they adopt diverse problem-solving skills and understand consumer needs.¹⁸⁹

3.4.2.2 Improved health outcomes

Gender equality is closely linked to improved healthcare outcomes for women. Studies have shown that women who have access to education and healthcare are more likely to make informed decisions on their health and their children's health.¹⁹⁰ For example, they are likely to seek prenatal care, ensure their children are vaccinated, and make healthier life choices.¹⁹¹

Moreover, gender equality in healthcare can lead to reduced infant and maternal mortality rates. The World Health Organization also recognizes that empowering women in decision-making in the health sector can significantly improve health outcomes for communities. This not only benefits women but also improves the overall health and well-being of society. Addressing gender inequalities in healthcare can achieve better healthcare and improve the overall quality of life for its citizens.¹⁹²

3.4.2.3 Social cohesion and stability

Promoting gender equality contributes to social cohesion within communities. Societies that value gender equality tend to experience minimal occurrences of conflict and violence.¹⁹³ In Kenya, gender-based violence remains a significant issue, with approximately 47% of women aged 15-49 experiencing physical violence, as per the report issued by The National Crime Research Centre in 2014.¹⁹⁴ Addressing gender

¹⁸⁹ Keller H, 'Gender Diversity in Corporate Leadership and Firm Financial Performance in Germany' 2(4) *International Journal of Leadership and Governance*, 2024, 37.

¹⁹⁰ Reshi I, Sudha T, Dar S, 'Education and Gender Equality: Pathways to the Realization of Women Rights' 1(2), *Multidisciplinary Output Research for Actual and International Issue journal*, 2022, 446.

¹⁹¹ Reshi I, Sudha T, Dar S, 'Education and Gender Equality: Pathways to the Realization of Women Rights' 1(2), *Multidisciplinary Output Research for Actual and International Issue journal*, 2022, 447.

¹⁹² Somani T, 'Importance of Educating Girls for the Overall Development of Society: A Global Perspective' 7(1), *Journal of Educational Research and Practice*, 2017, 136.

¹⁹³ Caprioli M, 'Primed for Violence: The Role of Gender Inequality in Predicting Internal Conflict' *Amherst College media*, 2005, 162.

¹⁹⁴ National Crime Research Centre, *Gender-based violence in Kenya*, 2014, 3.

inequality is crucial to combat such violence, cultivating a culture of non-discrimination and respect.¹⁹⁵

Treating both men and women equally and issuing them with equal opportunities leads to a harmonious coexistence within families and the community as well.¹⁹⁶ Gender equality fosters understanding and mutual respect, which builds a cohesive society. Furthermore, when women are included in decision-making, they can advocate for policies that address the needs of all community members, leading to equitable outcomes.¹⁹⁷ By working on fixing gender inequality, social tension is reduced, and peace is promoted.¹⁹⁸

3.4.2.4 Achievement of Sustainable Development Goals

Gender Equality is a critical component of the United Nations' sustainable development goals. It is particularly the fifth, which aims to achieve gender equality and empower all women and girls. The Kenyan government has committed to these goals, recognizing that gender equality is a matter of justice and a strategic ingredient for national development.¹⁹⁹

To address the unique challenges faced by women, it is important to include gender perspectives in policy-making and implementation.²⁰⁰ This will ensure their full participation in all aspects of life. For instance, increasing access to education and healthcare for women has yielded personal and communal benefits.²⁰¹ Educated women are more likely to invest in their own and their children's health and education as well.

¹⁹⁵ Kung'u S, Kamau S, 'Representations of Gender Based Violence in Kenyan Soaps and their Reverberation on Audience attitudes, perceptions, and Behavior' 13(1), Kabarak Journal of Research & Innovation, 2023, 52.

¹⁹⁶ Lwamba E, Shisler S, Ridlehoover W, Kupfer M, Tshabalala N, Nduku P, Langer L, Grant S, Sonnenfeld A, Anda D, Eysers J, Snilstveit B, 'Strengthening women's empowerment and gender equality in fragile contexts towards peaceful and inclusive societies: A systematic review and meta-analysis' Campbell Systematic Reviews, 2022, 4, -< doi: [10.1002/cl2.1214](https://doi.org/10.1002/cl2.1214) > on 8 March 2022.

¹⁹⁷ Muigua K, 'Attaining Gender Equity for Inclusive Development in Kenya' Kariuki Migua and Company Advocates, 2015, 14.

¹⁹⁸ Muigua K, 'Attaining Gender Equity for Inclusive Development in Kenya' Kariuki Migua and Company Advocates, 2015, 4.

¹⁹⁹ Too P, Chelang'a J, 'Gender Equality and Empowerment of Women and Girls: The Implementation of SDG 5 in Kenya, Africa Habitat Review Journal, 2012, 14, -< <http://uonjournals.uonbi.ac.ke/ojs/index.php/ahr> > on 15 July 2021.

²⁰⁰ Ndari M, 'Challenges facing the implementation of gender mainstreaming in selected government ministries in Nairobi County Kenya' published, University of Nairobi, Nairobi, 2014, 3.

²⁰¹ Limboro C, 'Role of Communities in Marginalised Girls' Education: A Case of Kilifi County, Kenya' 12(1), Journal of Emerging Trends in Educational Research and Policy Studies, 2021, 5.

This creates a positive cycle of development that benefits the whole nation.²⁰² Kenya can make significant progress in achieving sustainable development goals and improving the overall well-being of its citizens through gender equality.

3.4.2.5 Enhanced political representation

The role of women in leadership, especially in decision-making positions, is critical for promoting gender equality. Despite constitutional provisions aimed at increasing women's representation in public offices, women are not adequately represented in politics.²⁰³ The two-thirds gender rule has faced numerous challenges in its implementation.

Increasing women's representation in leadership leads to a more inclusive government and empowers women as well. Research shows that when women are involved in decision-making processes, they are more likely to advocate for policies that address issues such as healthcare, social welfare, and education, which disproportionately affect women and children.²⁰⁴ Inclusivity in governance is important to create policies that promote equality and reflect the diverse needs of citizens.

3.4.2.6 Strengthening community resilience and development

Women are frequently at the forefront of initiatives aimed at bettering the community, such as agricultural practices, which are vital for food security in Kenya.²⁰⁵ When women have access to land, training, and other resources, they can significantly improve agricultural productivity.²⁰⁶ This contributes to the overall resilience of their

²⁰² Somani T, 'Importance of Educating Girls for the Overall Development of Society: A Global Perspective, 7(1), Journal of Educational Research and Practice, 2017, 133.

²⁰³ Kenyatta G, 'The Political Participation of Women in Kenya' 25(2), Journal of International Women's Studies, 2023, 7.

²⁰⁴ Limboro C, 'Role of Communities in Marginalised Girls' Education: A Case of Kilifi County, Kenya' 12(1), Journal of Emerging Trends in Educational Research and Policy Studies, 2021, 5.

²⁰⁵ Kipchumba S, Fedha M, Mamboleo D, 'Effect of Women's Participation in Climate Smart Agriculture on Sustainable Household Food Security in Baringo County, Kenya' 9(1), Journal of Research Innovation and Implications in Education, 2025, 125.

²⁰⁶ Kipchumba S, Fedha M, Mamboleo D, 'Effect of Women's Participation in Climate Smart Agriculture on Sustainable Household Food Security in Baringo County, Kenya' 9(1), Journal of Research Innovation and Implications in Education, 2025, 124-126.

communities against climate change and economic shocks. Involving women in community development projects in Kenya can leverage their knowledge and skills to create sustainable solutions to pressing issues.²⁰⁷

Moreover, gender equality enhances community resilience by promoting social networks. Women usually play a central role in building and maintaining social cohesion within communities. This fosters relationships that could be crucial in times of crisis.²⁰⁸ For example, during natural disasters or economic declines, women-led communities can provide support to vulnerable populations.

3.5 The role of the judiciary in promoting equality rights

The judiciary plays a crucial role in interpreting and ensuring that human rights are enforced, especially in situations where there is a dispute. It ensures that the law is translated into tangible benefits for the Kenyan citizens.²⁰⁹ Judicial decisions have been important in the fight for equality and the addressing of discrimination.

For example, the High Court of Kenya made a ruling that the government must adhere to the two-thirds gender rule as mandated by articles 27(8) and 81(b) of the COK.²¹⁰ The court stated that failure to implement this provision would undermine the constitutional obligation of achieving gender equality.

In addition, the Judiciary has attempted to keep its house in order through a judgment made in the Court of Appeal, stating that there cannot be more than four members of the same gender out of the seven judges of the Supreme Court.²¹¹ This decision was a bold move aimed at extinguishing arguments on the ‘progressive realization’ of the two-thirds gender rule. It is a practical representation that partial gender equality has kicked in and is a win for women, given that the patriarchal leadership and gender divide have been an

²⁰⁷ Madhowe A, ‘Women Empowerment and its Influence on the Community Development Projects, in the Marginalized Regions in Kenya: A Case Study of Tana River County’ Published, University of Nairobi, Nairobi, 2018, 16.

²⁰⁸ Bryan E, Alvi M, Huyer S, Ringler C, ‘Addressing gender inequalities and strengthening women’s agency to create more climate-resilient and sustainable food systems’ Science direct, 2024 -< <https://doi.org/10.1016/j.gfs.2023.100731> > In March 2024.

²⁰⁹ The Judiciary, ‘A Blueprint for Social Transformation through Access to Justice’ 2023, 46.

²¹⁰ Centre for Rights Education and Awareness (CREAW) & 7 others v Attorney General (2011) eKLR.

²¹¹ Adrian Kamotho Njenga v The Judicial Service Commission & 9 Others (2017) eKLR.

issue for a long time.²¹² This judgment assures that the Judicial Service Commission must adhere to the two-thirds gender rule when recruiting judges.

These cases, among many others, show that the judiciary has played a substantial role in providing substantive equality, attempting to eliminate discrimination, and interpreting the constitutional provisions on equality in a fair manner.

3.6 Conclusion

In conclusion, equality rights are a moral imperative that form the foundation of a just society. They ensure that individuals enjoy the respect, dignity, and fairness that are inherent to all men.²¹³ Articles 27 and 28 of the COK subscribe to both legal and substantive equality, further ensuring equality.^{214,215} Such commitment from the Kenyan legal system reflects its vision to form a society where all individuals have equal access to opportunities and resources they need in life.

However, achieving equality requires a complementary relationship between affirmative action and proactive laws to address social, historical, and economic barriers that have constantly marginalized certain groups.²¹⁶ True equality requires targeted support and the removal of structural barriers to help such marginalized communities overcome inequality.

Despite legal provisions for gender equality in Kenya, the issue persists.²¹⁷ Gender equality is a societal issue. Addressing this issue and improving the lives of the female gender will contribute to more development within societies and the country as a whole.²¹⁸

²¹² Cheruto K, 'Gender Inequality in Kenya' published, United States International University, Nairobi, 5.

²¹³ Kiran M, 'The pillars of human rights: dignity, equality, justice, and liberty' 3(2) Journal of Emerging Technologies and Innovative Research, 2016, 69.

²¹⁴ Article 27, Constitution of Kenya (2010).

²¹⁵ Article 28, Constitution of Kenya (2010).

²¹⁶ Kaimenyi C, Kinya E, Samwel C, 'An Analysis of Affirmative Action: The Two-Thirds Gender Rule in Kenya' 3(6), International Journal of Business, Humanities and Technology, 2013, 91.

²¹⁷ Kameri-Mbote P, 'Constitutions as pathways to gender equality in plural legal contexts' 5(1), Oslo law review, 2028, 22.

²¹⁸ Revenga A, Shetty S, 'Empowering Women Is Smart Economics' 49(1), International monetaty fund website: Finance and development, 2012,40.

4.0 Practical ways of achieving gender equality within Kenyan churches

4.1 Introduction

Similar to many parts of the world, theological and cultural influences massively dictate how gender roles play out in Kenyan churches.²¹⁹ Many churches in Kenya have historically viewed gender roles from a patriarchal point of view, reflecting traditional cultural practices that often place women in subordinate roles.²²⁰ Gender roles, therefore, need to be interpreted in a way that is biblically responsible, culturally relevant, and equitable for all members of society.²²¹

A combination of historical, cultural, and religious influences largely defines the concept of gender roles in Kenya.²²² Traditionally, men were viewed as heads of households, while women were predominantly caregivers and homemakers according to ethnic customs and patriarchal traditions that govern Kenyan society.²²³ Arriving with Christianity, which promoted doctrinal beliefs largely corresponding to these prejudices, were further duties for men and women, which entrenched these gender roles.

Gender roles were influenced by age, marital status, and lineage in traditional African societies, with men acting primarily as leaders, decision-makers, and economic providers. At the same time, women were predominantly responsible for family and community care.²²⁴ When Christianity was newly introduced in Kenya, many church leaders not only adopted the gender norms of the time but reinforced them.²²⁵

Bible interpretations may not be as thorough as in some mainstream Christian denominations; however, many churches still draw from long-standing interpretations of biblical passages to support their understanding of gender roles. The Apostle Paul is often presented as a prime

²¹⁹ Karuiki J, 'The Role of Culture, Patriarchy, and Ordination of Women Clergy in PCEA Church: A Review of Forty Years of Women's Ordination between 1982–2022, *European Journal of Theology and Philosophy*, 2024, 1, -< [10.24018/ejtheology.2024.4.1.93](https://doi.org/10.24018/ejtheology.2024.4.1.93) >, in 2024.

²²⁰ Githinji J, 'Gender Disparities in Leadership in the Anglican Church, Diocese of Nairobi, Kenya, Unpublished, University of Nairobi, Nairobi, 2011, 7.

²²¹ Githinji J, 'Gender Disparities in Leadership in the Anglican Church, Diocese of Nairobi, Kenya, Unpublished, University of Nairobi, Nairobi, 2011, 29.

²²² Ochwada H, 'Politics and Gender Relations in Kenya: A Historical Perspective' 22(1), *Africa Development* 22(1), 1997, 126.

²²³ Chege C, 'Mothers Leading by Example: Maternal Influence on Female Leadership in Kenya' Unpublished, Antioch University, Ohio, 2022, 1-2.

²²⁴ Chege C, 'Mothers Leading by Example: Maternal Influence on Female Leadership in Kenya' Unpublished, Antioch University, Ohio, 2022, 10.

²²⁵ Mwaura P, 'Gender and Power in African Christianity: African Instituted Churches and Pentecostal Churches' University of Pretoria Library Services, 2013, 412.

example of an early patriarchal supporter, particularly because of writings like 1 Timothy 2:12, which prohibits women from teaching or exercising authority over men, and Ephesians 5:22, which calls on wives to submit to their husbands. These texts have played a significant role in establishing the generally conservative position many churches in Kenya have towards women leaders. If Kenyan Christianity is to expand and embrace the gender roles of the Bible following modern perceptions of equality, progressive interpretations are a necessity.²²⁶

4.2 Theological education and training

Male and Female Church leaders need to be trained with the ability to understand and practice progressive theology. The method in which it should be done is by seminars, workshops, and theological education programs that talk about issues such as feminist theology, liberation theology, and gender justice. They should also focus on popular misconceptions and stereotypes about gender roles in the Bible. The church should focus on concepts such as:

a) The feminist theology.

This is an important movement because the traditional reading of Scripture is often very patriarchal.²²⁷ It stresses the fact that women are equally dignified and have worth and should be able to participate in every aspect of the church and have leadership as well.²²⁸ Feminist theologians dismiss women's subjugation as the consequence of a fallen world and maintain that the biblical teaching of equal mystery, and Galatians 3:28, which states "There is neither Jew nor Greek, no slave nor free, male nor female, for you are all one in Christ Jesus," should be the guide for equality in the church.

Feminist readings of central biblical passages, for instance, the creation story in Genesis, argue that men and women were made in the likeness of God and equally, no hierarchy is indicated. Women being seen as 'helpers' in Genesis 2:18 is no longer viewed as a lesser position but

²²⁶ Julius L, 'Compliance with Gender Equality Laws in Leadership: An Assessment of Selected Churches in Nairobi' 3(1), Chuka University Journal, 2021, 102-103.

²²⁷ Porterfield A, 'Feminist Theology as a Revitalization Movement' 48(3), Oxford University Press, 1987, 234.

²²⁸ Fiorenza E, 'Feminist Theology as a Critical Theology of Liberation' Theological studies.net, 2022, 607.

rather as partners in God's plan for creation.²²⁹ This view permits an equal comprehension of gender within the family as well as the church.²³⁰

b) Liberation theology and gender justice

Another way through which gender inequality can be fixed is through liberation theology, which is concerned with the liberation of oppressed people.²³¹ And that the gospel is not just unto spiritual salvation but rather social salvation and liberation, as in the liberating of women from oppression and inequality. In using liberation theology to address gender roles, the church can begin to provide an area in which women and men are liberated from the roles imposed upon them by conventional gender stereotypes.

From liberation theology, gender justice means getting rid of patriarchal structures that impede the full participation of women in church and society. This promotion of women's development, women's leadership, and other related social issues like violence against women, gender inequality, etc.

c) Christocentric egalitarianism

It emphasizes that everyone is equal before God in Jesus Christ.²³² This view of theology states that leadership and spiritual authority are not exclusive to males, but to whoever God gives the gifts and calling to do so. Passages such as 1 Corinthians 12 that refer to the diversity of gifts within the body of Christ can be used to support this belief that God has called both men and women into positions of leadership that transcend gender boundaries.

By doing this, the church is acknowledging that men aren't the only ones called into spiritual leadership and that women also can be called to preach, teach, and serve in leadership capacities in the church. If Kenya's churches could practice this kind of Christocentric egalitarianism, what missionary potential would exist there, where women and men are both released to serve the church with their spiritual gifts? and in the long run, achieving the constitutional requirement of gender equality.

²²⁹ Wiafe D, 'Genesis 2:18 Revisited: Women as Essential Helpers in God's Creation Plan' Research Gate, 2024, 4.

²³⁰ Wiafe D, 'Genesis 2:18 Revisited: Women as Essential Helpers in God's Creation Plan' Research Gate, 2024, 3.

²³¹ Jakobsen W, Pillay M, 'Re-membering Tutu's liberation theology: Toward gender justice from theoethical feminist perspectives' 104(3), Anglican Theological Review, 2022, 337.

²³² Aydogdu M, 'Christian Egalitarianism: The Book of the City of Ladies Versus the Bible' 1(1), Idil Sanat Ve Dil Dergisi, 2012, 94.

4.3 Change of church leadership structure and make it more inclusive

The leadership structure in Kenyan Churches has often been male dominated.²³³ Many churches operate under a hierarchal system where power is concentrated in the hands of male leaders, resulting in the exclusion of women from leadership. This exclusion is a reflection of church policies that are rooted in cultural patriarchal views of leadership.²³⁴

Kenyan churches should establish inclusive leadership structures where gender equality is reflected and women are allowed to hold leadership opportunities.²³⁵ This might include allowing females to become pastors or board members or giving females the chance to lead in preaching and teaching. The church should put more effort into appointing women to influential roles, following up on them, and having mentors for them. Adopting collaborative leadership models within Kenyan churches can yield benefits such as increased thought diversity, improved decision-making processes, creation of an inclusive church environment, and enhanced community engagement.

4.4 Implementing gender-sensitive policies

Gender sensitive policies within the religious context refer to guidelines that actively promote gender equality and inclusivity in all aspects of church life. They identify and address the unique experiences and needs of both men and women so that all individuals have equal access to opportunities.

Churches need to adopt policies that are gender-sensitive in worship, ministry, decision-making, and all other activities of the church.²³⁶ Their policies should involve issues such as preventing the occurrence of gender-based violence, the distribution and acquisition of resources, and fair involvement of the sexes in the functions of the Church. Such policies will be of benefit as they will foster a just and equitable church environment, enhance effectiveness in the mission of the church, and build the community with trust.²³⁷

²³³ Githinji J, 'Gender disparities in leadership in the Anglican church, diocese of Nairobi, Kenya' Unpublished, University of Nairobi, Nairobi, 2011, 2.

²³⁴ Wainaina E, 'Factors Influencing Women's non-Participation in Church Administrative Leadership in the Presbyterian Church of East Africa, Milimani Presbytery, Nairobi County; 1908-2012' Published, Kenyatta University, Nairobi, 2015, 30.

²³⁵ Fiorenza E, 'Feminist Theology as a Critical Theology of Liberation' *Theological studies.net*, 2022, 607.

²³⁶ Mbangwa S, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), *European Journal of Philosophy, Culture and Religious Studies*, 2024, 57.

²³⁷ Mbangwa S, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), *European Journal of Philosophy, Culture and Religious Studies*, 2024, 57.

Implementing gender sensitive policies will be of no use if their effectiveness is not tested. The church must, therefore, take the initiative to seek accountability. This can be done through regular surveys and feedback sessions with congregants to note areas of improvement. The church could also use suggestion boxes and open discussions to get feedback on the newly established policies.

4.5 Involvement of the church in gender-sensitive social activities

Churches can be involved in social justice initiatives that work to create equality between the sexes in the broader community. This may involve fighting for women's rights, coming to the aid of women who have been violated because of their gender, or joining forces with other organizations to make a dent in the misogynist church structure. Churches can participate in social programs like support groups for violence survivors, women's empowerment workshops, and advocacy campaigns that raise awareness about gender inequality.

They could also act as a venue where women feel comfortable telling their stories and finding assistance. They should serve as a platform for dialogue on gender issues. Fostering open discussions that challenge societal norms.

4.6 Conclusion

In conclusion, the goal of achieving gender equality in Kenya is both a moral and theological necessity that aligns with the core values of Christianity.²³⁸ The cultural and historical practices that have shaped gender roles in churches need to be examined and reinterpreted through the lens of progressive interpretations, such as Christocentric egalitarianism, feminist theology, and liberation theology. Embracing progressive theological interpretations in churches can foster an environment where both men and women can be equally recognized as partners and leaders in ministry.²³⁹

Implementing comprehensive theological education and training programs will equip church leaders with the skills and knowledge necessary to promote gender equality. Through the integration of gender studies into the theology curricula and conducting workshops on gender sensitivity, churches can nurture a new generation of religious

²³⁸ Muigua K, 'Attaining Gender Equity for Inclusive Development in Kenya' 2(2) *Journal of cmsd*, 2018, 12.

²³⁹ Mbangwa C, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), *European Journal of Philosophy, Culture and Religious Studies*, 2024, 56.

leaders who are up to the task of pulling down patriarchal structures and promoting inclusivity.²⁴⁰

Moreover, reforming church leadership structures will be of importance to ensure an increased representation of women, especially in decision-making.²⁴¹ By actively providing mentorship opportunities and intentionally pointing women toward positions of influence, churches essentially create a more equitable environment, reflecting diversity.

In addition, the adoption of gender sensitive policies will further reinforce commitment to equality. These policies should address issues such as interpretations, gender-based violence, equitable participation in church activities, and resource contribution. Addressing these aspects will ensure that all members feel empowered and valued.²⁴²

Ultimately, the journey toward achieving gender equality in Kenyan Churches calls for a collective effort. We ought to challenge outdated theological interpretations and embrace a progressive, equitable, and just understanding of gender roles. In doing so, the church reflects the inclusive nature of the Gospel and contributes to the broader societal goal of equality, as expressed in the Constitution of Kenya. Through these steps, Kenyan churches can become signs of hope and transformation, leading the way to a more equitable future for all citizens.

5.0 conclusion and Recommendations

5.1 Conclusion

In this research paper, I have given a comprehensive analysis of traditional theological interpretations and how such interpretations influence gender roles in Christianity and traditional African communities. I have also explored how such perceptions of gender roles affect gender equality and the necessary adjustments that need to be made to

²⁴⁰ Mbangwa C, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), *European Journal of Philosophy, Culture and Religious Studies*, 2024, 57.

²⁴¹ Amunga C, Namasaka R, Simiyu E, 'Leadership Structures and Practices in Enlightened Christian Gathering Churches in Kenya' 8(2), *Iconic research and engineering journals*, 2024, 227.

²⁴² Mbangwa C, 'Intersection of Philosophy and Religion in Shaping Views on Gender Roles in Zimbabwe' 8(2), *European Journal of Philosophy, Culture and Religious Studies*, 2024, 57.

interpretations to achieve gender equality. Below is each research question and what I found.

This study sought to identify the traditional theological interpretations view gender roles in Kenya. The findings indicate that traditional theological interpretations are rooted in historical cultural contexts, which often marginalize women, upholding conservative gender roles, and ultimately restricting their participation in leadership and other influential positions in society. This is evident in religious institutions where in most denominations, male authority is prioritized over women's. Women are also restricted to taking up subordinate roles. This ultimately shows the broad societal acceptance of gender discrimination, denying women opportunities in leadership, employment, and education.

I also looked into the importance and meaning of gender equality rights in Kenya. I found out that equality rights are an important foundation for the achievement of social justice, stability, and development. Equality rights recognize the need for equal treatment, as well as every individual's inherent dignity. In Kenya, they are mainly supported by the COK, issuing the Bill of Rights and upholding the principle of equality. The Constitution of Kenya 2010 is part of a significant step in addressing historical injustice and preventing further injustices. When women are empowered, they can largely contribute to economic growth, societal stability, and family well-being.

My final research question was about how churches in Kenya could pursue interpretations that are in line with gender roles and achieve gender equality. My first finding was that churches need to let go of traditional theological interpretations and adopt progressive interpretations. Progressive interpretations adapt to changes within the society and times, making it easy to achieve gender equality through its use. In addition, churches could train current and upcoming religious leaders on gender issues, with gender equality being the main topic of discussion. This includes adapting feminist theology, Christocentric egalitarianism, and the liberation theory as they recognize every individual's potential and equal worth. I also found out that some churches have started adopting gender-sensitive teachings, which shows the practicality and potential to achieve gender equality in churches. By creating an environment of inclusivity and support, churches can significantly transform societal attitudes towards gender equality.

In conclusion, achieving gender equality in Kenya requires a collective effort, engaging all members of the society. It is imperative that religious leaders, policymakers, community members work hand in hand to bring down the barriers imposed by traditional theological interpretations. By doing so, we can pave the way for a more equitable future, ultimately fulfilling the constitutional mandate for gender equality in Kenya.

5.2 Recommendations

The following recommendations are strategies that are needed to effectively achieve gender equality within Kenyan churches.

To solve the issue of gender equality from the source, enhancing theological education is important. In this way, new or upcoming religious leaders will adopt the new progressive interpretations. Theological institutions should, therefore, incorporate gender studies in their training programmes. This ensures that the future church leaders are well conversed with the theological implications of gender equality as well as contemporary gender issues. This should also apply to current church leaders, in that they ought to partake in continuing education programs focusing on the new understanding of gender roles in Kenya.

I would also recommend that churches host workshops and seminars focused on sensitizing the community in gender equality. Such events can include interactive sessions and panel discussions that challenge and engage the congregation, as well as church leaders, on gender issues. By educating all the stakeholders within the church, we will be able to challenge the existing stereotypes on gender and promote a culture of inclusivity. Still on training and mentorship, women seeking to take up leadership positions need to be mentored for their professional development. They need support, encouragement, and guidance from qualified individuals, as well as training on skills such as conflict resolution, public speaking, and strategic planning.

Apart from educating the congregation and church leaders, leadership structures need to be revised. New inclusive leadership models need to be established. For example, catholic leadership structures should allow women to lead the congregation in services and take up high religious positions as men do. This can be achieved by creating policies that

promote gender diversity and ensure that women are well-represented in church committees, boards, and other influential roles.

To ensure that such policies are adhered to, accountability mechanisms can be established to monitor their effectiveness. This could include feedback from congregants, transparent reporting processes, and regular assessments to ensure the church remains committed to achieving gender equality.

In addition, the church could engage and collaborate with local organizations advocating for gender equality. Such collaborations have the potential to demonstrate the church's commitment to social justice and amplify the church's impact beyond the church walls. As churches collaborate with organizations advocating for gender equality, the congregation can boost these efforts by also participating in social justice campaigns that advocate for women's rights and address gender inequality.

Finally, as technology keeps evolving and with it constantly being a trend, the church could use social media platforms to reach a broader audience and engage in conversations surrounding gender equality. Online webinars and social media campaigns can help raise awareness and create a sense of community around gender issues.

By implementing these recommendations, Kenyan churches will take a significant stride forward in fostering an environment of inclusivity and equality. Their commitment to gender equality will not only reflect Biblical values but also contribute to creating a more just society, where individuals are empowered to fulfill their potential regardless of their gender.

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