



KENYATTA UNIVERSITY

UNIVERSITY EXAMINATIONS 2019/2020

FIRST SEMESTER EXAMINATION FOR THE DEGREE OF BACHELOR OF LAW

LPL 402: LAW AND GENDER RELATIONSHIPS

DATE: TUESDAY 3RD DECEMBER 2019

TIME: 9.00 A.M. – 11.00 A.M.

INSTRUCTIONS

- 1) Answer QUESTION ONE and ANY OTHER TWO questions. Penalties accrue for failure to answer QUESTION ONE.
- 2) Support your answers with relevant illustrations from case law, statutory provisions and any other references.
- 3) Your Writing must be NEAT and LEGIBLE.
- 4) Your answer script must bear your student's REGISTRATION NUMBER, both on the cover and every written page therein.
- 5) Do not scribble or draft answers on the inner or outer cover pages of your answer booklet.
- 6) Do not write anything except YOUR REGISTRATION NUMBER on this Question Paper.
- 7) All Kenyatta University Examinations Rules apply as if they were contained herein.

Question One

Anna was 12 years when a man aged 25 years accosted her in a shop where she had been sent by her mother to buy groceries and defiled her repeatedly throughout the night. He released her early by daybreak. Anna limped home to a wild reception by her mother who, with rage beat her up accusing her of being a bad girl. She never took her to hospital. As a result of the

rape, Ann got pregnant and nine months later, at the age of 13 years she gave birth to a bouncing baby boy. Without a person to offer her help, Anna brought her son up under extreme poverty and penury. The father of her son eschewed from his parental responsibilities and treated her with contempt. She was ostracized at home as well as shunned by the public. The rapist was never caught nor arraigned in court.

Dejected, young but full of hope, Anna embarked on a journey of hustling and surviving on titbits of work. She started a retail business which miraculously grew into a profitable enterprise. She was able to buy several pieces of land for herself and her son.

As her business prospered, she found herself a man and married him who later turned out to be a drunk, a bully and a wife beater. He gave her another two sons but she had to leave the abusive marriage after her efforts to resolve the problems with relevant laws proved futile. The man even refused to educate her sons but Anna struggled and put them through school despite the odds.

Years later, she met and fell in love with another younger, widowed man, where she put up a business for him and they were happy until he turned against her. He constantly beat her up, mistreated her and tried as much as possible to grab lands and properties that she had bought with her own money, claiming women were not entitled to own land in Kenya. He even refused to maintain his late wife's children upon separation as their adopted mother. He ridiculed her on her decision to get sterilized as she could not bear children for him. He called her a useless childless woman for her reproductive health decision not to bear more children.

Ann has always wanted to become an MCA of her ward but because of the husband's attitude, people do not want to support her. Even the local branch of her party, has since denied her of the opportunity to represent the ward just because she is a woman. Although many women support her, her husband has rallied men not to support his wife. One main reason is that if elected an MCA, she may teach other women to demand property ownership and other rights from their parents and their husbands and thus upset the social fabric of the ward.

Ann has come to you as an expert in law and Gender. She wants you to go through her life story, identify the various issues that she needs help and provide the appropriate solution to each and every one of them.

Question Two

Citing relevant case-law and legal provisions, discuss the law and institutional framework for protection of women's rights in Kenya.

Question Three

The 2/3rd Gender Rule in political representation, is the cornerstone for women inclusion in politics. Analyze this statement expansively, outlining some of the challenges that women face when they seek political office.

Question Four

Identify and discuss the common areas of concern for women in the field of Law and Justice.

Question Five

In analyzing the connection between gender equality and Legal pluralism, it is suggested that a holistic approach that takes in to account the various norms, institutions and stakeholders that impact the way women experience Law and Justice is preferable” Discuss.