

Dangerous Spaces

Kenya's Public Universities as a Locus for Sexual and Gender-Based Violence – A Case Study of Egerton University, Njoro Campus

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Les institutions de haut savoir tout spécialement les universités publiques au Kenya sont devenues de plus en plus dangereuses et offrent aucune sécurité aux élèves et la présence du groupe Sexual and Gender Based Violence (SGBV) y voit. Les étudiantes sur le campus, particulièrement celles qui sont handicapées et qui fréquentent l'université Egerton (UE), le campus Njoro continuent à subir des agressions multiples dont la violence physique, sexuelle et psychologique et des sévices ou gestes envers les hommes et les femmes de la part des collègues, des professeurs, des membres de la communauté tout autant que des aidants. Cette étude documente les causes, les formes et les impacts et identifie une action pour remédier à cette situation et élabore des stratégies pour arrêter cette violence. Cette étude sera menée par « Ground Theory » selon sa méthodologie préférée.

Sexual and Gender-Based Violence (SGBV) in Kenya

Violence against women is perhaps the most widespread and socially tolerated violation of human rights, cutting across borders, races, classes, ethnicities, and religions. Research shows that globally, one in every three women has experienced physical or sexual violence (Boseley). Sexual and Gender Based Violence (SGBV) is a particularly disturbing phenomenon that exists in all regions of the world, Kenya included (Aura). Although men also experience SGBV, women and girls are more vulnerable and bear the brunt of the phenomenon. Further, there are clear indications of new and emerging forms of violence against women that are becoming more predominant. For example, fundamentalism is on the rise and increasing numbers of young girls and women are abducted to

serve as sex slaves for the militants, as occurred with the Chibok school girls in Nigeria in 2014, when 276 girls were abducted by Boko Haram. More recently in 2018, close to 100 girls were again abducted by the same militant group in Nigeria (Duthiers, Karimi and Botelho).

According to the United Nations Declaration on the Elimination of Violence Against Women, adopted by the UN General Assembly in 1993, Gender Based Violence is defined as “any act that is likely to result in physical, sexual, or psychological harm or suffering to an individual because of his/her gender, including threats, coercion, or arbitrary deprivation of liberty, whether occurring in the public or private life.”

Gender-based violence (GBV) is a persistent and universal problem occurring in every culture and country in the world. It is a global phenomenon that knows no boundaries, whether geographic, cultural, social, economic, ethnic, gender, age, or other. It is a major obstacle to the achievements of gender equality. The vast majority of perpetrators of sexual violence are persons known to the victims, most often husbands or partners. Many terms are used to describe sexual and gender-based violence (SGBV) but in this paper it is used to denote violence against women and girls, who make up the vast majority of those affected by such violence.

The most glaring forms of violence against women are physical, sexual, and psychological violence that can include defilement and rape, female genital mutilation (FGM), early marriages and other cultural practices harmful to women such as wife inheritance (Parsitau “Engaging,” “How Girls’ Education,” “How Young Men”). Also prevalent are non-spousal violence, sexual violence related to

exploitation, sexual harassment and intimidation at work, in school and elsewhere, trafficking of women and girls, forced prostitution and now cyber-bullying and body shaming of women and girls.

Gender-based violence is one of the worst manifestations of gender discrimination, disproportionately affecting girls and women. As such, it is a fundamental violation of human rights, specifically women's rights. In Africa this violence continues despite the many international legal declarations and human rights instruments to which many African countries are signatories. These include the Beijing Platform for Action, the Declaration on Elimination of Violence Against Women, the Convention on Elimination of All forms of Discrimination Against Women, The Protocol to the African Charter on Human and People's Rights of Women of Africa, the African Union Declaration on Gender Equality in Africa, among others. Traditions based on patriarchal systems still prevail and fail to provide women with their rights. Law enforcement agencies, like the judiciary and the police, rarely enforce these rights or assist women to exercise their rights. For example, a majority of rapes go unreported due to social stigma and victim discrimination. These and many other barriers, including gender blind and insensitive policies that discriminate against women, keep women from attaining the full enjoyment of their rights (African Union).

While women's rights have advanced in Kenya in recent decades (Corman) especially after the passage of the New Constitution in 2010, Gender and Sexual Based Violence continues and is a cause of national concern. Based on a review of the Kenyan newspapers between 2008-2012, reports of SGBV abound in all the major Kenyan daily papers, on television and radio, as well as in public discourses on a regular basis. Almost every week, grisly images and stories are published about young girls, and increasingly boys, who are defiled by their neighbors, close relatives, teachers, or even clergy and guardians, who are supposed to protect these youth. Available data suggests that one in five Kenyan women has faced sexual violence (Wangechi). Studies by the Kenya National Bureau of Statistics and ICF Marco estimated that by the age of 15, approximately 49 percent of the population of women and girls in Kenya had experienced some form of violence. Among these, rape cases are the most common, as reported by a Kenyan newspaper (*Kenya Times*). Women and girls account for 90 percent of the GBV cases reported. Strangers account for only six per cent of GBV in Kenya. Sixty-four percent survivors of GBV cases reported that offenders behind the violence were known to them, mainly an intimate partner. Ninety per cent of reported perpetrators are men. Cases of violence among men and boys are relatively low although

this may be because most of them go unreported out of fear of ridicule and stigma.

Even security forces, like the police, have been accused of pouncing on innocent young girls. There are also too many disturbing reports about wives battered to death by their husbands and, periodically, husbands butchered by their wives. In fact spousal deaths have recently increased in alarming proportions. Persons living with disabilities are not spared either, with many reports of defilement of disabled persons, particularly the mentally ill. Their vulnerabilities put them at greater risk of defilement and of being impregnated by their attackers and abusers (National Commission on Gender and Development).

In an address during the Egerton University's October 2016 Gender Awareness Day, Chairperson of Kenya's Federation of Women Lawyers (FIDA), Ruth Aura, noted that Kenya's legal framework provides a mechanism for addressing GBV, but that the levels at which the framework is actually used to respond to the plight of survivors is debatable. It focuses on bringing the perpetrator to justice without the corresponding obligation to alleviate the conditions of the survivor, and thus alienates survivors from the whole process (Aura). This continues to happen despite the existence of (at least) the following legal frameworks guiding the handling of GBV in Kenya:

- The Kenyan Constitution of 2010 relates GBV in its Bill of Rights
- The Sexual Offences Act* (2006)
- Sexual Offences Act: Witness Protection Act*
- The Children's Act* (2001)
- The Penal Code
- The Marriage Act*
- Female Genital Mutilation Act* (which criminalizes the practice).

Family spaces, work environments, learning institutions, as well as government institutions are all sites for GBV to one degree or another. The family unit, long regarded as one of the most important units of society and the primary agent of socialization, is another key locus of gender based violence. From early development, the family prepares its members for social life, forms gender stereotypes and shapes perceptions of the division of labor between the sexes. But it is also the arena where domestic violence occurs, including but not limited to spousal battering, sexual assault, sexual abuse, and/or psychological abuses. According to the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW), GBV is rooted in prescribed behaviors, norms, and attitudes based on gender and sexuality. In African societies and many communities, GBV is rooted in

the gendered discourses of masculinities and femininities (prescribed norms of what it means to be a woman or a man), and how men and women are positioned vis-a-vis one another and other groups of men and women. These gender discourses permit violent behavior within a context of assumed privilege and hierarchical power of certain groups (Jewkes). GBV is therefore an articulation of power hierarchies and structural inequalities that are informed by belief systems, cultural norms, and socialization processes. The community, as a group sharing common social, cultur-

last five years or so will suffice here. On June 18, 2011, the body of University of Nairobi student, Mercy Keino, was found in the early hours of the morning along Waiyaki Way (Godia). Ms. Keino had been out partying with friends the previous night and was later brutally murdered in unclear circumstances (Lucheli). In May 2015, Edith Masengele Ofubwa, 21, was stabbed to death in her dorm room by a boyfriend who accused her of cheating on him. Similarly 22-year-old Emily Jelimo Ngetich was found murdered in her rented room near

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al, religious, or ethnic belonging, may perpetuate existing family structures and power inequalities in family and society. The community, then, often justifies the behavior of male abusers aimed at establishing control over women in the family, and supports harmful traditional practices such as battering and corporal punishment.

Further, the state legitimizes power inequalities in family and society and perpetuates gender-based violence through enactment of discriminatory laws and policies or through the discriminatory application of the law. The state is thus at times indirectly responsible for tolerance of gender violence on an unofficial level. However, because the state has the recognized role to sanction certain norms that protect individual life and dignity and maintain collective peace, it has the obligation to develop and implement measures that redress gender violence. In governmental institutions, the private sector, and general work environments, women are vulnerable to both sexual aggression (harassment, intimidation) and commercialized violence (trafficking for sexual exploitation). There is also a growing recognition of SGBV taking place within institutions of higher learning.

Dangerous Spaces: The Prevalence of SGBV in Kenya's Public Universities

Kenya's public universities and institutions of higher learning remain some of the most unsafe spaces, especially for female students. The number of young female students who have been killed, raped, or simply disappeared without trace, is both confounding and shocking. A few examples highlighted by the Kenyan media in the

the Maasai Mara University in what the police said was a strangulation. It was alleged that Emily was killed by an ex-boyfriend (Kiplagat).

In another shocking incident, a third-year student at Moi University in Eldoret was killed and raped by her attacker, who is said to be an ex-boyfriend (Ndanyi). Charity Maina's badly mutilated body was dumped in a bus terminus. In Egerton University, a fourth year student succumbed to her injuries after she was stabbed by her boyfriend (Kahenda). On September 2, 2016, an Egerton University lecturer was charged for raping and badly beating up a female student, whom he had taken out on a party till late at night (Chepkwony). While the lecturer is facing criminal charges and has since been sacked by the university, the story shocked the universities senate, staff and student community. Such stories often attract headlines in local dailies but they don't seem to attract public anger or outrage. In another shocking case a university student was raped and murdered by a neighbor.

These deaths are a lucid pointer to how universities spaces have become dangerous spaces. An even larger number have been assaulted, raped, violated, harmed, beaten, and subjected to all manner of sexual, physical, and emotional abuse and torture. Most of these cases are blamed on scorned lovers or allegations of cheating. Many girls are also forced to have abortions when they fall pregnant. During student riots and strikes, that are very frequent in public universities, female students are sometimes raped by security personnel who are called in to stop the riot and protect the universities' properties from destruction, looting, and burning. It is unfortunate that security personnel who ought to protect lives may

end up becoming perpetrators of sexual and gender based violence against female university students.

At the same time, gang rape, date rape, and all other forms sexual violence are equally rampant in public universities. Heartbreaking stories of despair and absolutely outrageous acts against the rights and dignity of the victims and survivors are too many to document. Kenya has nearly 55 universities and these numbers keep growing by the day. Out of the 240,550 universities students, 116,115 are female. Despite the large numbers, most universities have instituted inadequate safety measures to protect students from sexual assault. There is a clear research gap on sexual and gender-based violence in Kenyan universities; the problem remains largely understudied, unreported, and unpunished. SGBV is not only prevalent in universities but also in secondary and primary schools where sexual abuse of students by teachers is disturbingly high. One study in ten districts of Kenya surveyed 1,279 students (of whom two thirds were girls), and found that 16 percent of girls had been propositioned by one of their teachers, and 21 percent of respondents knew of a girl who had engaged in sex with a teacher (Ruto).

Causes of SGBV on Campus

In social institutions, including campuses and universities, students are exposed to unsafe, often dangerous spaces. Both primary and secondary schools are locus for violence, as is shown by many cases of both girls and boys being defiled or sodomized by their teachers and care takers. In 2009, Kenya's Teachers Service Commission (TSC) and the Centre for Rights Education and Awareness released a report estimating that 12,660 Kenyan schoolgirls had been sexually assaulted by their teachers between 2003-2007 (Siringi). Further, many school children have also been violently beaten by their teachers, with some fatal cases of corporal punishment being reported.

In institutions of higher learning in Kenya, particularly in public universities, GBV is quite prevalent and an issue of concern to university management and other stakeholders. At Egerton University, Njoro Campus, significant numbers of cases of GBV are reported to the Director of the Institute of Women, Gender and Development Studies (IWGDS). In fact as an Institute, in 2015-2016, we handled weekly reports of case of GBV involving both male and female students, although females report more cases of GBV than males. The authors are aware of many such reports by women who have been beaten, assaulted, drugged, raped or repeatedly raped, impregnated, abandoned, and infected with HIV/AIDS.

Similar reports have also been reported to the office of the Dean of Students, the Directorate of Student Affairs,

as well as the Security department. In addition, there are many cases of young female students who become pregnant in their first year of study, prompting the Institute to open up a daycare centre to help the students navigate being students and young mothers at the same time. There are also many cases of backstreet abortions that take place on campus, with many young women thus damaging their bodies as well as their reproductive health.

The most disturbing form of gender-based violence that is rampant in Kenyan universities is what is commonly and comically referred to as "sexually transmitted degrees" or "sexually acquired degrees." Sexual and gender-based violence manifests itself in various practices in educational institutions. Comparatively, males have more access and opportunities than females, and women are more at a disadvantage at the university. There are many causes of SGBV in public universities which mirror what is happening in the Kenyan society at large. Violence against women and girls negatively impacts on students' participation, retention, and performance in school, college, and university.

According to Ruth Aura, culture has been cited as the leading cause of violence against women in Kenya and Africa. Financial insecurity has also been cited as a factor. Poverty fuels sexual abuse in many instances. It forces young people, especially female students, to engage in transactional sex or the so-called "sugar daddy/sugar mummy" phenomenon, whereby young women and men gain financial support from older men and women in exchange for sexual services. Often the victims are very young and many experience abuse.

Peer pressure and the need to conform forces many young university female students to engage in transactional relationships so as to sustain a certain lifestyle. Many female university students prefer to date older men with money so that they can get by and enjoy the financial security it gives them. Yet, this leaves them vulnerable and open to abuse by these men. Also many campus students would not date their younger male peers because they are too poor to afford to sustain the young women on campus, leaving many young men angry about their lot in life. There is a new phenomenon called the "sponsor," whereby young women look for men with money to sponsor their lifestyles. This phenomenon is frustrating real campus relationships and students no longer date among their age-mates because of these economics dynamics.

In contemporary Kenyan society, sexual services are treated as commodities that should be paid for. Some women have more than one sugar daddy or sponsor at a time, or many boyfriends, to cater for varied needs such as hair and beauty products, pocket money, outings and fun, as well as luxuries. There is also a new and emerging phenomenon of "campus socialites," or young women

who live extremely opulent lifestyles by dating extremely wealthy old men. These are the “campus divas” who look for men to give them the life they desire by engaging in transactional sexual relationships. At the same time, some female university students engage in transactional sex with lecturers for good grades. This is a widespread practice and many students have accepted it as normal. These trends are supported by data that appears to suggest that adolescent girls are engaging in sexual relationships for money and material gifts. According to the *Kenya Demographic and*

of the learning environment as a whole, thereby affecting completion rates for both victims and perpetrators. This is significant given that the experience or even the threat of GBV often results in impacts which may follow the students into their adult lives.

Recent findings from a 2010 GBV Survey appear to suggest that experiencing or even witnessing violence on campus may have irreversible consequences for students in terms of perpetrating or further experiencing violence later in life. Lecturers, administrators, stakeholders in

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Health Survey, 15 percent of adolescent girls who have had sexual intercourse have done so in exchange for money, gifts, or favours in the twelve months leading up to the survey (KNBS).

Gender-based violence undoubtedly affects women’s self-esteem, confidence, and ability to learn. The experience or threat of GBV results in poor performance, irregular class attendance, college dropout, and truancy. The gender perspective on violence against women shows us that the root cause of violence lies in the unequal power relations between women and men, which ensure male dominance over women, and are a characteristic of human societies throughout the world.

While women are usually the immediate victims of gender-based violence, the consequences of this violence extend beyond the victim to the society as a whole. Although GBV is a universal problem, it is prevalent in patriarchal cultures. And while GBV is not exclusively a women’s only concern, it disproportionately affects more women and girls than men. Nevertheless, there are also increased reports of GBV affecting men. It is important to highlight all of the forms of GBVs on campus because of their significance and impact on students’ educations.

Although GBV is not tolerated by university management, that has taken stern disciplinary action against perpetrators of GBVs on campus, the practice remains not fully understood nor examined. Yet, GBV is a serious obstacle to reaching the target of Education for All and the Millennium Development Goal to achieve gender equality. It also remains a critical barrier to education not only because of its serious physical, psychological, and health implications, but also because it may lead to deterioration

student affairs, and the general education system are fundamental in transforming practices, attitudes, perceptions, and values, including instilling a culture of gender equality, respect of human rights, non-violent behavior, and women’s empowerment; and all must be worried by the prevalence of GBV in public institutions of higher learning. An appraisal of the negative content of masculinities and femininities transmitted through the socialization process may contribute to eliminating GBV through the formation of positive masculinities and femininities that empower men to respect women and conversely empower women to avoid abetting abuse and oppression.

The effects of violence on women vary widely. It depends on the nature of the particular incident, the woman’s relationship with her abuser, and the context in which it took place. Gender-based violence typically has physical, psychological, and social effects. For the survivors, these are interconnected. Gender-based violence has also been linked to many serious health problems, both immediate and long-term. The economic and social impact will include rejection, ostracism, and social stigma at community level; reduced ability to participate in social and economic activities; acute fear of future violence, which extends beyond the individual survivors to other members of the community. GBV also damages women’s confidence resulting in fear of venturing into public spaces which often curtail women’s education and in turn can limit their income-generating opportunities; increase vulnerability to other types of gender-based violence; and lead to job loss due to absenteeism, negatively impacting women’s income generating power.

The impact of GBV on women also affects their families

with direct effects such as divorce, jeopardized economic and emotional development, and babies born with health disorders because of violence experienced by their mothers during pregnancy. Collateral effects on children who witness violence at home include: withdrawal, low self-esteem, nightmares, self-blame, and aggression against peers, family members, and property. Indirect effects include a compromised ability of survivors to care for their children, sometimes resulting in child malnutrition and neglect due to constraining effects of violence on women's livelihood strategies and their bargaining position in marriage.. Other effects include the impact of violence on the perpetrators and the impact of violence on society.

It is the foregoing that necessitates the need for concrete, effective violence prevention as well as appropriate strategies to support the existing efforts towards a society free of gender-based violence, including in institutions of higher learning. This calls for interdisciplinary and inter-institutional co-operation as well as a common understanding of the nature and causes of gender-based violence in public universities. Some of the interventions that have worked as social responses to Gender-Based Violence are health care services, victim assistance services, working with perpetrators, exploring masculinities, media information and awareness campaigns, education, community interventions, and international conferences and conventions.

What Universities Can Do to Mitigate and Eliminate SGBV

The rising cases of physical and sexual violence in Kenya have inspired students at Egerton University to develop an anti-GBV application called 'Bonga' (meaning 'speak up'), which is available on Android phones and contains both educative and preventative features. The educative platform includes information on monitoring danger levels of GBV, and how to be safe and get help from security, the police, university hospital and ambulance, the director of the Gender Institute, family, and friends.

Gender-based violence is not exclusively a woman's concern. It is both a cause and consequence of gender perceptions. Gender-based violence has shifted the focus from women as victims to the unequal power relationships between women and men, created and maintained by gender stereotypes and gendered hierarchies as the basic underlying cause of violence against women. For these reasons, a gender perspective considers the interaction between gender and the other social categories such as class, race, and ethnicity; it holds that as gender inequities are socially conditioned, they can be changed at an individual and societal level in the direction of justice, equity,

and partnership between men and women. A gender perspective on violence against women achieves change by acknowledging gender-based violence; addressing the similarities and differences in the violence experience by women and men in relation to vulnerabilities, violations and consequences; and addressing the differential impacts of policies on men and women. We cannot fight SGBV without roping men into the fight. Continuous training, sensitization and creation of awareness would help.

Many universities have created Gender Institutes and departments as well as gender and sexual harassment policies. These policies must not only be implemented but also enforced. From our experience, enforcement is low. While the universities do not tolerate any form of violence against any gender—anyone caught is normally expelled in the case of a student and sacked in the case of lecturers—there is need for university management to take this issue more seriously, so as to make university environments safe for all learners. Measures include use of technology, creation of safe spaces, enforcement of laws and policies, strengthening of existing policies and implementation of them, support of student mothers, and the carrying out of continuous sensitization and training for students, faculty and staff.

Recommendations for the Prevention of GBV and SGBV within the University Community

- Promote social and cultural change, attitudes, and perceptions in respect of GBV, with a view to influencing university policy in the area of gender/human rights.
- Monitor, seek redress for and/or report violations of sexual and human rights, including supporting victims of sexual and gender based violence.
- Build capacity at the University, and especially the Institute of Women, Gender and Development Studies, in training, counseling, and psychotherapy, so as to enable us to serve victims of SGBV/legacy.
- Educate, train, and create awareness amongst students, security personnel within the university, dean of students, staff, university managers, workers, and surrounding communities on how to identify and handle such incidences.
- Promote observance and implementation of human rights practices based on internationally recognized standards.
- Promote and strengthen local and national institutions and mechanisms for human rights of women and girls through research and information dissemination, advocacy, and influencing policy.
- Establish certificate, diploma, undergraduate, and post-graduate curriculum on Gender, Human Rights and Sexuality at the IWGDS.

•Run a well-equipped day care center where children of student mothers can be safe, cared for, and protected.

Conclusion

Violence against women and girls is a symptom of gender inequality and power imbalances between women and men and as long as gender inequalities continue to persist, there will be cases of gender-based violence in society. Attaining gender equality requires that we change systems and structures of oppression which require long-term and concerted efforts and strong political will. The predominance of patriarchy in Africa, where women are still treated as subordinate to men, is a huge factor in the continual prevalence of SGBV. In addition, the proliferation of armed conflicts in Africa, often caused by struggles to control power and resources, has seen the use of rape as a weapon of war and has set back efforts to prevent violence against women and promote women's rights (Ndegwa; Nowrojee).

All over the world, people are standing up to end gender-based violence in their homes and communities. The recent global #MeToo movement has helped shine light on sexual based violence in the workplace and throughout society. In Kenya, similar work has been taken up by the Jitokeze campaign which has sought to galvanize support from all to stem the tide of violence against women.

SGBV remains a barrier to sustainable social and economic development at individual and societal levels. Institutions of higher learning can either continue to reproduce particular gender relations and hierarchies that propagate seeds of SGBV to thrive in society, or be part of the solution to change the script on gender inequality. This calls for a more holistic, integrated and creative approach to the problem. Policy makers can strive to make universities safe spaces for female students and all learners. By creating a safe learning environment we will in turn contribute to creating a safer and more peaceful world.

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LIND GRANT-OYEYE

Walking under water

They gather yet again in this aged city square –
 They gather under
 Old wells our grandmother's rugged hands
 carved
 underneath our grandfather's foul-mouthed
 land.
 Rumor has it that it was borrowed while
 he danced to tempered beats of hokey village
 drums.
 How these new ones also come together in
 fogged out city
 lights to retell a story trapped in the trials
 of dead beat winds –
 The Story of dried up bones.
 Their yearning
 to rise one more time above cloudy waters –
 To rise
 How these new ones gather one more time –
 Dressed in double-breasted coats,
 under murky moons to speak
 of brittle bosoms
 of buried bones
 of borrowed lands – To rise

Lind Grant-Oyeye is an award-winning poet of African-Irish descent. Her work has appeared in literary magazines and anthologies world-wide.