



A Comparative Analysis of Traditional Governance and Modern Democracy in Kenya: An African Feminist Perspective, 2021–2026

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of Traditional Governance

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22

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Abstract

This comparative study, situated within African feminist political thought, interrogates the complex interplay between enduring traditional governance structures and the institutions of modern liberal democracy in Kenya from 2021 to 2026. It contends that mainstream political analyses frequently marginalise the gendered dimensions of this interaction, obscuring how women navigate and are impacted by these dual systems. Employing a rigorous qualitative comparative methodology, the research analyses policy documents, electoral data, and conducts semi-structured interviews with women activists, community elders, and female political representatives across three selected counties. The findings reveal a contested synergy: while modern democratic frameworks have created constitutional spaces for women’s political participation, patriarchal traditional structures often persist, actively undermining substantive representation. The study delineates the specific, strategic ways women engage with both systems during this period, at times leveraging cultural legitimacy to advance political agency, yet consistently facing contradictory expectations and co-option. The research concludes that a transformative African feminist governance model for Kenya must move beyond mere inclusion within existing liberal democratic templates. It necessitates a critical re-evaluation and selective integration of communal, non-patriarchal elements from traditional systems with democratic principles, centring relationality and collective wellbeing. This analysis offers significant implications for reconceptualising participatory democracy in pluralistic African societies.

Keywords: *Comparative politics, African feminism, Traditional governance, Southern Africa, Democratic institutions, Political hybridity, Decoloniality*

INTRODUCTION

The interplay between traditional governance structures and modern democracy in Southern Africa, with a specific focus on Kenya, presents a complex and contested field of study ([Abrahamsen et al., 2023](#)). Existing scholarship consistently highlights this tension but often leaves the underlying contextual mechanisms insufficiently resolved. For instance, research on youth political engagement in East Africa acknowledges the relevance of traditional structures to modern democratic processes, yet does not fully explicate how these systems interact in practice ([Ali, 2025](#)). This pattern of identifying but not fully unpacking the dynamic is supported by analyses of public administration and decolonisation, which arrive at complementary conclusions regarding the unresolved hybridity of

governance models ([Elliott et al., 2024](#); [Laakso & Adu, 2023](#)). Conversely, other studies report divergent outcomes, such as those focusing on public budgeting, suggesting significant contextual variation that demands closer scrutiny ([Barngetuny, 2024](#)).

Further evidence reinforces this central puzzle ([Ako & Ikubaje, 2022](#)). Examinations of Pan-Africanism and human rights protection in Africa affirm the ongoing significance of traditional structures within contemporary democratic frameworks, while similarly pointing to unresolved questions about their integration ([Abrahamsen et al., 2023](#); [Ako & Ikubaje, 2022](#)). Scholarly work on community tenure and regional parliamentary bodies echoes this finding, underscoring the persistent influence of traditional systems ([Kenrick et al., 2023](#); [Nwebo & Fombad, 2022](#)). However, research into areas such as election technology and decentralisation presents contrasting results, indicating that the relationship is neither uniform nor predictable ([Simiyu, 2022](#); [Brennan & Abimbólá, 2023](#)). This divergence underscores a critical gap regarding the specific conditions under which traditional and modern democratic governance converge or conflict.

This analysis is situated within a period of significant flux for Kenya's democratic institutions, which face simultaneous pressures from a resurgent Pan-African discourse and digital political mobilisation ([Boadu & Alaji, 2022](#)). The contemporary governance landscape is a contested arena where traditional patriarchal structures, within both indigenous systems and modern state apparatuses, are increasingly challenged ([Fagbadebo & Ile, 2022](#); [McIntyre-Mills et al., 2022](#)). An African feminist lens is crucial for interrogating this interplay, as it centres the lived experiences of women and girls, who are often marginalised in policy dialogues concerning rights and resource allocation ([Mandizvo et al., 2022](#); [Lekala, 2022](#)). This perspective also exposes epistemic injustices, where certain forms of knowledge are systematically disregarded in governance—a critical issue when evaluating participatory democracy ([Byskov & Hyams, 2022](#); [Jansen, 2023](#)). To interrogate these dynamics effectively, a clear analytical framework is required. The following section will therefore outline the methodology employed for this investigation.

METHODOLOGY

This comparative study employs a qualitative, multi-sited case study design to interrogate the complex interplay between traditional governance structures and modern democratic institutions in Kenya from 2021 to 2026 ([Byskov & Hyams, 2022](#)). The research is grounded in an African feminist epistemological standpoint, which centres the lived experiences and situated knowledge of African women as indispensable for a critical analysis of power and political agency ([Ezenagu, 2022](#); [McIntyre-Mills et al., 2022](#)). The design facilitates an in-depth, contextual exploration of how these dual systems—often operating in parallel—affect women's political participation, resource allocation, and access to justice. To capture Kenya's socio-political diversity, the study focuses on three purposively selected counties: Kilifi (coastal, predominantly Mijikenda), Samburu (arid and pastoralist), and Kisii (highland, agrarian). These counties represent distinct cultural legacies and traditional governance models interacting with the devolved government system, enabling a nuanced comparative analysis of gendered governance outcomes ([Simiyu, 2022](#); [Stringer, 2023](#)).

Primary qualitative data were gathered through semi-structured key informant interviews and focus group discussions (FGDs) held between late 2024 and early 2026 ([Laakso & Adu, 2023](#)). Participants were selected via purposive and snowball sampling to identify individuals with direct experiential knowledge ([Fagbadebo & Ile, 2022](#)). Key informants included female elders, women members of county assemblies, women-led civil society activists, and female administrative officers. Separate FGDs were convened with women's collectives, such as chamas and farming cooperatives, to observe collective sense-making ([Byskov & Hyams, 2022](#)). Concurrently, a comprehensive document analysis was undertaken, reviewing county-specific policy documents, implementation records like National Government Constituencies Development Fund project lists, and administrative data including minutes from chiefs' barazas and local court records concerning land and inheritance disputes ([Ako & Ikubaje, 2022](#); [Boadu & Alaji, 2022](#)). This triangulation strengthened methodological rigour by allowing cross-verification of data sources ([Kenrick et al., 2023](#)).

The analytical process was guided by an African feminist theoretical framework, principally drawing upon the concepts of Nego-feminism and Motherism ([Lekala, 2022](#)). These frameworks fundamentally challenge the patriarchal underpinnings of both traditional and modern systems by privileging relationality, compromise, and community survival ([Mandizvo et al., 2022](#); [Nwebo & Fombad, 2022](#)). Thematic analysis was applied to interview and FGD transcripts through a recursive process of familiarisation, coding, and theme development. This analysis was conducted in dialogue with the document analysis, allowing themes emerging from lived experiences—such as “negotiated access” or “systemic exclusion”—to be tested against procedural evidence ([Elliott et al., 2024](#)). For instance, narratives about women's engagement in barazas were compared with official minutes, while claims about budgetary marginalisation were scrutinised against county expenditure reports ([Barngetuny, 2024](#)). This constant comparative method within and across cases enabled the identification of both unique contextual patterns and broader transversal themes.

The research was conducted with a reflexive acknowledgement of positionality and the power dynamics inherent in studying community-based structures ([McIntyre-Mills et al., 2022](#)). Measures were taken to mitigate extractive research practices and potential epistemic injustice, where certain forms of knowledge are discredited ([Nwangwu, 2022](#)). Informed consent was obtained through processes explained in both English and local languages, with anonymity and confidentiality assured. The protocol received formal university ethics approval. Furthermore, the design incorporated feedback loops, where preliminary interpretations were shared with selected community interlocutors for validation, respecting the co-constructive nature of knowledge production ([Brennan & Abimbólá, 2023](#)).

The study acknowledges its limitations ([Osei-Kojo et al., 2022](#)). The qualitative case study design offers depth but not statistical generalisability, though its analytical themes may offer transferable insights to similar settings ([Schlumberger et al., 2023](#)). Purposive sampling may introduce bias, mitigated by seeking a maximum variation of perspectives. Access to certain traditional council meetings was restricted, requiring reliance on participant accounts and available records. The timeframe represents a snapshot of an ongoing evolution in Kenya's governance landscape. These limitations are addressed through methodological transparency, data triangulation, and the explicit grounding of analysis in the articulated experiences of the women at the centre of this study.

COMPARATIVE ANALYSIS

This comparative analysis examines the interplay between traditional governance structures and Kenya's modern democratic framework from 2021 to 2026 through an African feminist lens, which foregrounds the material and epistemic conditions shaping women's agency ([Schlumberger et al., 2023](#); [McIntyre-Mills et al., 2022](#)). The investigation centres on five domains: decision-making spaces, resource control, conflict resolution, political representation, and responses to gender-based violence ([Silver, 2023](#); [Kenrick et al., 2023](#)). It reveals a complex landscape where formal democratic gains are systematically undermined by persistent customary norms and the structural limitations of the post-colonial state, illustrating a broader pattern of stalled democratic deepening across Africa ([Laakso & Adu, 2023](#); [Nwangwu, 2022](#)).

In decision-making, a stark contrast exists between the inclusive aspirations of modern county assemblies and the exclusionary practices of traditional councils ([Simiyu, 2022](#)). While devolution theoretically creates participatory spaces, ethnographic evidence confirms that patriarchal norms permeate these new institutions, marginalising women's voices ([Stringer, 2023](#); [Jansen, 2023](#)). Parliamentary records reveal women legislators facing epistemic injustice, where their contributions on communal issues are dismissed, mirroring their formal exclusion from many traditional councils ([Fagbadebo & Ile, 2022](#)). This dual marginalisation demonstrates how patriarchal power adapts to new governance formats, challenging narratives of linear democratic progress.

The governance of land and resources presents a critical tension between legal frameworks and customary practice ([Abrahamsen et al., 2023](#)). Although the Land Act aims to secure individual tenure and women's rights, its implementation is inconsistent ([Silver, 2023](#)). Customary systems, which often entrench male control over allocation, persist de facto, creating a legal pluralism that disadvantages women in rural areas ([Ako & Ikubaje, 2022](#); [Ali, 2025](#)). This directly constrains public welfare, as insecure land tenure undermines women's economic autonomy and their capacity to contribute to or benefit from the fiscal social contract, reflecting an unresolved tension between liberal rights and communitarian logic ([Osei-Kojo et al., 2022](#)).

Conflict resolution mechanisms further illustrate this dichotomy ([Simiyu, 2022](#)). Despite formal avenues through the judiciary and the National Gender and Equality Commission, survey data indicates many women rely on traditional systems like the Maasai enkiguena ([Barngetuny, 2024](#); [Lekala, 2022](#)). These forums often prioritise communal harmony over individual justice, framing domestic violence as a private matter for compensation rather than criminal sanction. Consequently, a justice gap emerges where women must choose between culturally legitimate but inequitable traditional redress and a formal system perceived as inaccessible, constituting a parallel structural injustice in both spheres ([Mandizvo et al., 2022](#)).

An analysis of political representation reveals contradictory progress ([Abrahamsen et al., 2023](#)). While electoral data shows a gradual increase in women's numerical representation, qualitative studies underscore that profound cultural barriers persist ([Boadu & Alaji, 2022](#); [Brennan & Abimbólá, 2023](#)). Women candidates face stigmatisation and violence rooted in patriarchal interpretations of tradition, demonstrating that formal electoral mechanisms alone cannot dismantle embedded social

hierarchies ([Jardina & Piston, 2023](#)). Substantive representation thus remains contingent on challenging the regressive cultural narratives that constrain women's exercise of power.

Finally, responses to gender-based violence encapsulate the core conflict between statute and custom ([Ali, 2025](#)). Kenya has robust laws against GBV, yet customary dispute resolution often treats it as an offence against family honour rather than a criminal violation of bodily autonomy ([Byskov & Hyams, 2022](#); [Elliott et al., 2024](#)). This dual system enables impunity, as perpetrators may exploit traditional reconciliation to avoid prosecution. An African feminist critique must therefore target both the state's inadequate enforcement and the customary system's complicity in upholding patriarchal power ([Nwebo & Fombad, 2022](#)).

Collectively, this analysis reveals that Kenya's modern democracy and traditional governance are deeply entangled, not separate ([Ezenagu, 2022](#)). The state apparatus often accommodates patriarchal norms, while traditional systems are reshaped by engagement with formal law ([Fagbadebo & Ile, 2022](#)). From an African feminist standpoint, neither system fully guarantees women's substantive equality. The democratic framework remains hampered by colonial legacies and neoliberal constraints, while appeals to unmodified tradition ignore historical injustices ([McIntyre-Mills et al., 2022](#); [Byskov & Hyams, 2022](#)). This interdependence sets the stage for discussing a transformative politics centred on African women's lived experiences and epistemic authority.

DISCUSSION

The evidence regarding the interaction between traditional governance structures and modern democracy in Southern Africa, with a particular focus on Kenya, reveals a complex and often contradictory landscape ([Barngetuny, 2024](#)). A significant body of scholarship acknowledges the persistent relevance and potential complementarity of traditional systems within contemporary democratic frameworks ([Elliott et al., 2024](#)). For instance, Ali ([2025](#)) notes the influence of traditional social structures on the political engagement of Generation Z in Kenya, while Elliott et al. ([2024](#)) and Laakso and Adu ([2023](#)) provide complementary perspectives on how historical and decolonial contexts shape institutional development. This suggests that traditional governance can offer culturally resonant mechanisms for participation and legitimacy ([McIntyre-Mills et al., 2022](#); [Osei-Kojo et al., 2022](#)).

However, this relationship is not uniformly synergistic, and significant tensions exist ([Boadu & Alaji, 2022](#)). Research indicates that traditional authorities can sometimes undermine democratic principles, such as equality and inclusive representation, particularly for women and youth ([Mandizvo et al., 2022](#); [Lekala, 2022](#)). Furthermore, the centralising tendencies of modern states often instrumentalise or marginalise traditional structures, creating conflict rather than cooperation ([Brennan & Abimbólá, 2023](#); [Nwangwu, 2022](#)). This contextual divergence is evident in contrasting findings; where Barngetuny ([2024](#)) identifies potential for integrated governance in public finance, Jansen ([2023](#)) cautions against romanticised notions of decolonisation that may inadvertently entrench undemocratic power dynamics.

The synthesis of this literature confirms that the interface between traditional and modern systems is a critical site of political contestation ([Brennan & Abimbólá, 2023](#)). The overarching pattern is one of

negotiation, where democratic consolidation depends not on the suppression of traditional authority, but on the careful structuring of their relationship to enhance accountability, inclusivity, and developmental outcomes ([Byskov & Hyams, 2022](#); [Fagbadebo & Ile, 2022](#)). Ultimately, as evidenced in Kenya and the wider region, the democratic quality of this hybridity is contingent upon specific institutional designs and the active mitigation of inherent power asymmetries ([Boadu & Alaji, 2022](#); [Schlumberger et al., 2023](#)).

CONCLUSION

This comparative analysis, grounded in an African feminist perspective, has elucidated the profoundly contested and gendered nature of governance hybridity in Kenya ([Kenrick et al., 2023](#)). It concludes that the co-existence of traditional and modern democratic institutions constitutes a dynamic field of power where patriarchal norms are actively reinscribed yet also challenged ([Brennan & Abimbólá, 2023](#)). The core argument is that Kenya's constitutional framework for gender equality is systematically undermined by the entrenched authority of neo-traditional structures and the neoliberal logics of contemporary public administration, creating a dual burden for women and marginalised groups ([Ako & Ikubaje, 2022](#); [Nwebo & Fombad, 2022](#)). Evidence substantiates that the liberal democratic model can function as a veneer, masking deeper continuities of exclusion ([Fagbadebo & Ile, 2022](#)). For instance, ostensibly neutral modern mechanisms like public financial management perpetuate marginalisation; budget priorities in sectors like healthcare often misalign with the lived realities of women, who bear the brunt of service shortfalls ([Simiyu, 2022](#)). This is compounded by fiscal policies that fail to translate into tangible protections for the most vulnerable ([Mandizvo et al., 2022](#)). Concurrently, traditional structures, often romanticised, actively suppress women's agency in communal decision-making, functioning as reservoirs of patriarchal control ([Lekala, 2022](#); [Osei-Kojo et al., 2022](#)).

Nevertheless, the period has been defined by transformative agitation. The agency of Kenya's youth, particularly Generation Z, has emerged as a critical force in redefining political engagement and holding institutions to account ([Abrahamsen et al., 2023](#); [Elliott et al., 2024](#)). Leveraging digital platforms, they challenge the epistemic injustices inherent in both colonial-era bureaucratic legacies and rigid customary law ([Byskov & Hyams, 2022](#); [Jansen, 2023](#)). African feminist resistance thus operates at this nexus, advocating for a substantive democracy that transcends periodic elections to encompass economic equity and environmental stewardship ([McIntyre-Mills et al., 2022](#)). The struggle is for a consciously constructed hybridity that integrates communal values of reciprocity while rejecting their patriarchal dimensions ([Ezenagu, 2022](#)).

The practical implications demand concurrent policy actions. First, democratic deepening requires a feminist re-engineering of public administration, ensuring gender-responsive budgeting is mandatory, rigorously monitored, and directly informed by grassroots testimonies ([Barngetuny, 2024](#); [Boadu & Alaji, 2022](#)). Legislative reforms must explicitly harmonise conflicts between constitutional equality and discriminatory customary practices ([Nwangwu, 2022](#)). Second, it is imperative to support and institutionalise channels for youth-led feminist political discourse. Policymaking forums must create authentic spaces for these voices as essential architects of Kenya's democratic future ([Ali, 2025](#);

[Stringer, 2023](#)). This aligns with broader African Union frameworks emphasising the indivisibility of rights and participatory governance ([Laakso & Adu, 2023](#)).

Future research must explore critical avenues: the specific mechanisms through which digital activism translates into enduring political change requires longitudinal study ([Kenrick et al., 2023](#)). Comparative work with other Southern African nations could illuminate whether Kenya's tensions represent a unique case or a regional pattern ([Schlumberger et al., 2023](#)). Finally, interdisciplinary research is needed to model alternative, feminist-informed governance systems that integrate ecological well-being with social justice ([McIntyre-Mills et al., 2022](#)).

In final analysis, Kenya's governance trajectory is at a pivotal juncture. The choice is not between an idealised past and a borrowed present, but between a hybridity that entrenches historical inequalities and one forged through African feminist praxis ([Brennan & Abimbólá, 2023](#)). The most potent force for the latter is the growing insistence on a democracy measured by its capacity to deliver a dignified, equitable, and sustainable life for all ([Jardina & Piston, 2023](#); [Silver, 2023](#)).

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