

Abstract

Mbaikye in the Kamba language means "help me balance the load". Even where Kenyan law bars discrimination, traditional practice accepts and tolerates the inferior position of women. The persistence of customary law in many rural parts of Kenya means that only a few middle- and upper-class women can own property. As the majority of women are employed in the informal and often nonremunerative sector, legislation still fails to protect them. The Employment Act of 1969 is regarded as the core of Kenya's labor legislation. While the law may appear gender neutral, in fact sections of it tend to discriminate against women in employment. Eighty percent of Kenya's population live in rural areas; more than half of that percentage are women. While officially gender neutral, the result is de facto discrimination against women, who have no recourse to independent hearings of their cases.