Gender Responsive Strategies to Foster Equal Participation of Men and Women in Resolution of Conflicts Using ADR Mechanisms in Mt. Elgon Region, Bungoma County, Kenya

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Abstract

This article discusses gender responsive strategies that foster equal participation of men and women in the resolution of conflicts using Alternative Dispute Resolution (ADR) Mechanisms in the Mt. Elgon region, in Bungoma County, Kenya. Despite the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, UN resolution 1325 on gender equality in peacebuilding, and the fact that ADR mechanisms are normally considered participatory and inclusive in Kenya, they are still primarily male dominated. This article used a qualitative research method whereby data was collected through interviews and Focus Group Discussions as well as desk review. Findings from the study suggest that men continue to dominate; hence, have an upper hand regarding participation in conflict resolution using ADR mechanisms for a variety of reasons, including long standing traditional practices, lack of formal and/or informal education, to mention few. The Kenyan context in general and in the Mt. Elgon region, in Bungoma, is no different. To mainstream gender equality in the resolution of community conflicts through ADR, this article proposes the enactment of the Two-thirds Gender Rule by Parliament, the provision of education to both men and women to empower and sensitize them to work toward ending long standing practices that sustain gender inequalities and the establishment of gender sensitive peace committees in the region.

Key Words: Gender, Gender equality, Conflict resolution, Equal participation, Alternative Dispute Resolution

1. Introduction

The adoption of the UN Council Resolution 1325 on 31 October 2000 is considered a milestone toward gender equality around the world. The resolution reaffirms the important role played by women in the prevention and resolution of conflicts, peace negotiations, peacebuilding, peacekeeping, humanitarian response, and post-conflict reconstruction. Further, the resolution underscores the significance of equal participation in all efforts geared towards maintenance and promotion of peace and security worldwide. Moreover, it urges all actors to increase the participation of women and incorporate gender responsive strategies in all United Nations peace and security efforts (United Nations, 2022).

The adoption of this resolution, as well as the Convention on the Elimination of All Forms of Discrimination against Women was occasioned by the fact that women are virtually always excluded from conflict resolution mechanisms whether they are court based or ADR. This is because societies harbour long standing harmful traditions and cultural practices that discriminate against women.

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Besides, when violent conflicts erupt, men and women are affected in different ways. Women and girls suffer disproportionately from the by-products of war, and they are often targeted as a war strategy (Kangas, Haider, & Fraser, 2014). An important factor related to gender equality for security and development is women's quality participation in positions of power, including politics, peace discussions, and negotiations (Crespo-Sancho, 2018). Research carried out around the world confirms that including women in peace processes has a positive impact on the durability of peace agreements, which thus prevents conflict from reoccurring. Furthermore, including women as negotiators, mediators, signatories, and witnesses increases the probability of an agreement lasting at least two years by 20 percent, and the probability of it lasting at least 15 years by 35 percent. Moreover, there is a positive correlation between the participation of women's groups and peace deal results. When women are less involved, agreements are reached less often, and the likelihood of reaching an agreement is even lower when women groups are not involved at all (Crespo-Sancho, 2018).

Alternative Dispute Resolution (ADR) mechanisms are informal processes that are used to resolve conflicts besides the formal conflict resolution through the court system. Shamir (2013) posits that ADR comprises of various approaches that resolve disputes in a non-confrontational way. They include negotiations between two parties, a multi-party negotiation, through mediation and consensus building.

While the Constitution of Kenya, 2010, recognizes the application of ADR mechanisms in dispute resolution for efficient dispensation of justice, research findings by Muigai (2017) reveal that most ADRs are male dominated. Hence, women do not hold any substantive stake in ADR proceedings. Muigai (2017) further notes that women continue to be discriminated against in ADR even on matters where their rights are involved. This is because TDRs (Traditional Dispute Resolution) mechanisms are based on customary law that discriminates against women. Muthama (2020) in a research study carried out in Mt. Elgon confirms that though the community acknowledges the need for equal roles and participation of men and women, the level of women participation in resolution of conflicts using ADRs is still low.

The research sought to respond to the following main question: what are the effective gender responsive strategies that should be employed to mainstream gender equality and inclusiveness in the resolution of conflicts using ADR mechanisms in Mt. Elgon? This paper discusses the concepts applicable to gender mainstreaming and its implications. It also discusses the possible strategies available in the implementation of gender mainstreaming in the Kenyan context and specifically for the Mt. Elgon region and the conclusions and recommendations made based on what the data revealed.

2. Literature Review

This section reviews the literature on key research variables. These include gender equality, gender mainstreaming and Alternative Dispute resolution mechanisms.

2.1. Gender Equality and Mainstreaming

According to paragraph 22 of CEDAW/C/GC/28, CEDAW General recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women, 16 December 2010 inherent to the principle of equality between men and women, or gender equality, gender equality is "the concept that all human beings, regardless of sex, are free to develop their personal abilities, pursue their professional careers and make choices without the limitations set by stereotypes, rigid gender roles and prejudices. States parties are called upon to use exclusively the concepts of equality of women and men or gender equality and not to use the concept of gender equity in implementing their obligations under the Convention". The latter concept entails ' fair treatment of women and men, according to their respective needs; this may include equal treatment, or treatment that is different but considered equivalent in terms of rights, benefits, obligations and opportunities" (United Nations, 2010).

Gender Mainstreaming on the other hand is a globally accepted strategy that aims at promoting gender equality. Mainstreaming is not an end in itself but a strategy, an approach, a means to achieve the goal of gender equality. Mainstreaming involves ensuring that gender perspectives and attention to the goal of gender equality are central to all activities - policy development, research, advocacy/ dialogue, legislation, resource allocation, and planning, implementation and monitoring of programmes and projects (United Nations Entity for Gender Equality and Empowerment of Women, 2022). It is an approach to policy-making that considers both women's and men's interests and concerns. The concept was first introduced at the 1985 Nairobi World Conference on Women. It was established as a strategy in international gender equality policy through the Beijing Platform for Action, adopted at the 1995 Fourth United Nations World Conference on Women in Beijing, and was later on adopted as an instrument to promote equality between men and women at all levels (United Nations Entity for Gender Equality and Empowerment of Women, 2022).

Adopted in 2000, United Nations Security Council Resolution (UNSCR) 1325, was the first resolution to address comprehensively issues related to women, peace, and security. It not only recognized the disproportionately negative impact of armed conflict on women but also highlighted the imperative of including a gender perspective in conflict prevention, peacekeeping, and reconciliation efforts. More importantly, it acknowledged the underestimated and unexploited potential of women as effective decision-makers and negotiators and urged member states to intensify their efforts for equal representation and participation of women and men in all undertakings to maintain and promote sustainable peace and security (United States Institute of Peace, 2015).

In Canada, the Government adopted the Federal Plan for Gender Equality in 1995 as a response to the Beijing Platform for Action created at the Fourth World Conference on Women (1995). The key commitment of the Federal Plan was to implement gender-based analysis throughout federal departments and agencies (Government of Canada, 2022).

In Asia, since its inception, the Association of Southeast Asian Nations (ASEAN) has consistently articulated a commitment to gender equality and inclusion for the empowerment of women and girls across all the sectors. In 1988, with the Declaration of the Advancement of Women in ASEAN Region, ASEAN called for the equitable and meaningful participation of women in the political and socioeconomic spheres at both national and regional levels. The ASEAN Community Vision 2025 envisions a "politically cohesive, economically integrated, socially responsible and a truly rules-based, people-oriented, people-centred ASEAN" and "an inclusive community that promotes high quality of life, equitable access to opportunities for all and promotes and protects human rights of women" (Association of Southeast Asian Nations, 2021).

In Africa, Morsy (2019) notes that "despite remarkable progress made on women's participation in policymaking, Africa is still far from achieving the 50 percent gender parity target set by the UN's Sustainable Development Goals (SDGs)". Morsy avers that between 1995 and 2018, the proportion of women in African parliaments almost tripled from 8% to 23% but this is still not enough. "Out of 11,037 African parliamentarians as of October 2018; only 2,591 were women and out of 1,348 ministers only 302 were women which translates to 22%. Only Rwanda, Ethiopia and Seychelles have achieved or are close to achieving gender parity in their ministerial positions. Rwanda is the only country in Africa where women outnumber men in parliament (61.3% as of January 1, 2019); other countries such as Namibia (46.2%), South Africa (42.7%), or Senegal (41.8%) have set examples for other nations to follow in mainstreaming gender in policymaking" (Morsy, 2019).

In Kenya, several milestones have been taken towards the development of policies and frameworks aimed at promoting gender equality in the workforce and the economy. However, the situation on the ground reveals that most of these policies are either gender neutral in design and/or in implementation. The existence of legislative frameworks does not translate to environments that are gender sensitive. There is need to address gender inequalities that still exist in all sectors of the society by carefully taking into consideration and from a gender perspective that should be sensitive to the differential impact that these policies and regulations have on both women and men (International Center for Research on Women, 2013).

2.2. Alternative Dispute Resolution Mechanisms

ADR mechanisms are usually considered as an alternative to the courts. They can also be used as a colloquialism that allows disputes to drop or as an alternative to violence. In the recent past, discussions on a systematic approach towards conflict resolutions have been on the increase (Gianina, 2012). According to Snyder and Stobbe (2011), ADR mechanisms cover a broad spectrum of processes. Whatever the setting, several core principles universally apply. They include: a non-bias and impartial third party, confidentiality, guarantee of fairness and uninterrupted access to justice.

Muigai (2017) argues that these processes are governed by different rules, which in some cases are set or influenced by parties involved. In designing an ADR intervention, practitioners consider both the ADR process to be adopted and the modality to be employed in leading the intervention. Several different processes fall under the ADR umbrella, each having their specific advantages and disadvantages. While ADR mechanisms are generally considered participatory and inclusive, the reality however is that they are male dominated. Findings from studies carried out across the global confirm that men continue to have an upper hand over women regarding participation in conflict resolution using ADR mechanisms. In a study carried out in Canada by Harten (2012) on dearth of women arbitrators appointed to resolve investment treaty cases, findings revealed that "of the 631 arbitrator appointments in May 2010, only 41 were women (6.5 percent of all appointments)".

In Nigeria, a study carried out by Pisagih, Rhoda, Degri, Ajemasu and Sule (2016) on conflicts resolutions: the role of women librarians in collaboration with Women NGOs found that women as far back as 1920s were involved in solving crises in their hometowns. Such includes the Aba Women of 1929, the Egba Women's movement of the early 1920, the Protest 1950s, the Ogharefe Women Uprising of 1984 and many others in the 1990s and beyond. These were instances when Nigerian Women were able to mobilize and to exercise their collective power to resolve conflicts and build sustainable peace. The same research notes that they were also able to command important positions in conflict resolution and to lead community rituals. Therefore, when they were given a chance, women could do the same to the greater glory of peace and tranquillity in the society. Consequently, the research concluded that Nigerian women are resources of peace building and conflict resolution in the country in the past and today and can still play the same roles of building in peace and resolving conflict in the modern society (Pisagih*et al.*, 2016).

In Kenya, the Constitution of Kenya, 2010 recognizes the application of ADR mechanisms in dispute resolution for efficient dispensation of justice. The Constitution establishes a strong and elaborate human rights framework that embodies the fundamental rights and freedoms that every citizens is entitled to in Kenya. To achieve this, it dedicates an entire Chapter to human rights, that is, Chapter Four which embodies the Bill of Rights (Muigai, 2017). Article 159 of the Kenyan Constitution stipulates that in exercise of the judicial authority, courts and tribunals are to promote alternative forms of dispute resolutions including reconciliation, mediation, arbitration, and traditional dispute resolution mechanisms.

Regarding men and women participation in conflict resolution using ADR in Kenya, findings by a study done by Muigai (2017) in three regions of Kenya indicate that most ADRs are male dominated. Women do not hold any substantive stake in ADR proceedings. Muigai (2017) adds that "women continue to be discriminated in ADR even on matters where their rights are involved. This is because some forms of ADR mechanisms are based on customary law which often discriminates against women". In a summary, literature reviewed indicates that from Canada, India, Nigeria, to Kenya, women participation in ADR mechanisms remains low compared to men.

3. Research Methods

The research was carried out in Mt. Elgon region, in Bungoma County, western Kenya. It employed a descriptive design whereby a qualitative method for data collection and analysis was used. Both primary and secondary data were used. The primary qualitative data were collected through interview schedules and Focus Group Discussions guides. The research deployed both probability and non-probability sampling techniques, through random and purposive sampling respectively to identify and select the respondents within Mt. Elgon region.

Practically, the researcher made use of a mobilizer to identify the respondents among the community members. Specifically, the mobilizer employed random sampling technics to select respondents who participated in FGD. On the other hand, the researcher resorted to purposive sampling to selected Key informants who were interviewed individually. The KIIs included community leaders such as chiefs, opinion leaders, women and men leaders. Both Interviews and FGD focused on the research variables, including, gender equality, equal participation, and strategies to mainstreaming gender equality in Mt. Elgon region.

Secondary data, other hand were collected through the review of literature by reading books, articles, and online publications. Data was then analysed, interpreted, and categorized into related themes of the research. The findings from the secondary data formed the basis for comparing the findings from primary data (interviews and the focus group discussions) which represent the opinions and perceptions of the people in the Mount Elgon region

4. Research Findings

This section analyses strategies that would be effective to promote gender equality in the use of ADR mechanisms in resolution of land-based conflicts. There is no one-size-fits-all approach to gender mainstreaming; it requires the implementation of multiple contextualized strategies at various levels. In order to achieve equality of men and women in resolution of conflict using ADR in Mt. Elgon, the research proposes: (1) the adoption by Parliament of the Two-thirds Gender Rule, (2) government continued commitment and effort to enhance gender equality, (3) education of women on crosscutting issues including conflict resolution, (4) education of men on important issues of gender equality; (6) the need to put in place an inclusive team of men and women in charge of resolving land-based conflicts and (7) educating and sensitizing community members on the need to drop traditional harmful practices that are detrimental to women.

4.1. Adoption of the Two-thirds Gender Rule

Adoption of laws at the socio-political level is very commendable and a first step towards streamlining and achieving gender equality in any society. However, this should be followed by full implementation of the same, which, as revealed by the findings, is lacking in Kenya in general and Mt. Elgon in particular. Article 27(8) of the Constitution of Kenya 2010 provides that the State shall take steps to ensure that no more than two-thirds of members of all elective and appointive positions are of the same gender. The adoption and implementation of the Two-thirds Gender Rule is likely to trickle down to the local level where every institution will ensure that the principles are respected and applied. Conversely, ineffective implementation of existing laws and policies on gender equalities continues to sustain harmful cultural practices that perpetuate gender equalities.

According to Mandi (2017), after the promulgation of the Kenyan constitution 2010, the Bill of Rights supposedly meets all of its obligations in line with binding and non-binding international and continental instruments like the Beijing Platform for Action, the UN Convention on the Elimination of all forms of Discrimination against Women, and the African Union Protocol on the Rights of Women in Africa. The Constitution, after all, enumerates several specific gains for women in the areas of citizenship, equal rights during and after marriage, elimination of gender discrimination in relation to land matters, and gender equality in the political sphere with special regard to appointed positions. This is made clear by an approach defined in the constitution that effectively abolishes customary practices that discriminate against women stating "any law, including customary law, that is inconsistent with (the) constitution is void to the extent of the inconsistency, and any act or omission in contravention of (the) Constitution is invalid (Mandi, 2017).

While acknowledging the fact that the enactment of two-third gender policy is critical in advancing gender equality in the country, an interview participant was of the view that:

"The leadership at the county level is the one that disrespects gender policies; it is as if they want to bring back the old system that had fewer women in leadership. The much awaited Two-thirds Gender Rule *policy is yet to be enacted" (*Male Respondent, Cheptais, Mt. Elgon Sub-County).

Participants during a female FGD echoed the same; they emphasised on the importance of enacting the Two-thirds Gender Rule as follows:

The enactment of the Two-thirds Gender Rule *is crucial because the other laws that exist are not adhered to. Let us give you an example, according to the laws, there are different positions at the county level that should be occupied by women, but in reality, you will find that they are occupied by men, and nothing is done about it. To start with, we are aware that there is no political will even for the Two-thirds Gender Rule that will be adopted in Parliament, what about its implementation* (Female FGD, Kapsokwony, Mt. Elgon Sub-County)

The reality however is that eleven years after the promulgation of the Constitution of Kenya 2010, there is yet to be enacted a specific legislation to operationalise this constitutional provision on gender equality. Consequently, the Kenyan Parliament has been castigated for failure to enact the relevant legislation.

Therefore, the enactment of the two-thirds gender rule is crucial as a basis for implementation of any other gender equality laws and policies in the country. This will serve as the basis of declaring any practice sustaining gender inequality unconstitutional. In other words, the success of gender equality in Mt. Elgon is significantly dependent on the political goodwill in adopting gender policies on one hand and fully implementing them on the other. This means that the adoption of any law without any political goodwill is likely to fail in achieving the intended results.

Comparative studies indicate that Kenya should follow the example of Rwanda which is lauded for its efforts in adopting and enforcing gender inclusive rules in the country system. According to Mutamba (2005) the government of Rwanda has demonstrated political commitment at the highest level of leadership in pursuit of its goal of promoting gender equality in democratic governance and political decision-making.

4.2. Educate and Sensitize Men and Women of Mt. Elgon on Issues Pertaining to Gender Equality in General and in Resolution of Community Conflicts

Men and women's education play a significant role in empowering and sensitising women to reject long standing harmful traditional practices that continue to perpetuate gender inequalities in the Mt. Elgon region. The aim of such empowerment should be to instill in them new values of social participation to make them understand the added value of gender equality.

Furthermore, men's and women's education should be understood in terms of it being formal and informal. Informal education entails awareness raising, imparting women with assertive skills, communication skills, and different life skills such as gender empowerment and conflict resolution. These skills will enable women to stand up for their rights and confidently contribute to the betterment of society.

On men's and women's education, the majority of the participants who attended women's FGDs corroborated that

…most of our women are not formally educated; some have not gone to school. This is another reason that makes it difficult for them to be part of some process where some knowledge is required. Generally, because of the weight of culture on them, many have just accepted their situation and position in society, and they undermine themselves. That is why there is a need for education to empower them (Male FGD, Kopsiro, Mt. Elgon Sub-County).

One of the tools used to educate and sensitize women in the region is gender empowerment programs implemented by different stakeholders including mostly the national and international Non-Governmental organizations. When asked about these gender empowerment programs, the majority of respondents indicated that they were aware of such programs and that they were indeed very relevant in furthering gender equality in the region stating:

…We are aware of such programs, and they are relevant to the community. Both men and women do participate. In terms of contributing to gender equality, we can say that they have moderately contributed to gender equality. More still needs to be done to achieve the objective. If we are to give a score on their contribution to gender equality, we can give 60% (Mixed FGD, Kopsiro, Mt. Elgon Sub-County).

Another key informant also appreciated the relevance of such programs and averred that:
'…I support them a lot. Since they came, they have really helped women to find solutions to many challenges in the family. Before, you would not find women becoming chiefs; nowadays, we have women who are chiefs, women serve as chairpersons of Nyumba Kumi, even in politics, they are taking part. I think they have helped women to know themselves and to fight for their rights (KI, Male Respondent, Kopsiro, Mt. Elgon Sub-County)

While acknowledging the relevance of such programs toward gender equality, a youth leader in Mt. Elgon voiced her concerns about their inadequacy. According to her,

…Some of these programs are relevant but inadequate because while women are eager to be involved and learn more, they end abruptly. You will find that they would take only six months and would end without really achieving their objective. The ideal is for them to take longer, they can even take up to three years for more impact (KI, Female Respondent, Kapsokwony, Mt. Elgon Sub-County).

There were however those who supposedly opposed these empowerment programmes. Some members of the community were cited to fear being overpowered by the women. A participant echoed the community's fear explaining that:
…Up to now, we can say that 50% do accept these programs, while the other 50% do not accept and do not even allow their wives to attend these forums. For those who reject these projects, it is just because of fear, that if my wife is empowered, she will overpower me and I may lose my authority (KI, Male Respondent, Chepyuk, Mt. Elgon Sub-County)

To address this fear, empowerment of both men and women is recommended. A key informant insisted on the importance of involving both men and women in the empowerment programs. He expressed that;

…as much as we appreciate the work being done by NGOs and other stakeholders in empowering women through teaching, a lot of damage is being caused to them and the community if the men are not involved in such processes. Empowerment programs might contribute to the breaking of marriages. When both men and women are involved, it is likely to positively contribute to the change we are looking for (KI, Female Respondent, Kaptama, Mt. Elgon Sub-County).

Evidently, there is still a need to educate and involve women in empowerment programs so that they can fully engage in conflict resolutions; this education, whether formal or informal contributes to gender equality and awareness. The majority of the respondents acknowledged the relevance of the empowerment programs to gender equality.

Furthermore, both the formal and informal education programs should also aim to eradicate the long-standing attitudes held towards women in a patriarchal society like Mt. Elgon. They should aim to change attitudes, perceptions, behaviour, and retrogressive thinking that undermine women and girls in society. The understanding here is that the accumulation of many individual changes will likely contribute to a change in society.

Citing the case of Rwanda, the findings confirm the relevance of education to gender equality in a country. The process of fostering gender equality in Rwanda was fully accompanied by empowerment strategies. Women leaders embarked on the process of sensitizing and mobilizing their peers, especially those in rural areas to get involved in mainstream political activities. Moreover, those from different political backgrounds also embarked on campaigns to actively encourage their peers to participate in elections and policy discussions. On the other hand, women's councils also played a crucial role, prepared women for positions in government at the local and national levels. They learned leadership skills and were able to develop competencies necessary for their effective performance. This has had a strong impact judging from the high level of involvement of women across the country in shaping and adopting new policies and legislation in the country (Mutamba, 2005).

4.3. Establishment of Gender Sensitive County Peace Committees

According to the National Steering Committee on Peacebuilding and Conflict Management (2022), Peace Committees are community representative institutions that facilitate peace forums at the various governance levels. They bring together traditional dispute resolution mechanisms involving elders, women, and religious leaders as well as modern mechanisms for conflict resolution (security agencies, NGOs). The Peace Committee Model has come a long way and is now embraced by non-pastoralist communities facing different levels of communal tensions (negative), violence, and conflicts within themselves. Some of the roles played by the Peace Committees include: to promote peace education and a culture of peace and non-violence, enhance conflict early warning and response and in consultation with the security and intelligence committees and other stakeholders, oversee the implementation of the peace agreements / social contracts, support initiatives for the eradication of illicit firearms, safety, and security.

Further, they ensure prudent administration and accounting of resources allocated to them, document and keep record of peace processes and interventions, facilitate trainings, community dialogue, sensitization and awareness raising. Moreover, they put in place mechanisms that address inter-County and cross-border conflicts, mobilize resources for the implementation of programs/ activities, network with other peace forums to enhance harmonious relationships, monitor, evaluate and report on peace and nation building programs and perform all other functions necessary for the realization of the objectives of the national government (National Steering Committee on Peacebuilding and Conflict Management, 2022)

All respondents acknowledged the importance of setting up gender sensitive peace committees to resolve conflicts through ADR. The view of participants in a male FGD was that;

…Women participation in resolution of conflicts has helped a lot. There is what is called participation, democracy is now exercised, and everyone can perform his/her duties. Women participation has brought shared responsibility and it has ensured that men are not over worked, and it has also contributed to justice for everyone, not like it was the case when only men were in charge (Male FGD, Kaptama, Mt. Elgon Sub-County)

In relation to the resolution of land-based conflicts, gender equality is paramount.

A key Informant was rather of the contrary opinion as far as resolving land conflict is concerned. She argued that:

…Women are not really participating in resolution of land conflicts. You know when they are looking for solutions; you will find that women are left out. Men are the ones who go out to discuss how to share land, how to get title deeds; for women who have lost their husbands, you will find that they are not the ones who look for title deeds, it is either their children or brothers -in-laws. Therefore, women are not yet fully part of the process. Even when we have a land conflict among members of the same family, women are involved to a small extent because more often, when there are talks about land, women are left out. On the other hand, women themselves understand that this is not their work, that it is the work of men; it is up to the men in the clan to sit and resolve the conflict (KI, Female Respondent, Kapsokwony, Mt. Elgon Sub-County)

An analysis of the findings reveals that women are not fully involved in the resolution of land-based conflicts. Even then the respondents agreed on the importance of putting in place peace committees that are gender sensitive because it will make the process participatory, inclusive, and democratic. The fact that there are women in the region who are chief and sub-chief while other lead structures like Nyumba Kumi, as confirmed by the findings, is a clear indicator that women should be part of conflict resolution structures in the region.

5. Analysis and discussions

In order to foster equal participation of men and women in resolution of conflicts through ADR in Mt. Elgon region, there is need for a holistic approach that would consider a combination of different strategies to achieve favourable outcomes. These strategies include among other, the need for Parliament to adopt the two-thirds gender rule and make provisions to support its full implementation by different government agencies at the national, County, and sub-county levels;.

There is a need for continued commitment and efforts from the Ministry of Gender to ensure that there is continued gender mainstreaming across the country in general and Mt. Elgon in particular. Furthermore, the government also needs to empower both men, women, and the local community in general on crosscutting issues including conflict resolution mechanisms, and gender issues and educate the community on the need to put an end to long standing cultural practices that foster gender inequality. Moreover, the government should spearhead the setting up of County peace committees that are gender sensitive to enhance inclusivity.

The adoption of the two-thirds gender rule is considered crucial as it would likely contribute to the establishment of peace committee teams comprising both men and women in charge of resolving social and community conflicts through ADR mechanism. This strategy is considered as being crucial in achieving equal participation of men and women in ADR processes if fully implemented.

The findings concur with O'Reilly (2017) who notes that "gender inclusivity cannot be overemphasised", because where women's inclusion is taken into consideration and they influence decision making, the outcome of peace is more likely to be positive. Being the most affected by conflict, women are considered as catalyst of dialogue and trust building. They can consistently bridge divides and build coalitions for peace. They also bring different perspectives to bear on what peace and security mean in the society and how it can be realized, contributing to a more holistic understanding of peace that addresses long standing structure violence and needs in the community. They also take an inclusive approach to conflict prevention, and contribute to peace processes, or rebuilding their societies after war. Through collaborative efforts and responses to preventing conflicts, making peace, and rebuilding societies, they consistently address this cause of conflicts and instability, and help to ensure lasting peace.

Furthermore, it is likely that men and women' education is significant as it empowers and contributes to the rejection of long-standing traditional practices that continue to perpetuate gender inequalities in Mt. Elgon. The aim of such empowerment should be to instil new values of social participation that will make both men and women understand the added value of gender equality.

Moreover, the findings concur with Namita (2012) who recognizes the role that education plays as an agent or instrument for social change and social development in society. That education can initiate social changes by bringing about a change in outlook and attitudes held by man.

Thus, the strategies proposed are encouraging educational institutions to take up active programs to further women's development, addressing women's illiteracy through adult learning systems, removing obstacles inhibiting their access to elementary education and pursuing the policy of non-discrimination to eliminate sex stereotyping in vocational, technical, and professional courses.

If culture had significantly weighed on Mt. Elgon in the past to the extent that many girls could not be given the opportunity to attend formal education, it should no longer be the case today with the introduction of free and compulsory primary education in 2003 and the newly introduced free day secondary education by the Kenyan Government. These are considered significant steps towards addressing challenges related to illiteracy which is one of the key driving factors that perpetuate gender inequalities in| Mt. Elgon.

6. Conclusions and Recommendations

This research sought to find out what are the effective gender responsive strategies that have been employed to mainstream gender equality and inclusiveness in resolution of conflicts using ADR mechanisms in Mt. Elgon. We discussed strategies that are considered effective in promoting gender equality in the use of ADR mechanisms to resolve land-based conflicts in Mt. Elgon.

Some of the strategies identified and discussed include Parliament to adopt the two-thirds gender rule as well as support its full implementation at the national, County and sub-county levels, and a continued commitment and efforts by the Ministry of Gender to ensure that there is continued gender mainstreaming across the country in general and Mt. Elgon in particular. The increase in the representation of these women in the local community in general on crosscutting issues including conflict resolution mechanisms, gender issues and educate the community on the need to put an end to long standing cultural practices that discriminate against women.

Furthermore, the adoption of the Two-thirds Gender Rule would likely contribute to the establishment of peace committee teams comprising of both men and women in charge of resolving social and community conflicts. This will translate to women involvement in ADR processes at the community level. Full and effective implementation of these strategies will ensure women participation becomes a reality in Mt. Elgon in resolution of community conflicts using ADR mechanisms.

In a nutshell, achieving gender equality in resolution of conflicts through ADR mechanisms requires a holistic approach that will aim to achieve the desired change at both individual and socio-political levels.

As a result of these conclusions, the research provides the following recommendations to different stakeholders:

1. That the parliament proceeds with adoption of the Two-thirds Gender Rule policies and for the executive to fully implement it across the country.
2. To change long-standing practices/culture and gender perceptions, we recommend that Bungoma County Gender Technical Working Group works in partnership with the civil society to implement a comprehensive program on civic education. This program should aim to reduce the negative impact of culture on women participation in ADR mechanisms.
3. To contribute towards increasing literacy levels among women in Mt. Elgon, based on the findings we recommend that the Bungoma County Gender Technical Working Group work with the civil society to implement a program on issues such as gender empowerment programs (including UNSCR 1325) and conflict resolution that should involve both men and women.
4. Finally, the research recommends that the establishment of County peace committees be revised in their reconstitution so that they are in line with the gender rules and policies.

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