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*“But we are shying all of us away, from that thing”*: The Coronavirus Pandemic  
and the Crisis of Teenage Pregnancies in  
Kenya

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## Abstract

This thesis historicises the post-colonial discourse on teenage pregnancy in Kenya. The coronavirus pandemic lockdowns in 2020 led to an increase in sexual violence perpetrated largely against teenage girls, resulting in pregnancy. This crisis revealed that the current discourse has created silence around sex and rape. It therefore does not consider the circumstances surrounding the pregnancies of teenage girls and for that reason perpetuates stereotypes of them being poor, irresponsible, dropouts. It finds that these ideas materialise in the form of adolescent sexual and reproductive health legislation which has real effects on pregnant teenage girls. Through a lack of law and policy enforcement, the discourse legitimises itself in a cyclic fashion. It argues that understanding the way the discourse has perpetuated itself from the past into the present is key to transforming this legislation and therefore their experiences. It uses an Oral History methodology to centre the perspectives of women who had teenage pregnancies in the past, and uses their stories to develop an understanding of how the discourse functions. It identifies news media and legislation as two major sites of discourse, carrying out an analysis of the language and content exhibited to observe the way cultural stereotypes around teenage pregnancy are preserved and re-created. It draws parallels between past and present sexual and reproductive health laws (1963-2020) to demonstrate the longevity of gendered and misogynistic ideologies surrounding women's sexuality. It finds that language, blame/shame, and exclusion are the means through which the discourse has impressed itself upon Kenyan society throughout the post-colonial period. This thesis concludes that becoming aware of these means renders the discourse abnormal and unnatural, therefore creating the possibility of opening it up to change.

*Keywords:* Teenage pregnancy, Kenyan post-colonial history, Oral History, coronavirus pandemic.

## Table of Contents

Introduction	3
Chapters	
☀ <i>“the family constructed a homestead for the lady”</i>	23
☀ <i>“I never learned from anybody”</i>	41
☀ <i>“we have that national policy, but it’s not being implemented you know?”</i>	63
Conclusion	89
Bibliography	93

## INTRODUCTION

History has traditionally been taught with the understanding that past events occur in a particular sequence, one after the other, moving in a definite direction, with the present moment acting as a pivot point from which we can watch it unfold. The pivot point of this work, the ‘present’ from which it was conceptualised, was 2020: the first year of the coronavirus pandemic and its so-called ‘lockdowns’. These lockdowns brought myriad of unforeseen consequences in Kenya. The most glaring among them, and that which is the focus of this work, was a crisis of teenage pregnancies. This thesis wishes to use this ‘present moment’ – 2020 – to develop a critical historical understanding of the discourse on teenage pregnancy, for although its magnitude during the pandemic was exceptional, the silence and violence that underwrites it has a long and complicated past. Critical History is understood here as an interrogation of “the very premises upon which things we take to be foundational are based.”<sup>1</sup> The necessity of a critical approach rests in its decolonising potential, for it offers us the chance to “[see] ourselves clearly”<sup>2</sup>, by becoming aware of the means through which we have acquired our ideas of (in this case) teenage pregnancy: a major issue in Kenya that sees the intersection of gender, sexuality, and sexual violence.

The silence that has engulfed the existence of sex and sexual violence in Kenya necessitates a need to think differently about the discourse on teenage pregnancy. This thesis questions this discourse by exploring, what “defines and produces the objects of our knowledge”<sup>3</sup> on this issue, and how this knowledge has been put into practice and “used to regulate the conduct of”<sup>4</sup> pregnant teenage girls in post-colonial Kenya. Through the use of an Oral History methodology, we are made aware of the living essence of this issue, for it shows us that our thoughts and ideas are not restricted to our minds, cultural stigmas and stereotypes have real consequences for those they are directed towards – in this case, pregnant teenage girls. The audibility of Oral History also requires that we listen, for this is a history that begins by recognising that the voices of those among us that are the most knowledgeable are often absent from our understandings of that which they have

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<sup>1</sup> Joan Scott, “Finding Critical History”, In *Becoming Historians*, edited by James M. Banner Jr. and John R. Gillis, (Chicago: 2009), 48.

<sup>2</sup> Achille Mbembe, “Decolonizing Knowledge and the Question of the Archive”, *Wits Institute for Social and Economic Research*, 2015, 15.

<sup>3</sup> Stuart Hall, “Power, Knowledge and Discourse”, In *Discourse, Theory and Practice*, edited by Margaret Wetherell, Simeon Taylor, and Stephanie Yates. London: Sage Publications, 2001, 72.

<sup>4</sup> Ibid.

knowledge. This is the foundation upon which the discourse on teenage pregnancy in Kenya has been built and is the reason why adolescent sexual and reproductive health rights appear to have been in stasis since independence. It is a discourse that (re)creates, perpetuates, and sustains itself through silence, masking it by magnifying the voices of outsiders who by not having been pregnant teenage girls themselves, misrepresent this experience. This work hears from the voices of politicians, policymakers, parliamentarians, teachers, clergymen, academics, journalists, and activists, but at the centre are the voices of Bahati, Malaika and Zahara. These three women are the experts who define the direction that this particular history takes, through sharing the stories of the pregnancies they had in their teenage years. I refer to the women interviewed as experts throughout this paper, inspired by Wendy Rickard (1998) who writes that “oral history is a shared experience and I feel that as much in matters of process as in matters of content, interviewees are expert.”<sup>5</sup> Through their stories, we are allowed a glimpse into the lived experiences of women who were pregnant and mothering in their teenage years, which this thesis finds to be the only legitimate starting point of a critical History.

The colonial history Africa inherited trained scholars to strive for objectivity, which is measured by the “degree to which a writer is able to exhibit the actual facts, not coloured by his feelings or emotion” and ensuring that the sentiments and emotions are downplayed in the interpretation of historical facts.<sup>6</sup> Although unattainable, absolute objectivity is defined as “a body of knowledge in which there is separation between the investigator and the object of investigation.”<sup>7</sup> In her work “Gender Analysis: The Stunted Discourse in Kenya’s Historiography” (1994), Hannington Ochwada writes on the distance 19<sup>th</sup> century European social scientists kept from their African subjects, likening these subjects to museums. Given the imperialist aim of classifying, typifying, and hierarchically organising humanity on a scale ranging from primitive to civilised to provide justification for missionary and colonial expansion, it was important for social scientists to be as different from their subjects as possible, to occupy one extreme of the hierarchy while their subjects were confined to the other.<sup>8</sup> Close, reciprocal interaction would betray this

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<sup>5</sup> Wendy Rickard, “Oral History- 'More Dangerous than Therapy'?: Interviewees' Reflections on Recording Traumatic or Taboo Issues”, *Oral History*, 26, 2, 1998, 35.

<sup>6</sup> Peter Oyewale, “Objectivity: A Discourse in Historical Writing”, *An International Journal of Arts and Humanities*, 3, 9, 2014, 20, 27-28.

<sup>7</sup> *Ibid.*, 3.

<sup>8</sup> Hannington Ochwada, “Gender Analysis: The Stunted Discourse in Kenya’s Historiography”, *Africa Development*, 20, 4, 1994, 14

hierarchy, as it would require a desire to understand the ‘other’ rather than assume a knowledge of them – the latter being the means by which the hierarchy was constructed. Producing new knowledge in the realm of teenage pregnancy is not possible within the inherited constructions that create distance between us, and that empower the knowledge of outsiders over that of insiders. Marc Epprecht (2009) further argues that “feminist... and postcolonial discourses that do not radically challenge such constructions are hence colonising in their effects, however much they may protest otherwise.”<sup>9</sup> Oral History is therefore the starting point of this thesis, as it recognises that no outsider can be expert in that which they have not experienced firsthand.

In their work, *Motherhood*, Phoenix, Woollett and Lloyd (1991) argue that the negative focus that surrounds pregnant teenage girls “is produced by people who are not, themselves, ‘young mothers’ but rather are ‘outsiders’ [and that] outsider perspectives constitute the dominant social construction and are more likely to be explored and taken seriously than the accounts produced by mothers under 20 themselves.”<sup>10</sup> Pumla Gqola explores this disjuncture further in *Rape – A South African Nightmare* (2015), where she questions how survivors of rape are often disqualified from speaking out about their experience of sexual violence on the basis of them being “too emotionally invested, ‘biased’,”<sup>11</sup> inverting the usual expectation that first-hand accounts are more reliable than second-hand ones. This counterintuitive approach to learning about the experience of teenage pregnancy is, as this work will show, one of the means through which patriarchal hegemony is sustained within Kenyan society. I define the term patriarchal hegemony as a system that upholds unjust, gendered cultural and ideological beliefs and practices, that are framed as the acceptable natural order of society. In *Making an African Sense of Western Gender Discourses* (1997), Oyèrónké Oyěwùmí writes that “those in positions of power find it imperative to establish their superior biology as a way as a way of affirming their privilege and dominance over ‘Others’.”<sup>12</sup> The disadvantaged position of pregnant teenagers within the context of the coronavirus pandemic in Kenya (and beyond) is in part the product of ‘gendered cultural and ideological beliefs and practices’ that are upheld by a discourse that perpetually recreates a particular ‘subject’ of teenage pregnancy that has come to personify our knowledge of sexuality

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<sup>9</sup> Marc Epprecht, “Sexuality, Africa, History”, *The American Historical Review*, 114, 5, 2009,

<sup>10</sup> Ann Phoenix, Anne Woollett, Eva Lloyd, *Motherhood*. London: Sage Publications, 1991, 86.

<sup>11</sup> Pumla Gqola, *Rape – A South African Nightmare*. Johannesburg: Jacana Media, 2015, 28.

<sup>12</sup> Oyèrónké Oyěwùmí, *Making an African Sense of Western Gender Discourses*, Minnesota: University of Minnesota Press, 1997, 1.

and its dangers. The myths and stereotypes that surround pregnant teenage girls forces them to “exist in a vacuum, removed from the complexity of their lives.”<sup>13</sup> And it is for these reasons that the first chapter of this thesis begins with the stories of its experts, for they show us how multifaceted, and complex the experience of teenage pregnancy can be, revealing the way the discourse essentialises its ‘subject’.

The experts interviewed in the opening chapter of this thesis are given the pseudonyms Bahati, Malaika and Zahara. I came into contact with Bahati and Malaika through our mutual involvement in a school holiday program that takes in children who have unsafe or unstable family situations that prevent them from going home for the holidays. In the time I spent in this program in 2021, I met the two experts and learned that they help to fund and sustain it, and have personally brought several children who are facing various forms of abuse in their homes. They were both open about drawing inspiration for the program from their own early life experiences, which included teenage pregnancy. Upon beginning my research, I felt that their stories could offer invaluable and intimate insight into the retrospective recollections of older women, – Bahati aged 56 and Malaika aged 60 – who became mothers in their teenage years. Zahara on the other hand is a friend of my family, and I have known her and her daughter for several years. In 2019, we celebrated her completing her LLM that focused on Reproductive Justice which she expressed great pride over as its inspiration was born out of her experience of teenage pregnancy. Given her legal background and age – 28 years – I believed her story would further enrich this research, especially when put into conversation with the narratives of Bahati and Malaika.

All ethical considerations were discussed with the three women prior to their respective interviews. I received their informed consent and voluntary participation upon sharing the nature, purpose, and goal of my research. It was agreed that they would be comfortable speaking in English and that their names, and the names of those discussed would be anonymised in my written transcripts and eventual thesis. It was agreed that their transparency would be guided by their level of comfort and that only I would have access to the recorded interviews. One interview was held with each expert, averaging 2 hours in length, this duration was not predetermined. Each expert chose the location in which they would like their interview to be carried out and consented to being recorded on my cell phone. The interviews would thereafter be uploaded to my computer, with

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<sup>13</sup> Pat Smith, “Pregnant with Meaning: Teen Mothers And the Politics of Inclusive Schooling” *British Journal of Sociology of Education*, 23, 3, 2010, 500.

backup files on my personal cloud which only I have access to. The interviews were all conversational, with each expert being their driving force in form and content. Clarifying questions were asked across all three interviews and were specific to my research focus, they included: how old are you now, and how old were you when you had your first pregnancy?, how did you feel when you first found out you were pregnant?, how did your family and those in your life react when they first found out you were pregnant?, and, how would you describe the impact your pregnancy had on your life and outlook? I found that it was important that each interview be unstructured and not limited in duration, in order to allow each expert to speak freely, and share all which they felt was relevant to their stories.

The stories they share are not taken to be representational of broader experiences, but are unique to them. While their differences provide a range of circumstances, their shared experience as pregnant and mothering teenage girls results in common themes, as well as similar thoughts and feelings around the ways their lives were changed by their pregnancies. The time that has lapsed between their adolescence and adulthood also permits a great deal of reflection, which is critically important. Their ability to look back on their pasts makes it possible to trace the means and meanings that *they* identify as having informed their ideas of themselves as pregnant and mothering teenagers, and how those means and meanings have changed (if at all) for them over time. Furthermore, Oyěwù mí writes that “[a] concentration on vision as the primary mode of comprehending reality promotes what can be seen over that which is not apparent to the eye; it misses the other levels and the nuances of existence.”<sup>14</sup> A close listening of not only the language used, but the tone, volume, expressions, pauses and surroundings will inform this work’s analysis of the experts’ stories, as a focus on language alone also misses the levels of nuance that exist in conversation and story-telling.

Kamaara, Vasco and Viau (2012) write that “while academic research emphasizes objectivity, subjectivity is not altogether undesirable or even unnecessary. Human emotion rather than hard scientific facts is probably what effectively drives...reflection and action.”<sup>15</sup> Weaving human emotion into academic research is necessary given the cultural taboos that restrict openness around sensitive subject matters such as sex and sexual violence. Eprecht also finds that

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<sup>14</sup> Oyěwù mí, *Making an African Sense*, 14.

<sup>15</sup> Eunice Karanja Kamaara, Elisabeth Vasko, and Jeanine Viau, Listening and Speaking as Two Sides of the Same Coin: Negotiating Dualisms in Intercultural Feminist Collaborations, *Journal of Feminist Studies in Religion*, 28, 2, 2012, 63

authoritative knowledge held by African insiders were framed as less reliable by colonial historians. Centring the oral histories of “African women and girls... through collaborative relationships between cultural insiders and outsiders”<sup>16</sup> therefore acts as a way of challenging this inversion that Epprecht, Phoenix, Woollett, Lloyd and Gqola address and as chapter one will show, reveals a willingness on the part of insiders to challenge cultural taboos.

The stories shared by our experts create opportunities to learn about “particular aspects of historical experience that are rarely recorded”<sup>17</sup> such as women’s sexual relationships, their experiences of pregnancy, and their perception of societal attitudes towards pregnant and mothering teenagers. The depth and detail of the expert narratives open this chapter up to a question posed by Judith Butler (2011) where she draws our attention to the ontology of gender, and the importance of thinking about how categories that we accept as self-evident have been formed, “through what means, and with what meanings.”<sup>18</sup> Pregnant teenage girls fall into a social category that essentialises and assumes their experiences, and the factors surrounding their pregnancies. Despite not drawing extensively from Butler, it is through her approach to conceptualising gender that this work aims to historicise the ‘present’ teenage pregnancy crisis in Kenya, for it is rooted in this accepted social category that has been formed and affirmed over time.

Through our experts we uncover some of the means that this discourse uses to perpetuate itself, namely: language, blame/shame, and exclusion. These three means illuminate the way forward in this work, for they make it possible to observe the way this discourse functions and perpetuates itself. The importance of having the voices of women front and centre in this work is best expressed by Leelah Gandhi in *Postcolonial Theory* (1998), she writes that “the ‘gendered subaltern’ disappears because we never hear her speak about herself. She is simply the medium through which competing discourses represent their claims; a palimpsest written over with the text of other desires, other meanings.”<sup>19</sup> Through the narratives of our experts, it becomes possible to challenge what we think we know about pregnant and mothering adolescent girls. It becomes

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<sup>16</sup> Epprecht, “Sexuality, Africa, History”, 1271.

<sup>17</sup> Alistair Thomson “Making the Most of Memories: The Empirical and Subjective Value of Oral History”, *Transactions of the Royal Historical Society*, 9, 1999, 293.

<sup>18</sup> Judith Butler, “Speaking Up, Talking Back: Joan Scott’s Critical Feminism Judith Butler”. In *The Question of Gender: Joan W. Scott’s Critical Feminism* Judith Butler and Elizabeth Weed. Indiana: Indiana University Press, 2011, 3

<sup>19</sup> Gandhi, *Postcolonial Theory*, 90.

possible to explore and understand how the structural violence enacted on their sexuality and bodies publicly is felt, experienced, and challenged at the individual level.<sup>20</sup>

By beginning in this way, the dominant outsider perspectives that characterise the historiography on this issue are made to stand out; with the basis of their knowledge juxtaposed against that of our experts, the outsider constructions become decentred. In “The Legacy of Patriarchy”, Robert Bahlieda (2015) likens ‘attacking the patriarchy’ and *status quo* to “shadowboxing – because patriarchy has no form, no substance, and no reality beyond that evoked through human interaction.”<sup>21</sup> The dominant narratives that will be identified within historiographies surrounding gender, sexuality, and teenage pregnancy are understood to be the form and substance of patriarchal hegemony, and are taken as an entry point into understanding its process of self-legitimation. That is, the way it defines the boundaries of our knowledge around adolescent sexuality, and sexuality more broadly.

These discourses are part of our “inherited knowledges... constrained by the preoccupations of the predominantly male institutions within which they have been developed and validated.”<sup>22</sup> Radical transformation in History does not mean inverting existing binaries by amplifying the voices and perspectives of women and women historians. So long as the frameworks created by the disciplines and discourses we operate within remain the same, our ability to envision new ways of thinking about female sexuality and teenage pregnancies is forever constrained by patriarchal structures that operate under the guise of ‘culture’ which this research views as the “the social expression of ideology.”<sup>23</sup> Furthermore, the historiography that this thesis engages with are spread out over a long period of time as part of its historicization. For as Epprecht finds, reviewing what has been written in the past about sexuality in Africa allows one to observe the way the issue has been approached and treated over time. This makes it possible “for historical research to be ‘decolonised’ of ideas and practices from the past”<sup>24</sup> by first becoming aware of what those ideas and practices are. Furthermore, Conway, Bourque and Scott (2011) write that “[w]hat makes the study of gender so challenging and potentially so fruitful is the insight it

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<sup>20</sup> Rishita Nandagiri, Ernestina Coast and Joe Strong, “COVID-19 and Abortion: Making Structural Violence Visible” *International Perspectives on Sexual and Reproductive Health*, 46, 1, 2020, 84.

<sup>21</sup> Robert Bahlieda, “Chapter 1: The Legacy of Patriarchy”, *Counterpoints*, 488, 2015, 19

<sup>22</sup> Leela Gandhi, *Postcolonial Theory A Critical Introduction*. Australia: Colombia University Press, 1998, 43.

<sup>23</sup> Bahlieda, “The Legacy of Patriarchy”, 22.

<sup>24</sup> Epprecht, “Sexuality, Africa, History”, 1260.

provides into social and cultural systems.”<sup>25</sup> The centrality of gender in this research offers the knowledge that the trials and barriers pregnant and mothering teenagers face are the product of a gendered and sexist society that places girls in a subordinate position to men. This circumscribes the choices that they are able to make and causes them to carry the blame and responsibility for their pregnancy, while silence and taboo function to “keep many aspects of young people’s sexualities hidden...”<sup>26</sup> alongside sexual violence.

In the opening of their paper, “The State of Knowledge on Sexuality in Sub-Saharan Africa” (2008), Chi-Chi Undie and Kabwe Benaya write that “sexuality is at the core of our existence and is central to the socioeconomic and development challenges confronted in sub-Saharan Africa.”<sup>27</sup> Although their words address the continent, this introductory statement is demonstrative of the way the historiography around sexuality operates within Kenya. Sex and sexuality are indeed a fundamental aspect of human nature, but it is not for this reason that there exists an abundance of discourses about and around sexuality. Rather, the reason lies beneath the surface of this introductory statement. The authors open by stating that sexuality is key to the existence of any human, and then place this core component of our being at the centre of the entire continent’s ‘socioeconomic and development’ challenges. This is significant. By beginning with this perspective, they have “rule[d] out, limit[ed] and restrict[ed] other ways... of constructing knowledge about”<sup>28</sup> sexuality, both for themselves and for those who engage with their work. Their paper provides an in-depth discussion of the impact that colonial legacies have had on “contemporary conceptualisations of ‘African sexuality’”, where the ideas and stereotypes constructed around the sexualities of the ‘third world’ served the purpose of disparaging African lives in order to justify colonial expansion in the name of civilisation.<sup>29</sup> They write that because discourses require subjects “ – figures who personify the particular forms of knowledge which the discourse produces”<sup>30</sup>, colonial discourses created the idea of ‘African sexuality’ as “unbridled... excessive, threatening and contagious, carrying a deadly disease.” Stemming from this subject’s

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<sup>25</sup> Jill Conway, Susan Bourque and Joan Scott, “Introduction: The Concept of Gender”, *Daedalus*, 116, 4, 1987, xxix.

<sup>26</sup> Reshma Sathiparsad and Myra Taylor, “Making Meaning of Teenage Pregnancy Among School-Going Youth: The Case Of Selected Ethekewini Municipality Secondary Schools” *Agenda: Empowering Women for Gender Equity*, 25, 3, 2011, 73

<sup>27</sup> Chi-Chi Undie and Kabwe Benaya, “The State of Knowledge on Sexuality in Sub-Saharan Africa”, *QUEST: An African Journal of Philosophy*, XX, 2008, 119

<sup>28</sup> Hall, “Power, Knowledge and Discourse”, 72.

<sup>29</sup> Undie and Benaya, “The State of Knowledge on Sexuality”, 123.

<sup>30</sup> Hall, “Power, Knowledge and Discourse”, 80.

construction is black female body which became the figure of Africa's corrupted sexuality.<sup>31</sup> The treatment of teenage pregnancy as a kind of 'disease' appears frequently in the second chapter of this thesis that explores news media stories surrounding the teenage pregnancy crisis between 2020-2021. The idea of teenage pregnancy being contagious is seen often in the language and imagery exhibited by news media, a major site and tool of discourse that this thesis identifies and analyses. The means discovered through the expert stories in the first chapter illuminate the way for the second chapter which focuses on how language, blame/shame and exclusion are deployed by news media which (re)creates and sustains a singular narrative on teenage pregnancy. These perceptions are powerful and inform our biases, which we are blind to, and which form the foundations of the current discourse. Mbembe describes Thiongo's conceptualisation of decolonisation as "emerging out of a state of either blindness or dizziness,"<sup>32</sup> by beginning with the experts in the first chapter, this thesis establishes a new starting point for the discussion around teenage pregnancy, one that is defined by what women have to say about their own lives.

The writing of Anne Laura Stoler in *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (1995) enables this work to think of sexuality as "a result and an instrument of power's design... a social construction of a historical moment."<sup>33</sup> Her work reveals how much of the historiography around teenage pregnancy reinforces sexist and misogynistic colonial ideas that continuously cast the sexuality of teenage girls as problematic, while invisibilising the powerful presence of sexual violence in instances of teenage pregnancy. In her speech, *What's So Dangerous About Black Women's Sexuality* (2016), Dorothy Roberts describes the legacy of sexual and reproductive violence as having been preserved for centuries "by a repertoire of degrading [language and] images designed to legitimise... men's immorality. Images that paint black women as innately prone to having unrestrained sex, procreating recklessly and then passing down a depraved lifestyle to their children."<sup>34</sup> These inherited sexist and misogynistic notions are reinforced in a great deal of research on teenage pregnancy in Kenya. For example, Adaji *et al.* (2010) begin by writing that "[a]dolescent fertility and sexuality is a major public health issue in Kenya..." and then go onto detail the onset of girls' sexual activity in the

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<sup>31</sup> Undie and Benaya, "The State of Knowledge on Sexuality", 124.

<sup>32</sup> Mbembe, "Decolonizing Knowledge and the Question of the Archive", 15

<sup>33</sup> Anne Laura Stoler, *Race and the Education of Desire Foucault's History of Sexuality and the Colonial Order of Things*. North Carolina: Duke University Press, 1995, 3

<sup>34</sup> *What's So Dangerous About Black Women's Sexuality*, Dir. Dorothy Roberts. Video, University of Pennsylvania, Video Release February 2016.

country to show how their sexuality specifically is problematic.<sup>35</sup> Ezah *et al.* (2010) who carry out studies in various ‘slums’<sup>36</sup> in Nairobi to compare the onset of sexual activities between youth dwelling in slums and those in non-slum areas conclude that:

Our findings underscore the importance of considering the social and environmental contexts when examining pathways to first sexual intercourse among adolescents. We argue that there is need to focus on very young adolescents, particularly those growing up in resource poor settings, or those who are out of school, as these young people may be more likely to make the transition to first sex and hence, be more vulnerable to negative health outcomes stemming from precocious sexual activity.<sup>37</sup>

Their findings reiterate the need to focus on a particular subject, one that is in line with the discourse, developing a cycle in which discourse invents a subject, and research investigates that subject and affirms its place in the discourse. But as Foucault (1978) writes, “we are dealing less with a discourse on sex than with a multiplicity of discourses produced by a whole series of mechanisms operating in different institutions.”<sup>38</sup>

Scholars of adolescent sexuality and reproductive health emphasise the importance of not oversimplifying “real, concrete problems pertinent to the sub-Saharan African region,” and then point to women’s sexual autonomy, victimhood, disadvantaged economic positions, and gender-based violence to exemplify the continent’s problems.<sup>39</sup> The examples provided mainly centre women, correlating sexuality, and the negative outcomes associated with it, with women’s bodies. This is illustrative of Hall’s view that: “[s]ubjects may produce particular texts, but they are operating within the limits of the *episteme*, the *discursive formation*, the *regime of truth*, of a particular period and culture. [original emphasis]”<sup>40</sup> – in other words, within the limits of discourse. Despite their many differences, and the different ‘presents’ from which they write, research conducted within this discourse echo one another, and like Undie and Benaya, adolescent (female) sexuality is addressed first and foremost as an issue; ‘ruling out, limiting and restricting’ other ways of thinking and talking about adolescent sexuality right from the start. This

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<sup>35</sup> Sunday Adaji, *et al.*, “The Attitudes of Kenyan In-School Adolescents Toward Sexual Autonomy”, *African Journal of Reproductive Health*, 14, 1, 2010, 35.

<sup>36</sup> Slums appear frequently in research on teenage pregnancy and are defined as overcrowded informal settlements in which poor people reside.

<sup>37</sup> Caroline Kabirua, *et al.*, “Transition into First Sex Among Adolescents in Slum and Non-slum Communities in Nairobi, Kenya” *Journal of Youth Studies*, 13, 4, 2010, 464.

<sup>38</sup> Michel Foucault, *The History of Sexuality*. New York: Pantheon Books, 1978, 33.

<sup>39</sup> *Ibid.*, 148.

<sup>40</sup> Hall, “Power, Knowledge and Discourse”, 79-80.

continuously emphasised link between sexuality and women's bodies is one of the most significant contributions sexuality discourses make to patriarchal hegemony in Kenya.

This problematic focus on women's bodies where sexuality is concerned appears not only in research but in news media, which is one of the first avenues through which the public acquires information about the events taking place around them and in which public and state discourses are circulated. The second chapter of this work contends that Kenyan media, particularly digital news media, is a salient tool through which discourse is articulated, and through which it perpetuates its dogmas and ideologies. Chapter two therefore argues that news media is one of the ways through which discourse "attempts to institutionalise its world of meanings as a 'socio-historical world' and to make that world fully real, turning it into a part of people's common sense."<sup>41</sup> Our thoughts and ideas around teenage pregnancies – in and out of the Covid context – are, as I will demonstrate, inherently misogynistic, sexist, degrading, dehumanising and ostracising towards women and girls. These ideas have, however, become part of 'common sense', largely unquestioned because they are concealed. An analysis of the content and language used by three of Kenya's largest news media outlets, *Citizen*, *Nation* and *Standard* in digital and print media during the coronavirus period will reveal how this 'common sense' is constructed on a regular basis and the effect that it has on our ways of thinking and in our attitudes towards women, girls, and the crisis of teenage pregnancies.

The news media sources used in this thesis were chosen based on the time in which they were published – between 2020 and 2022 – to align with the coronavirus pandemic lockdowns. Preference was shown toward sources that conducted interviews with pregnant and mothering teenage girls as this work seeks to highlight and emphasise the voices and experiences of experts where possible. The three media houses that are the focus are the largest in the country and have been chosen due to their popularity and wide reach. The newspapers used in this research included print and e-newspapers. The electronic versions were accessed through the various media house websites while the print versions were personally purchased during the pandemic lockdown period. The videos used aired on these news networks on television, and were thereafter uploaded to YouTube, the platform which I use to access them. As of 2018, 81% of Kenyans had access to TV and reported relying on news media platforms as "a source of information for political issues and

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<sup>41</sup> Achille Mbembe, "The Banality of Power and the Aesthetics of Vulgarly", *Public Culture*, 4, 2, 1992, 2.

current affairs” to a greater degree “than friends, family and people in their neighbourhood.”<sup>42</sup> By 2022, the media council of Kenya reported that “legacy media platforms such as television and newspapers recorded increased usage”<sup>43</sup> amid the pandemic, making television and print news sources especially popular during the time frame that acts as this work’s point of departure.

The choice to work with news media as a source is influenced by my personal experience growing up in Kenya. Local current events as represented in news media are at the centre of everyday conversations. *The Standard*, *Nation* and *Citizen* are particularly influential in shaping the news we consume, recording the largest share of viewership in 2017, which increased further by 2022 as a result of their broadcasts being made available on YouTube.<sup>44</sup> News media was also a major source of inspiration for this work, as it is the way through which I and many others became aware of the extent of sexual violence in the country during the pandemic lockdowns. Given the popularity, accessibility and trust placed in news media, it is vital to understand the ways this source frames Kenyan society’s discourse around sex and sexual violence and their relationship to teenage pregnancy in this ever-growing technological age. A relationship will also be established between news media and the expert stories shared in order to question the ways in which Kenyan media perpetuates a shaming, blaming and exclusionary narrative of teenage pregnancy in the country. The language used by news media reveals some of the ways the Kenyan state deflects responsibility for the plight of pregnant and mothering teenage girls while simultaneously enabling “violent institutions of reproductive discrimination ... that are sustained and reproduced by the underlying historical, social, political and cultural contexts.”<sup>45</sup> In the face of silences and absences in the archive, this second chapter hopes to challenge dominant discourses that construct and portray teenage mothers as ‘deviant’ and ‘immoral’<sup>46</sup> by letting them speak for themselves, as by doing so, they dismantle and redefine the discourse.

The factors of poverty, sexual debut, familial instability, and low educational attainment in cases of teenage pregnancy recurred constantly in the process of this work’s research, to the extent

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<sup>42</sup> BBC Media Action, “Kenya – Media Landscape Report”, *Community Epidemic and Pandemic Preparedness Program*, 2018, 10

<sup>43</sup> David Omwoyo, “State of Kenya’s Media in 2022”, *Media Council of Kenya Report*, 2023, 37.

<sup>44</sup> David Omwoyo, “State of Kenya’s Media in 2022”, *Media Council of Kenya Report*, 2023, 14.

<sup>45</sup> Nandagiri, Coast and Strong, “COVID-19 and Abortion”, 84.

<sup>46</sup> Zarina Chohan and Malose Langa, “Teenage Mothers Talk About Their Experience of Teenage Motherhood”, *Agenda* 25, 3, 2011, 87.

that they appeared to be taken as factual correlations in both studies and news media.<sup>47</sup> They are made to seem so obvious that their links to pregnancy are often not worth elaborating on. And as the third chapter will show, these ‘factors’ have come to form the basis of adolescent sexual and reproductive health legislation in post-colonial Kenya. Patriarchal hegemony has created an “illusion of reality”<sup>48</sup> in which misogynistic and sexist ways of thinking are woven into mainstream discourses on teenage pregnancy. These discourses are both influential and reflective of our societies’ thoughts and beliefs around female sexuality, going on to influence governance and policymaking which have real and tangible consequences on the lives of pregnant and mothering teenagers.

To understand how this occurs: “... we have to conceive of processes so interconnected that they cannot be disentangled. Of course, we identify problems to study, and these constitute beginnings or points of entry into complex processes. But it is the processes we must continually keep in mind. We must ask more often how things happened in order to find out why they happened...”<sup>49</sup> By beginning with the stories of the experts, and then exploring the way the discourse is circulated by news media and enforced in legislation, it becomes possible to read backwards “from what seems natural, obvious [and] self-evident.”<sup>50</sup> The approach of this thesis shows how the teenage pregnancy crisis seen in Kenya during the coronavirus pandemic represents the way patriarchal hegemony works to oppress and marginalise women as a means to rendering them socially dead while invisibilising men and male bodies in sexual discourses.<sup>51</sup> I use Erica Borgstrom’s (2017) definition of this term to “describe the ways in which someone is treated as if they were dead or non-existent.” Social death is the product of enshrining differences and hierarchy on the bodies of subjects created by discourses to account for the disadvantaged position of pregnant teenage girls in legislation.<sup>52</sup>

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<sup>47</sup> Lilian Mutea, *et al*, “Trends and Determinants of Adolescent Pregnancy: Results from Kenya Demographic Health Surveys 2003-2014”, *BMC Women’s Health*, 22, 416, 2022: 4-5; Peter Nyakubega, “Factors Associated with Adolescent Pregnancies Among Secondary School Students. A Study From Tanga – Tanzania”, *Official Publication of the Tanzanian Medical Students Association*, 5, 2008/2009; Gitonga Marete writing for *Nation* at <https://nation.africa/kenya/counties/meru/-shocking-statistics-teen-motherhood-meru-sparks-action-4353120> ; Carolyne Kubwa writing for *The Star* at <https://www.the-star.co.ke/news/2018-11-20-most-pregnant-teens-are-from-poor-families/>

<sup>48</sup> Bahlhieda, “The Legacy of Patriarchy”, 25

<sup>49</sup> Joan Scott, “Gender: A Useful Category of Historical Analysis”, *The American Historical Review*, 91, 5, 1986, 1067.

<sup>50</sup> Joan Scott, “Finding Critical History”, 49.

<sup>51</sup> Erica Borgstrom, “Social Death” *QJM: An International Journal of Medicine*, 2017,5

<sup>52</sup> Oyěwùmí, *Making an African Sense*, 7.

Lynn Thomas' *Politics of the Womb* (2000) is the foremost work on reproductive health legislation in the late colonial to early post-colonial period, and is used in the third and final chapter to articulate parallels between the past and present. These parallels reveal the recurrence of particular themes which will be used as a guide to understanding the state of adolescent sexual and reproductive health legislation since the time of independence (1963) up until the coronavirus pandemic (2020). Her work also shows us that news media and legislation in Kenya have since the 1960's been arenas of contention where the bodies of women and girls are concerned. Their continued significance into the time of the coronavirus pandemic not only reflects their long-standing role in influencing discourses surrounding sexual and reproductive health, but in upholding the silence that characterises this discourse.<sup>53</sup>

The coronavirus pandemic is considered in this thesis to be an event of historical significance within Kenya's post-colonial period. In *Voices from Mutira* (1996), Jean Davidson engages with the life histories of women from Mutira between 1984 and 1994 for the purpose of understanding how they "mediate change in their individual and collective lives."<sup>54</sup> Through their life histories, she identifies three historical incidents that had consequences for the lives of women in Mutira, namely: missionisation, the liberation struggle and independence.<sup>55</sup> Each of these incidents greatly impacted and reshaped the broader context in which Kenyans lived. Women however, were affected in unique ways. The most significant change took place during missionisation, where rituals and customs surrounding rites of passage from childhood to adulthood were condemned and disrupted by the Christian mission campaign on the basis of them being "primitive."<sup>56</sup> Contained within these cultural rites of passage were teachings connected to sex and sexuality that were essential for young people experiencing natural changes in their lives and bodies, their disruption during missionisation altered the culture's perception of and connection to these aspects of life.

A clear example of this is *ngwiko* which Susan Kiragu discusses at length in her paper "Conceptualising Children as Sexual Beings: Pre-Colonial Sexuality Education Among the

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<sup>53</sup> Lynn Thomas, "'The Politics of the Womb': Kenyan Debates Over the Affiliation Act", *Africa Today*, 47, 3 2000, 152.

<sup>54</sup> Jean Davidson, *Voices from Mutira Change in the Lives of Rural Gikuyu Women, 1910-1995*. USA: Lynne Rienner Publishers, 1996, 2.

<sup>55</sup> *Ibid.*, 242.

<sup>56</sup> *Ibid.*, 243.

Gikuyu of Kenya.”<sup>57</sup> The practice of *ngwiko* was “a restricted form of sexual release... where, on the one hand, young people were given the free will to sexual desire, exploration and release, but, on the other hand, this freedom took place within a restrictive moral code, with boundaries and public regulations.”<sup>58</sup> The erosion of customs like *ngwiko* in favour of abstinence until marriage by missionaries laid the foundations for a discourse in Kenya that separated sex and sexuality from desire, and placed them only in terms of reproduction, which was represented by women’s bodies during pregnancy. Following missionisation, young people were no longer allowed “a safe social context in which to practice premarital sex” as well as consent.<sup>59</sup> By the early part of the 20<sup>th</sup> century, missionaries had largely succeeded in re-positioning sex and sexuality in Christian terms, and their disparagement of Kenyan value systems left no room to consider that previous indigenous understandings held merit and purpose.

During the liberation struggle of the 1950’s, Davidson tells us that British patriarchy was especially oppressive towards Kenyan women who experienced great limitations in accessing learning and training institutions and finding gainful employment despite bearing majority of the familial responsibilities. In Oral Histories collected for “Women and the Mau Mau Memorial”, in response to a newly built memorial that displays the collaborative efforts of men and women in the struggle, Evalyne Wanjiru’s experts do not feel their true experiences are part of the official history. Rather, they express only ever being positioned as helpers to their male counterparts, which is apparent in the memorial which depicts its male figure as a courageous, armed protector, while the female figure is made to be less visible and there only to hand an item over to the male figure.<sup>60</sup> Yet, countless women were involved in the struggle, with one of Davidson’s experts providing her own recollections: “During Mau Mau, women were also fighting... Some even went into the forest to help. Women in the ‘villages’ fought by singing.’ She describes how a group of women sang and danced while cutting the tires of a Home Guard’s vehicle.”<sup>61</sup> Women not involved in the struggle were tasked with sustaining fractured households and communities in the midst of land dispossession by the British, with one of Wanjiru’s interviewees expressing that:

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<sup>57</sup> Susan Kiragu “Conceptualising Children as Sexual Beings: Pre-Colonial Sexuality Education Among the Gikuyu of Kenya”, *Sex Education*, 13, 5, 2013, 586.

<sup>58</sup> Ibid.

<sup>59</sup> Davidson, *Voices from Mutira*, 243.

<sup>60</sup> Evalyn Wanjiru writing for History Workshop at <https://www.historyworkshop.org.uk/public-space/women-and-the-mau-mau-memorial/>

<sup>61</sup> Davidson, *Voices from Mutira*, 243-244.

Any time a woman left her husband's house, she would leave [to work] for the white man's place. This meant that they [colonialists] dominated you... They took possession of everything, and all the land we owned leaving us with nothing. In my first employment, I earned 50 cents per day from the colonialists. My question is, how long do you think it would have taken me to earn 30 shillings?<sup>62</sup>

The erasure of the realities voiced in these women's stories in favour of a male-dominated historical narrative that focuses largely on the actions and experiences of men in the struggle formed the basis of the soon-to-be independent state. In the work of Elizabeth Williams, *Primitive Normativity Race, Sexuality and Temporality in Colonial Kenya* (2024), she emphasises the need for historians to focus on not only what is unsaid and left out within discourse and historiography, but "especially who is silenced."<sup>63</sup> Despite women's great contributions to the liberation of Kenya from colonialism, it would be another 47 years until they would be recognised equally in the country's constitution, which was promulgated in 2010.<sup>64</sup>

As the Kenyan state formed its first independent government in the early 1960's, the gendered nature of this new society was woven into and made visible by what were now deemed nationalist concerns. In the words of Thomas:

[t]hrough court litigation and public discussions, Kenyans debated who should control women's sexuality, and who should bear the responsibility for, and reap the rewards of, their fertility. At stake were competing ideas about women's reproductive roles... These debates tied the future of the new Kenyan nation to the proper regulation of gender, sexual, procreative, and parental relations.<sup>65</sup>

This is where the third chapter of this thesis situates itself. Its argument that silence is enshrined within Kenyan legislation surrounding adolescent sexual and reproductive health rights is enabled by the coronavirus pandemic, which is what revealed the silence around sex and sexual violence in the country. This revelation gives us new lenses with which to see the world and ourselves within it. For Historians, this change in the present makes it possible to see the past in new ways too. The coronavirus pandemic is a historical incident because it exposed the way the discourse around sexuality and sexual violence has functioned to repress and shame women throughout the post-colonial period, by showing us how it was happening in the present. Like missionisation, the

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<sup>62</sup> Evalyn Wanjiru writing for History Workshop at <https://www.historyworkshop.org.uk/public-space/women-and-the-mau-mau-memorial/>

<sup>63</sup> Elizabeth Williams, *Primitive Normativity Race, Sexuality and Temporality in Colonial Kenya*. Durham: Duke University Press, 2024, 13.

<sup>64</sup> Gail Presbey, "Women's Rights in Rights in Kenya since Independence: The Complexities of Kenya's Legal System and the Opportunities of Civic Engagement", *The Journal of Social Encounters*, 6, 1, 2022, 31-48.

<sup>65</sup> Thomas, "The Politics of the Womb", 153.

liberation struggle and independence, this is an event that changed the lives of all those living in Kenya, and as with all three events, women's experiences were uniquely shaped by the country's patriarchal establishment, and their experiences are therefore the inspiration for this work. The writing of Roy during the pandemic best captures the significance of this event, and why it is at the heart of this thesis:

Whatever it is, coronavirus has made the mighty kneel and brought the world to a halt like nothing else could. Our minds are still racing back and forth, longing for a return to "normality", trying to stitch our future to our past and refusing to acknowledge the rupture. But the rupture exists. And in the midst of this terrible despair, it offers us a chance to rethink the doomsday machine we have built for ourselves. Nothing could be worse than a return to normality. Historically, pandemics have forced humans to break with the past and imagine their world anew. This one is no different. It is a portal, a gateway between one world and the next. We can choose to walk through it, dragging the carcasses of our prejudice and hatred, our avarice, our data banks and dead ideas, our dead rivers and smoky skies behind us. Or we can walk through lightly, with little luggage, ready to imagine another world. And ready to fight for it.<sup>66</sup>



In March of 2020, the Kenyan government – due to the lack of resources to support the move to online learning for over 18 million students – cancelled the entire school year for public schools, stating that year would be repeated in 2021.<sup>67</sup> This school cancellation, coupled with the wider lockdown and curfews enforced throughout the country saw Kenyans confined to their homes for majority of 2020. The result was a significant rise in teenage pregnancies in the months that followed. Walter Ochieng *et al.*, (2022) carried out a study in the aftermath of the pandemic and found that during the lockdowns, young people were more likely than adults to be victimized, “primarily resulting from school closures because violations occurred more frequently during the day, by someone known to the survivor, and in private rather than a public location.”<sup>68</sup> At its onset, activists and NGOs anticipated this crisis, and urged the government to place the needs of girls front and centre as they are known to be “particularly vulnerable during crises” which have in the past been seen to “increase adolescent girls’ risk of sexual abuse, exploitation, gender-based

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<sup>66</sup> Arundhati Roy writing for *Financial Times* at <https://www.ft.com/content/10d8f5e8-74eb-11ea-95fe-fcd274e920ca>

<sup>67</sup> Abdi Latif Dahir writing for *The New Yorker* at <https://www.nytimes.com/2020/08/05/world/africa/Kenya-cancels-school-year-coronavirus.html>

<sup>68</sup> Walter Ochieng, *et al.*, “Sexual Violence Trends Before and After Rollout of COVID-19 Mitigation Measures, Kenya”, *Emerging Infectious Diseases*, 28,13, 2022, 274.

violence, and unwanted pregnancies.”<sup>69</sup> The vulnerability and violence described is a product of the patriarchal hegemony that characterises Kenyan society, for it positions women and girls as *particularly vulnerable* rather than men as particularly terrorising during times of crisis. Due in large part to intensified male violence, Kenya recorded 331,549 teenage pregnancies by the end of the first year of the pandemic, a figure higher than any seen in both previous and subsequent years.<sup>70</sup> As a result of these alarming statistics, the National Council on Administrative Justice conducted an inquiry that confirmed that the rise in teenage pregnancies occurred alongside “a significant spike in sexual offences, most often perpetrated by people living in the same home as the victim.”<sup>71</sup> This realisation for the first time undermined the discourse on teenage pregnancy in Kenya. From independence up until this point, this discourse had successfully created an illusion of reality in which teenage girls solely bore responsibility for their pregnancies. The context within which pregnancy occurred could no longer be invisibilised or disregarded, for the presence of sexual violence in the crisis of teenage pregnancies was on full view.

In the years that have followed, the discourse in its various sites has attempted to move past the realities the pandemic revealed, with politicians calling for pregnant schoolgirls to be barred from going to school to “act as a deterrent for those who may be tempted to get pregnant” as recently as January 2024, citing the same script that proponents of this discourse have continuously called upon.<sup>72</sup> This blaming/shaming and exclusionary script is observed again in a Guardian (2020) article published during the pandemic: “Despite the school re-entry policy, the school environment is hostile for the young mothers because of ridicule and abuse. Recently, a teacher told a class to consult a teenage mother on the issue of sex as she ‘is an expert on this topic’, yet she was a rape victim...”<sup>73</sup> This thesis thinks about the coronavirus pandemic as a moment of rupture in this discourse, and therefore roots itself in that moment, using it as the starting point

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<sup>69</sup> Emma Smith writing for *Devex* at <https://www.devex.com/news/dramatic-rise-in-kenya-early-pregnancies-amid-school-closures-irc-data-suggests-97921>

<sup>70</sup> Magdaline Saya writing for *The Star* at <https://www.the-star.co.ke/news/realtime/2023-08-11-teen-pregnancies-110821-cases-recorded-in-five-months/>; Lilian Mutea, *et al*, “Trends and Determinants of Adolescent Pregnancy: Results from Kenya Demographic Health Surveys 2003-2014”, *BMC Women’s Health*, 22, 416, 2022, 4-5.

<sup>71</sup> National Crime Research Centre, *Protecting the Family in the time of COVID-19 Pandemic: Addressing the Escalating Cases of Gender-Based Violence, Girl Child Disempowerment and Violations of Children’s Rights in Kenya*, Nairobi: National Crime Research Centre, 2020, 4.

<sup>72</sup> Tony Wafula writing for *The Star* at <https://www.the-star.co.ke/news/2024-01-15-ban-pregnant-teens-from-resuming-studies-lusaka/>

<sup>73</sup> Peter Muiruri writing for *The Guardian* at <https://www.theguardian.com/global-development/2020/dec/24/sex-for-sanitary-pads-how-kenyas-lockdown-led-to-a-rise-in-teenage-pregnancy>

for a new and critical History of teenage pregnancy in Kenya. The purpose of this thesis is therefore to question the existing discourse on teenage pregnancy, as in doing so, it can no longer appear to be “natural, obvious, self-evident, or universal.”<sup>74</sup> The misrepresentations of pregnant teenage girls’ experiences by news media therefore become vividly apparent, and sets the stage for the third chapter which shifts focus onto the laws and policies that have surrounded adolescent sexual and reproductive health from 1963 to 2020. This final chapter is understood as being the end point of the current discourse, as it is through legislation this discourse comes to make itself true.<sup>75</sup> The ordering of this thesis is part of its critical approach, and part of the new history it proposes. By undermining our ideas of pregnant teenage girls at the start, the *end point* is delegitimised, and legislation is revealed to be the avenue through which our perceptions take on a material form, with material consequences for those at the centre of this discourse.

The meaning of this work is therefore to uncover the innerworkings of a discourse created by outsiders, for this is the source of its dysfunction. And I feel there is no better way than through History to make sense of the complexities that underlie the experiences women and girls’ in post-colonial Kenya.



Scott poses the following question in her work *Finding Critical History* (2009) whose answer intersects with the meaning of this thesis:

In what ways did women’s history challenge not only the storyline of mainstream history but also the rules of the discipline and the image of the disciplinary practitioner? Feminists were insisting that we would do exactly that—it wouldn’t work just to add women and stir. But staying within established disciplinary frameworks made it hard to fulfill the promise of radical transformation. How did being a historian of women or, for that matter, a woman historian, change the way we thought about history, both in the sense of the record of the past and of the craft we practiced?<sup>76</sup>

The early half of this research was extremely difficult, especially before I recorded the stories of Bahati, Malaika, and Zahara. It felt impossible to represent my thoughts in a way that was both honest and ‘academic’. I was not aware that I had over the past few years of my university career developed a very stringent understanding of what History should look like. When I met with these

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<sup>74</sup> Ibid., 48-49

<sup>75</sup> Hall, “Power, Knowledge and Discourse”, 76.

<sup>76</sup> Ibid., 52.

women however, it was so clear that over the duration of our conversations, I was immersed in three life histories. With each of them, we spoke so freely and openly, about things that cultural silences usually prohibit, we laughed and felt frustrated and grieved and empathised and loved one another. It was the first time in the process of my research that the answer of how being a woman historian changed the way I thought about History. I am a part and product of the society about which I write, my assumptions and biases are shaped by the same discourses I wish to challenge, and I was forced to see that as I developed this work. It is now clear that confronting these parts of myself was the only way to unlearn, and to learn again, from the experts. As an African woman historian, I have no choice but to be critical, because the current systems that govern the world are at odds with my existence. These three women overcame the pressures exerted upon them by an oppressive and damaging discourse, not unlike the many others that dominate our thinking. They are thus excluded from a more conventional history because the discourse must always perpetuate sameness, stagnating imagination, and exploration. Radical transformation therefore has to involve trying something differently, most of all to show that it can be done.

## Chapter One: “the family built a homestead for the lady”

The excerpt that acts as the title of this chapter, “[t]he family built a homestead for the lady” are words spoken by Malaika, one of the three experts who offer their oral histories to this research. The conversations shared with Malaika, Bahati and Zahara guide and shape this chapter, with the intention of demonstrating that the discourse on teenage pregnancy must begin with women and girls who have had the experience of being pregnant teenagers. The current discourse does not begin here. Stuart Hall (2001) defines discourse “as a system of representation”, yet we do not let pregnant teenagers speak for themselves, which raises the question of what exactly the current discourse represents?<sup>77</sup>

This work argues that it represents the manifestations of silence. By having this research begin with experts, this chapter seeks to explore the *means* by which our ideas of pregnant and mothering teenagers are passed on within Kenyan culture and how they impress themselves upon young adolescents who go on to become teenage mothers. The narratives shared by the experts reveal the influence of gender issues that go beyond teenage pregnancy, such as male-headed family structures, repression of their thoughts and feelings, and stereotypes and assumptions about what they could make of themselves and of their lives. The conversations shared illustrate that this issue does not exist in isolation but is rather part of a wider patriarchal and misogynistic culture whose power over the lives of women and girl often appears in “subtle, covert, and indistinguishable”<sup>78</sup> ways until one makes a concerted effort to see them.

The means identified in this chapter by our three experts will reveal the ways through which the existing discourse shaped their experiences of teenage pregnancy and motherhood, and will thereafter be used to create a framework for analysing two major sites of discourse identified by this work, namely news media and adolescent sexual and reproductive health policy which will be addressed in the chapters that follow. I will also draw extensively from the work of Phoenix, Woollett and Lloyd (1991) and Gqola (2015) as their work fights against the same outsider-dominated discourses that this work stands against. The lives of pregnant and mothering teenagers are made to exist within a vacuum, devoid of complexity.<sup>79</sup> This is necessary for the discourse to function, for it is made up of assumptions and ignorance, both of which have their roots in

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<sup>77</sup> Stuart Hall, “Power, Knowledge and Discourse”, 72.

<sup>78</sup> Bahlieda, “The Legacy of Patriarchy”, 41.

<sup>79</sup> Smith, “Pregnant with Meaning”, 500

prejudice. Alistair Thompson (1999) writes that oral history has the potential to provide insight into “how people make sense of their past, how they connect individual experience and its social context, how the past becomes part of the present, and how people use it to interpret their lives and the world around them.”<sup>80</sup> By having the ‘subjects’ of a discourse on teenage pregnancy speak for themselves, we are allowed insight into these processes and the experiences behind them, it is also a way of historicising the consistent preponderance of teenage pregnancy in Kenya and how those at the centre have made sense of their experiences over time. Finally, the focal point of this work is silence, and the violence it breeds and enacts on Kenyan society as a whole. Inspired by the writing of Karanja Kamaara (2012) however, I ask that as we learn together from Bahati, Malaika and Zahara, we find a way to allow “silence [to] create space for that which has been spoken to sink into our minds and our hearts.”<sup>81</sup> I ask that we utilise the pause that silence creates to ask questions; questions that render that which has been made into the *status quo* throughout Kenya’s post-colonial period, appear strange and abnormal.<sup>82</sup>

“Okay. My story?”<sup>83</sup>

This work’s first expert is Bahati. She is an advocate for anti-Female Genital Mutilation (FGM) and works to safeguard girls from early teenage pregnancy and early marriage. Her life’s work thus far is rooted in her personal experiences which have guided and informed this thesis’ understanding of what it means to be a pregnant and mothering teenager in Kenya, and what it means to reflect back on those experiences once you are no longer pregnant or a teenager. What she remains, is mothering, as she cares for many young girls whose family lives have been disrupted as a result of sexual abuse, early marriage and FGM. Phoenix, Woollett, and Lloyd find that the negative focus placed on mothers under twenty is the result of attributing the problems they face to age, while the structural factors in which many pregnant and mothering teenagers live in go unconsidered.<sup>84</sup> Understanding her experience requires an understanding of the cultural context in which she lives as a Maasai woman. The Maasai culture highlights gender difference within its structure and practices, most notably within its age-set system whereby “[a]s men mature

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<sup>80</sup> Thomson, “Making the Most of Memories”, 293.

<sup>81</sup> Kamaara, Vasko, and Viau, “Listening and Speaking as Two Sides of the Same Coin”, 59.

<sup>82</sup> Gqola, *Rape*, 82.

<sup>83</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>84</sup> Phoenix, *Motherhood*, 86.

and age, they are accorded specific rights and privileges to the means of production and reproduction”<sup>85</sup> while women, rather than passing through a formalised age-set system of their own, instead become identified with men “as daughters, wives and mothers.”<sup>86</sup> This results in men largely being the determiners and decision makers within their families, and women’s proximity to them is necessary for security and status. Although these aspects of the culture are not as stringent for the individuality and independence of women as they once were, Bahati still expresses the negative perceptions that exist around powerful, unmarried or divorced women.

Inside even the marriage I am today, sometimes I used to say and clearly say it’s just because of children we maintained our marriage. Because you don’t want to see your children maybe seeing you separated and seeing you outside there and saying my mother is a leader, my mother separated, my mother is a divorcee. Because first thing in marriages, love never exists, especially in the culture.<sup>87</sup>

I would like to take a moment here, to define this work’s understanding of love based on the conversations shared with Bahati, Zahara and Malaika, and why it is important for our reimagining of the discourse on teenage pregnancy. With each of them, this idea arose, and from their words and stories, a shared understanding of its meaning emerged: To love is to first recognise that a person, apart from yourself, is alive and that their experiences are equally as complex as one’s own. The awareness of equality creates the desire to try and understand the other, and to do what one can to reduce or ease the challenges life’s complexities bring, rather than add to them. For Bahati to express an absence of love within her marriage and within her culture, signals an unwillingness of those around her to see her, and recognise her as equal, compounded by them adding to her life’s challenges through their actions and misunderstandings. The discourse on teenage pregnancy in Kenya reveals that we do not love pregnant and mothering teenage girls, and for our ideas and imaginations of them to change, we have to begin by acknowledging that they are not so different from us.



To me, I had the experience because I was married early, I gave birth while I was so young, I got pregnant at the age of 15 and then I gave birth while I was 16 years old and was married at that age of 17, and before the age of 20 I was a mother of 3. And that time I didn’t finish my school, I dropped in form 2, and then here I have 3 small babies, I’m not

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<sup>85</sup> Naomi Kipuri, *Maasai Women in Transition: Gender in the Transformation of a Pastoralist Society*. Nairobi: Society for Indigenous Culture and Knowledge Systems, 2020, 3.

<sup>86</sup> Ibid.

<sup>87</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

employed, I'm living in a homestead, I don't have a house, so it was hard life, bringing up my children.<sup>88</sup>

This is how Bahati begins her story. She grew up in a small village in Kajiado in the late 1960's and is the daughter of two school teachers. She speaks fondly of her childhood, “[b]ut unfortunately my father died, that was where the trouble started. And my mother, my mother went to live with my uncle so that she can get the favour from the uncles to bring us up.”<sup>89</sup> With the support of her mother and uncle, she was able to complete her primary school with flying colours, however, continuing on to secondary school proved difficult as her uncle did not see the value of continuing education as a girl: “*Si* I marry you off? You know your mother is poor? We don't have anything.”<sup>90</sup> His reluctance surrounding Bahati's schooling takes place within a cultural context that did not prioritise girls schooling because they were not expected to return to their natal homes, as the destiny of girls within Maasai culture involves getting married early and perpetuating other families, with their natal family benefitting financially in the form of dowry.<sup>91</sup> Therefore, her mother did her best to obtain funding from the chief's office, and although she was successful, the secondary school offered to them was too great a distance away for Bahati to travel on a daily basis. This resulted in her residing in her uncle's *manyatta*, a one room hut with no space of her own, much different than the home she lived in before her father's passing, where she had a bedroom for herself.

Believing that the dowry obtained from arranging a marriage for Bahati would be beneficial for the family, her uncle began to bring home *morans*, young men training to be warriors as part of the age-set system's rites of passage. “They bring *Morans* inside the family, they bring men, and then you have to, you reject this one today, you can't reject another one tomorrow... so every night you have this and this and this. At the end of the day, all this, I went back to school, and I later realised that I was pregnant.”<sup>92</sup> Bahati was 15 years old at the time, and describes a feeling of frustration towards her unintended pregnancy, and the challenges it posed for her return to secondary school. What follows will be narrated in her own words:

So when I come back to my mother to tell my mother that I was pregnant, yes my mother promised me that I will go back to school. But now how are we going to tell my uncle? So when I told my uncle, he was happy more than happy. So that time he come back with one

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<sup>88</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>89</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>90</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>91</sup> Kipuri, *Maasai Women in Transition*, 168.

<sup>92</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

*mzee*<sup>93</sup>, and then I refuse that one, he went and come back with another one, I refuse that one, he come back with the third one, so I had to tell my mother I have to accept. Because this is becoming too hectic that everyday he is coming with this man, he is coming with this man. So my mother told me no don't accept this one, let's just wait, you just reject the one, we wait whether we can get another one. And then my sister was married somewhere, my elder sister also didn't go to secondary school, she had to sacrifice for me to go to school. So my sister was saying, let her bring the child, because she went there and got the child and the child passed. So she was saying, let my sister bring the child and then she go to a day school which is here. So my uncle's like ah you are going against me, you are going against me and must marry off. So he went and come back with a friend and the friend wanted to marry me to his son. So they had their sit down, they take beer, the natural beer, they negotiate the dowry, so in the mid of the night, I had to escape. With my baby. I ran to Olepolos, in the end of Bissil town, that it is midnight, with my baby and I'm just alone. So remember the risk of running, but I went to my aunt, when my aunt heard me in the night knocking the door she was shocked. Why?<sup>94</sup>

Bahati's first pregnancy was the result of rape. This is not explicitly stated in this early half of our conversation, however as we spoke on, she told me about how her life changed when she moved and settled in a small town in Kajiado as an adult. Here, she attended a seminar held by the Anglican Church of Kenya that sought to address the prevalence of FGM and this changed her life. The woman who led the seminar had a great impact on her "up to date, I call the lady my mentor. Because of that day, when she was talking, I felt like she was talking about me, not even teaching there, she was talking more about me because everything she said was more about me."<sup>95</sup> She opened up to the leader of the seminar about the trials she faced as a result of the genital mutilation she underwent, which was further worsened by 3 births within a short time frame.

I told her, I've been undergoing this, I've been feeling this, and I feel that I'm, I feel that somebody has offended me. And I feel that I'm-I'm I'm suffering. And because I cannot yet redone it to myself, but I'm pitying the younger side that's there. So that lady took my number. And she was calling me every time to seminars, plus she organised counselling for me in Kajiado district hospital, that time they offer counselling sessions.<sup>96</sup>

It was in her counselling sessions, that she first learned the word rape:

To me, I come to define about rape when I was an adult, when I was in these meetings, when I was doing some counselling, that's the time that I come to define the word of rape. Because we were raped, even this before, without knowing that person was raping you. No

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<sup>93</sup> *Mzee* – Elderly man

<sup>94</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022); [Her husband can suddenly be heard loudly in the other room speaking on the phone in Kimaasai for the next few minutes of our conversation]

<sup>95</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>96</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

one has ever sitted down and told me that there is rape. No one has ever sitted down and tell me there is indecent assault?

**She begins to speak loudly.**

Why? If your own parent can force you to go and...

**She speaks very softly.**

...sleep with a man you don't know, that was rape. And this is what happened to my uncle's family, that's also what happened to my uncle's wives, they had to chase to go and sleep in that house, the boys will come, they will force you to sleep with them. Okay, many girls in Maasailand are being raped without knowing. Because even your own mother will bring a man inside the house and will force you to sleep with that man so that she can get what she wants, that is what's happening currently. So to me the only time I come to define about sexual assault is when I was an adult, when I was teaching. That is when I take my mind back and say oh, *fulani* was raping me.<sup>97</sup>

The absence of the word rape in Bahati's first retelling of what happened in her uncle's *manyatta* reflects her unawareness of the word as a child, the experience instead described as 'this and this and this'. But this did not change the actual lived experience of rape and sexual violence. This work operates with Pumla Gqola's (2015) definition of rape, for the way in which she writes emphasises that the act of rape and of sex bear no resemblance, and that the impact rape has on a person exists within its immediate violence, as well as beyond it. She writes that:

Rape is not sex. It is 'an act of non-consensual sexual violence... [i]t is an expression masculine power and female vulnerability'. Rape is not about sex. It is about power. It is a highly painful experience, a highly 'traumatic experience and like other serious traumas, it has negative effects on those who survive it. Rape is usually experienced as life-threatening and as an extreme violation of the self.'<sup>98</sup>

As Bahati reflects on that which she learned early into her adulthood, she is able to speak explicitly on just how pervasive this violence was within her family, and within Maasai culture. Hall writes that discourse constructs the topic by defining and producing the objects of our knowledge, and thus the manner in which we are able to construct knowledge about the things we think we know.<sup>99</sup> By growing up within a culture and family that "ruled out" any possibility of talking about rape, it appears as though this violent act did not exist. However, it is clear that it did in fact exist in reality, just not in discourse. When she shared the news of her pregnancy with her mother and uncle, the circumstances surrounding it were a non-factor, much like the current discourse around teenage pregnancy in Kenya during the covid lockdowns where news headlines

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<sup>97</sup> *Fulani*: Contextual Translation – "That person"

<sup>98</sup> Gqola, *Rape*, 144.

<sup>99</sup> Hall, "Power, Knowledge and Discourse", 72.

read “4000 School Girls Impregnated in Kenya During Covid 19 Lockdown.”<sup>100</sup> It is further possible that Bahati’s mother, with whom she had a close relationship, also experienced a restriction in her ability to discuss rape, not only because of a willingness or unwillingness, but because of language. This brings us to the first means by which our ideas of pregnant and mothering teenagers are defined and passed on – language.

Suki Ali (2007) writes that “[l]anguage is...inseparable from ourselves as a community of human beings with a specific form and character, a specific history, a specific relationship to the world.”<sup>101</sup> The matter of language features in the stories of all three experts in different ways. By beginning with Bahati, we learn that the shortfalls of language obscure our understanding of teenage pregnancy and the place of sexual violence within its discourse, and through Ali, it becomes clear that those shortfalls enable insight into our history, our culture, and our relationship to them, as well as each other. Exploring how language features in Malaika’s and Zahara’s stories creates more openings into learning what language teaches us about ourselves.



The story of Malaika, our second expert, is what gives this thesis its title. Like Bahati, Malaika also possesses a special affinity towards adolescent girls facing teenage pregnancy as a result of her past experiences. As she speaks about the challenges young girls face that lead up to them having unintended pregnancies, she emphasises the absence of education and openness on topics of sex and sexuality on the part of parents:

The problem is now Kenya we hide it, teenage pregnancy, because parents have left their responsibilities to teachers. Parents don’t talk to their girls, and there’s no way a teacher will be a parent, and a teacher also. Cause the work of the teacher is to teach the girl, but not to teach her on how to live or to teach her sex matters. The parents are shying away... So they fall into the trap without their wish. If the parents can go back and teach the kids, talk to them about sex education, the thing will come to an end. But we are shying all of us away, from that thing.<sup>102</sup>

I wish to highlight several points of importance within this excerpt. To begin with, is the different way in which language and silence are addressed. She finds that parents are aware of their

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<sup>100</sup> Michael Oduor writing for *Africa News* at <https://www.africanews.com/2020/06/17/close-to-4000-school-girls-impregnated-in-kenya-during-covid-19-lockdown/>

<sup>101</sup> Suki Ali, “Feminist and Postcolonial: Knowledge/Politics”, *Ethnic and Racial Studies*, 30, 2, 2007, 199

<sup>102</sup> Malaika (Kumpa, Kajiado, Kenya, 18 June 2022).

responsibility to inform their children about sex, but are unwilling to speak about it, deflecting that responsibility to school teachers. In this instance, the silence around sex within the family is created and sustained by parents, demonstrative of what Foucault (1978) describes as “control over enunciations.”<sup>103</sup> This refers to the way our ability to speak openly about sex is strictly defined, he writes: “[a]reas were thus established, if not utter silence, at least of tact and discretion: between parents and children, for instance, or teachers and pupils....”<sup>104</sup> When Malaika says that parents are leaving their responsibility of teaching their children about sex to teachers, she is referring to a very specific understanding of sex. As chapter three will show, sexuality education is not a part of the public school system in Kenya, and for that reason, sex is instead taught within a biological understanding. In her story, Zahara recalls that the only time she learned about sex in school was in a science class in her sixth year in the topic of reproductive health. Beyond that, she says that “the word sex was like a taboo, so in the washrooms, people used to go and write sex on the door, on the wall. And people would come, teacher, they’ve written sex on the, you know! So of course sex was – that word was already such a bad word.”<sup>105</sup> Zahara’s experience tells us that within school, she never learned of the act of sex itself, but the word alone was considered taboo within her school environment, which reflects Louisa Allen’s (2007) argument that “schools are heavily invested in a particular sort of student that is ‘ideally’ non-sexual.”<sup>106</sup>

With our enunciations of sex strictly controlled within the family and within schools, two major issues arise: the first is the question of where adolescent girls who become pregnant can turn to speak about what they are experiencing, and the second relates to those girls who become pregnant as a result of rape. Both issues – with the exception of pregnancy – are exemplified in a story published in *The Star’s* electronic newspaper that tells of a father being sentenced to 20 years in prison for sexually abusing his daughter from the age of 8 to the age of 14 between 2008 and 2014. In the testimony that she gives during the case hearing, she states that she first learned about sex at the age of 14 when she reached her seventh year of primary school where sex and reproduction are taught within the Kenyan school system. Upon learning about sex, she was able to connect what she had been experiencing at home with a word, and she then gained the ability to

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<sup>103</sup> Foucault, *The History of Sexuality*, 18.

<sup>104</sup> Ibid.

<sup>105</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>106</sup> Louisa Allen, “Denying the Sexual Subject: Schools’ Regulation of Student Sexuality”, *British Educational Research Journal* 33, 2, 2007, 222.

share this information with her friend, who passed it on to their teacher, who then passed it on to their principal, leading to the arrest and imprisonment of her father. Prior to this, her father had threatened to kill her had she been open about what was going on within her family, making family a site of absolute silence.<sup>107</sup>

The limitations around the enunciation of sex is absolutely critical given that during the coronavirus pandemic, which is the context within which this work is written, many of the teenage pregnancies that arose were the result of rape, where the offenders were in most cases close relatives.<sup>108</sup> Two stories published in the *Nation* e-newspaper in 2020 detail the repeated abuse of two 12 year old girls within the first two months of the lockdowns, one abused by her father and the other by her guardian, with both incidents resulting in pregnancy.<sup>109</sup> The tragic experiences of these girls are part of a greater pattern uncovered by the Survivors of Sexual Violence Network in Kenya that correlates school closures with sexual offences committed by persons related to victims, further emphasised by a 23.8% increase in reported cases of incestuous abuse between 2019 and 2020.<sup>110</sup> *The Star* and *Nation* stories detailed demonstrate how the silences around sex have created a culture in which rape is made to exist in a realm beyond silence, a realm we cannot yet begin to unshroud because what constitutes sex cannot be spoken about. I refer to the narrative of Zahara to illustrate this point. During our conversation, I asked her when she first heard or learned about sex, and her response exemplifies the controlled enunciations present both within the family and within schools.

I remember in class 8, my mum and her *kyama*<sup>111</sup> friends, and I think one of my aunties, came together and brought me and my cousin and a group of – we had this church thing for girls – it was a small group of us, I think we were six or seven girls. And we used to do things once in a month, you go, you learn how to wash your panty, you learn how to bake some cookies. And there was once now we were being talked to about sex, and now my aunty who was the facilitator of the session, came with a tube of toothpaste. And she squeezed out the toothpaste and said, once you have sex, like this toothpaste, you can't put it back in the tube, you know. And basically that was it, and then she brought out a tampon, and there was a glass of water, and she put the tampon in the glass... she said yeah you

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<sup>107</sup> Clause Masika writing for *The Star* at <https://www.the-star.co.ke/news/2023-04-18-aic-clergy-gets-20-years-in-jail-for-defiling-daughter/>

<sup>108</sup> Mohammed Yusuf writing for *Voice of America* at <https://www.voanews.com/africa/kenya-sees-spike-sexual-abuse-cases-during-pandemic>

<sup>109</sup> Njeri Rugene writing for *Nation* at <https://nation.africa/kenya/news/gender/defiled-impregnated-by-kin-during-covid-19-break-309432>

<sup>110</sup> Laura Stevens *et al.*, “Children’s Vulnerability to Sexual Violence During COVID-19 in Kenya: Recommendations for the Future”, *Frontiers in Global Women’s Health*, 2, 2021, 2; Kevin Rotich writing for *Business Daily* at <https://www.businessdailyafrica.com/bd/data-hub/child-sexual-harassment-26pc-during-coronavirus-lockdowns-3566334>

<sup>111</sup> *Kyama* – An informal women’s group that pools and invests money.

know – but it was more of menstrual health, taking care of yourself, being clean, as opposed to sex sex. But yeah, those were my first conversations around sex, it wasn't really informative like I would expect it – you know. So I think in class six there is in science, when you go and learn about reproductive health, so there's the parts of the male reproductive organ and the female's, and of course the teacher said, if you have sex you will get pregnant. But the conversation was more in depth at school than it was at home.<sup>112</sup>

Zahara's introduction to sex within the two spaces young people are expected to learn about this natural and fundamental aspect of human life provides no real information on sex. What she learns instead is the result of a discourse on sex and sexuality that excludes the core aspect of desire, becoming “de-eroticised, concentrating instead on the mechanics of bodily processes like reproduction and menstruation in ways which are divorced from the sensual/sexual.”<sup>113</sup> The metaphor of the toothpaste makes reference to the narrative that when girls or women have sex, *something* (usually framed as purity or innocence) is lost. Viewed from the alternate perspective, it means something is taken away, making reference to the misogynistic idea of women as sexual objects. In order for this objectifying discourse to persist, pleasure and desire must be excluded from our thinking and therefore our language, for their presence “would invite adolescents to explore what feels good and bad, desirable and undesirable, grounded in experience, needs, and limits [enabling] the dialectics of victimisation and pleasure, and would pose female adolescents as subjects of sexuality.”<sup>114</sup>

With this foundation, the real experiences of pregnant and mothering teenagers in Kenya following the pandemic lockdowns (and beyond) cannot truly be grasped or understood, for our continued reliance and perpetuation of a discourse on sexuality that rules out desire and pleasure has created a reality, whereby, in Bahati's words: “many girls in Maasailand are being raped without knowing.”<sup>115</sup> The discourse around teenage pregnancy that we have accepted, and made function as true in Kenya only serves to obscure the realities of sexuality on the one hand and violence on the other. This is what gives this thesis its name, for as we all continue to *shy away... from that thing*, the boundaries that separate sex from rape go unspoken, and what the teenage pregnancy crisis shows us is that “[s]ilence and denial are not a way out.”<sup>116</sup>

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<sup>112</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>113</sup> Allen, “Denying the Sexual Subject”, 227.

<sup>114</sup> Ibid.

<sup>115</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022);

<sup>116</sup> Gqola, *Rape*, 61.



This lady, came and told my mum, ‘first of all, if it was me, I would kick Zahara out of the house.’ This is my, like, I don’t know how to – This is a very close aunty, my mum’s very good friend, ‘I’d kick her out of the house what kind of nonsense is this? Yeah? I can’t believe, anyway Diana you know you’re – you’re too liberal with Zahara’. This was 2013, I gave birth in 2013.<sup>117</sup>

Zahara is the youngest of the three experts that give their stories to this research. She was born in the early 1990s and raised in Nairobi, she had her first pregnancy at 18 years old in her first year of university with her boyfriend at the time. She is currently a human rights lawyer specialising in gender and reproductive rights. In the excerpt above, she tells us of the reactions her mother and her received from those close to their family following the news of her pregnancy:

... there were just so many negative things driven towards me and my mum, funnily enough my dad didn’t even get that heat, you know and when I talk to him about it, like when you told your friends, how was that reaction? They were like oh, okay. But the women! They were like, as the mother, you know, they were blaming my mum, but my father was not blamed at all.<sup>118</sup>

Blame is the tool through which the second means identified in this chapter is enforced. In Zahara’s story, the person responsible for her pregnancy was not her, or her boyfriend but her mother for “[i]t is mothers who are seen to have the responsibility of ensuring that their children ‘turn out right’”<sup>119</sup>. This expectation within Kenyan society, serves the “social function of maintaining cisgender men’s disproportionate control of resources and life chances.”<sup>120</sup> It is for this same reason that the discourse on teenage pregnancy does not extend to fathers and abusers, but focuses solely on the girl. The 2019 Kenya Violence Against Children Survey for instance details that sexual violence is most prevalent against girls, with 62.6% of women responding that they had experienced one or more incidents of sexual violence before age 18.<sup>121</sup> Yet those among them who fall pregnant, alongside their mothers, receive the blame for their pregnancy, with their experience of abuse remaining unacknowledged. This paradox and the function of blame within it is the

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<sup>117</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>118</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>119</sup> Phoenix, *Motherhood*, 14.

<sup>120</sup> Jessica Penwell Barnett, Eleanor Maticka-Tyndale and Trócaire Kenya “Stigma as Social Control: Gender-Based Violence Stigma, Life Chances, and Moral Order in Kenya” *Social Problems*, 63, 3, 2016, 448.

<sup>121</sup> Leso Munala, *et al.*, “‘COVID Actually Rendered these School Going Girls Hopeless’: The Impact of COVID-19 On Girls From Urban and Rural Areas”, *International Centre for Research on Women*, 2022, 4.

product of what Gqola calls ‘the female fear factory’, whereby the manufacture of female fear works to silence women through the normalisation of their dehumanisation.<sup>122</sup> She writes:

To normalise depends on a combination of seemingly contradictory processes: frequent repetition of performance until the performance becomes invisible. In other words, when we see and hear something over and over again, we stop seeing and hearing it. It retreats to the background where, like static becoming white noise, we come to expect it. We come to expect it in a process of partial desensitisation. Once this happens its interruption becomes strange, dangerous and often unthinkable.<sup>123</sup>

The work of blame then, in the case of teenage pregnancy keeps our attention on girls and women, but in all the wrong ways and for all the wrong reasons. We see heart wrenching statistics that resemble that which I have quoted above, but rather than causing alarm, they function to remind us of “our rapability, and therefore blackmails us to keep ourselves in check.”<sup>124</sup> Therefore when the news of Zahara’s pregnancy became known, the blame fell upon her mother for failing to perform her role within the female fear factory – to teach silence. One of the reasons that causes teenage pregnancy in Kenya to be considered a crisis is that it betrays the façade of sex as taboo and rape as non-existent. Because pregnancy is visual, conspicuous, and unignorable, when carried by the bodies of adolescent girls, blame casts them as the problem, shifting our attention away from not only fathers and abusers, but from the grander performance in which we are all silent about sex.

One of the earliest questions I had when developing this work surrounded the absence and absolution of fathers and abusers from the discourse on teenage pregnancy. My growing wonder and frustration with this aspect of teenage pregnancy was mirrored in the stories of both Bahati and Zahara, who in their own pregnancies experienced first-hand what it means for to be blamed for their pregnancy, while their respective abuser and boyfriend received no attention. Their words capture the great imbalance that exists within our discourse on teenage pregnancy in Kenya:

A man is mighty. A man is considered in society as a worthy person. Because, if you see today, if a girl becomes pregnant, who has impregnated this girl?! It’s a man. Either a boy, either a teacher, doctor... and even a father, being raped by a father. But you’ll never see anywhere a man is mentioned, you never see anywhere that a man has been brought to books, not unless for this time we take them to court and later they walk freely. So it’s just for a woman – why? The woman is always intimidated. The woman is always taken as not a human, you should say, not a human being. Because if, we can talk today, who has

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<sup>122</sup> Gqola, *Rape*, 79.

<sup>123</sup> *Ibid.*

<sup>124</sup> *Ibid.*, 81.

impregnated this woman? They share the same problem with that woman... but no one will ever talk about the man. We say they are mighty.<sup>125</sup>

Bahlieda writes that patriarchy is re-birthed within the family with each new generation.<sup>126</sup> Therefore, in the same way that Zahara's father went unblamed and unquestioned, so too did the father of her child:

Like even if you look at me, Vince, where is he in this whole grand scheme of things, even if we're not together anymore, his life hasn't changed, he continued with school, I mean he would come, chill with Pearl, go back, it's my life that changed dramatically, it's me who was staying up, in fact it's me and my mum, my mum is Pearl's co-parent. His life continues. So teenage fathers, where are you people in this whole grand scheme of things?<sup>127</sup>

During these moments in our conversations I felt a sense of solidarity in my frustration, but the wondering persisted, because despite our questioning, we had no answers as to why they and other adolescent girls have had to endure the sole responsibility for pregnancies that require sexual partners or abusers. I realise now however, that these questions were being enabled by the discourse on teenage pregnancy that at the time I thought I was challenging through my questioning. The work of Oyèrónké Oyěwùmí (2001) and those she learns from best describes the process of realising that I had been enframed within the discourse on teenage pregnancy: "As Kathy Ferguson reminds us: 'The questions we can ask about the world are enabled, and other questions disabled, by the frame that orders the questioning. *When we are busy arguing about the questions that appear within a certain frame, the frame itself becomes invisible; we become enframed within it.*' [emphasis in original]"<sup>128</sup> By attempting to challenge the discourse on teenage pregnancy through shifting the focus to fathers and abusers, I was upholding and reinforcing its framing, leaving the real issue not only unresolved, but unseen and unheard. The real issue is that we continue to *shy away*, to be silent about sex, maintaining a false reality in which rape cannot be known or distinguished, and so does not appear to exist within the discourse on teenage pregnancy.



Yeah! Yeah, yeah. They go to school, in fact, during the time of corona, you know that was the time of, the figure was so high. So Magoha, directed all the schools not to discriminate,

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<sup>125</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>126</sup> Bahlieda, "The Legacy of Patriarchy", 37.

<sup>127</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>128</sup> Oyèrónké Oyěwùmí, "Ties That (Un)Bind: Feminism, Sisterhood and Other Foreign Relations", *Jenda: A Journal of Culture and African Women Studies*, 1, 1, 2001, 12.

and we were told: all the pregnant ladies, girls, to go back to school. All the lactating mothers after 6 weeks, I mean 6 month, *hata haikua* [it wasn't even] six month, three month, the girl, the child is left at home the girl is being taken to school. And there are some who are giving birth during *wakati wa* [the time of] exams. *Na anapelekwa kwa* [and she is taken to the] ward and then the exams is being taken to the ward for her to go do it in the ward. Yeah! In labour after giving birth! He's in the ward, he does her whatever, exams. So the government have never denied them the right.<sup>129</sup>

Malaika is the third and final expert that contributes her story to this work. She was born in Enkaroni in the early 1960s and was the only girl born into her family. While still a child, she was taken in by her aunt who was a teacher and her aunt's husband who was a permanent secretary. They cared for her as they did their own children and ensured she attended the best schools in the area, which could not have been possible within her biological family because her mother did not recognise the value of formal education, and instead had hopes of an early marriage in order to gain a son-in-law. Being a teacher, her aunt felt it was important for Malaika to follow a different path: "I went to AIC Girls (African Inland Church), by then AIC was, if a Maasai girl goes to AIC girls they are from a rich family. And then I joined Moi Girls Isinya. And then after that, unfortunately I drop out I – I got pregnant and then, after finishing form 4. So, I never wanted to go back to my parents with the pregnancy."<sup>130</sup> She became pregnant towards the end of her secondary education with her boyfriend with whom she had been close friends with since childhood, they found out about the pregnancy together and he asked to marry her thereafter. She described strong feelings of shame upon the discovery of her pregnancy:

Because my aunt... She had done all the good things to me, educating me, give me everything. And, cause he wanted me to go to teaching school, to college, she wanted me to become a teacher... I was so remorseful. I felt, I thought I've sinned. My parents told me not to do that before I finish school. Now unfortunately, that's the time I conceived my first child.<sup>131</sup>

Malaika's reaction to her pregnancy and the feeling that she had not met the career expectations her parental figures had for her is reflective of how structural factors that limit the life chances of pregnant and mothering teenagers are instead made to seem the consequence of their youth.<sup>132</sup> Her experience is part of the prevalent tendency within Kenyan society to individualise teenage pregnancy by associating difficulties that young mothers face as a

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<sup>129</sup> Malaika (Kumpa, Kajiado, Kenya, 18 June 2022).

<sup>130</sup> Malaika (Kumpa, Kajiado, Kenya, 18 June 2022).

<sup>131</sup> Malaika (Kumpa, Kajiado, Kenya, 18 June 2022).

<sup>132</sup> Phoenix, *Motherhood*, 90.

consequence of young motherhood itself rather than greater structural factors that impinge on their lives, for example the absence of any adolescent sexual reproductive health policy in Kenya up until 2003. Which means for Malaika and Bahati who both had their first pregnancies in the 1980s, there existed no legal and educational safeguards to enable them to continue with their schooling alongside considerations for their special needs as mothers as well as the needs of their newborn children.

This brings us back to the excerpt that introduces Malaika's story. As a woman whose teenage pregnancy jeopardised her education, the Kenyan government's inclusion of pregnant teenagers by making their final primary and secondary school examinations available to them in maternity wards is something to celebrate, and indicative of the government supporting their right to education. Yet for Zahara who raises the same issue, this kind of inclusion only serves to sensationalise teenage pregnancy by continuing to place focus exclusively on the girl while suggesting to the public that they are not being left behind, and that the same examination available to other students are also made accessible to them:

So you can imagine the pressure then it has on the teenage mother versus the teenage dad, by the way him his life is moving on, if he comes once in a while it's like wow he's so involved, yeah, you're so lucky! But the woman, her life, she has to do it, this is her everyday thing. Every year during KCPE (Kenya Certificate of Primary Education) we see '3 girls sat their KCPE in their maternity ward'. Where are the fathers? Them they're doing KCPE in school, in class, we're not even talking about them. We're just like yeah, these girls, 14 year olds, they're writing exams, with a baby like this and writing exams. And we're so happy to do that, you people are not even seeing the issue here, we're just happy to sensationalise this and say yeah, they're doing their exam.<sup>133</sup>

Here, Zahara makes reference to articles frequently published by media outlets such as one by *People Daily* in 2021 with the headline – “Meru: 3 Girls Sit KCPE in Labour Wards, 233 While Pregnant”<sup>134</sup> and another by *Nation* – “Candidates Give Birth, Write KCPE Tests in Hospitals.”<sup>135</sup> These articles are often written in optimistic tones, and in recent years as a show of the government's response to the rise in teenage pregnancy. The first article for instance reports that these measures were taken following 14,573 girls between the ages of 10 and 19 being “impregnated in the [Meru] county in 2020, a number that the Ministry has claimed to be the

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<sup>133</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>134</sup> Dorcas Mbatia writing for *People Daily* at <https://www.pd.co.ke/news/meru-3-girls-sit-kcpe-in-labour-wards-233-while-pregnant-69894/>

<sup>135</sup> Mohamed Ahmed writing for *Nation* at <https://nation.africa/kenya/counties/mombasa/candidates-give-birth-write-kcpe-tests-in-hospitals-104182>

highest in history.”<sup>136</sup> This is a highly contested issue as seen through the opposing views of our experts, for Malaika, she observes it as a positive change for it was not an option available to her or others in her situation at the time which she was in secondary school and became pregnant, and although it did not result in the “gloomy adumbrations”<sup>137</sup> that are often both produced and confirmed by the discourse on teenage pregnancy, it led her down a different path than that which was envisioned for her, and which she came to envision for herself. For Zahara, it is a way to appease the public by placing focus on access to examinations which suggests equality with other students, while failing to speak to the low grades often attained by these teenage mothers writing national examinations shortly after giving birth, which undoes all illusory claims of equal opportunity and access.<sup>138</sup> The government takes these steps as a show of teenage mothers not being excluded on the basis of their young motherhood, and for the same reason does not put in place mechanisms that consider how pregnancy and labour affects their bodies and minds.

As Phoenix, Lloyd and Woollett remind us, there exists a great disjuncture between insider and outsider perspectives, where “outsider perspectives constitute the dominant social construction and are more likely to be explored and taken seriously than the accounts produced by mothers under 20 themselves.”<sup>139</sup> To attune our imagination to the experiences of the ‘insiders’, is the story Bahati shares of her second birth.

Here I’m giving birth to this child... When I try to give love back love to this man and love back to this child, he impregnates me another child. Okay plus that, I remember when I’m going to give birth I’ll be cut, I’ll be cut the way I was cut that first child. In fact if you met me that time you could not think that I’d make it in life, I was so tiny, I was so... so so... *yani*<sup>140</sup> slim. Not because I lack food, but I was so much frustrated in life. I never thought I’ll ever make anything. And you know when I gave birth to the child, the second child, I didn’t mention that... That... That something trau-...has given me a lot of trauma. That’s why I told you earlier, when I was, I went to counselling, when that first woman who taught me about FGM talked about FGM, I thought she was talking more about me. When I was in labour ward. There were some students, I gave birth to the Thika Level 5 Hospital, a mission hospital. So there were some-some-some women... Some young – even men and young ladies who were there in attachment. They’ve never seen a scar of circumcision.

**She begins to whisper**

So they had to call another doctor, what is this? Come. What is this? So to me I was asking, what are they seeing on me? I never thought it is circumcision. So what is this?

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<sup>136</sup> Dorcas Mbatia writing for *People Daily* at <https://www.pd.co.ke/news/meru-3-girls-sit-kcpe-in-labour-wards-233-while-pregnant-69894/>

<sup>137</sup> Phoenix, *Motherhood*, 88.

<sup>138</sup> Ken Ndori writing for *Nation* at <https://nation.africa/kenya/news/gender/have-tests-for-teen-mothers--3797276>

<sup>139</sup> Phoenix, *Motherhood*, 88.

<sup>140</sup> *Yani* – There is no direct translation for this word, but it used when somebody is trying to elaborate on something or find the right word.

### **She resumes her usual volume**

So the doctor who was there in duty, was telling them try to support the scar, try to support that scar, support the scar. So another one was saying ah now the head is out... the scar will crack. So, after years, those echoes of those sounds were haunting me. Why were they discussing about my private parts? Didn't I have a right to go and give birth at that hospital? Could they not hide my privacy? Could they not hide what I was? As a group of people of more than seven were facing to look at you. In fact if it was, if it was just tomorrow that I realise it was that thing I could have sued that hospital.<sup>141</sup>

Bahati was 17 years old when she gave birth to her second child, and the trauma of the experience due in large part to the inhumane and poorly trained hospital staff is one she carried into her adulthood when she could speak on it in counselling. Being that the bodies of teenage mothers are often still in development, the process of childbirth can affect them adversely, causing higher instances of obstructed labour than mothers in their twenties and older.<sup>142</sup> Her words also reveal that she did yet not desire a second child and that the wounds of her first birth were still fresh in her mind. Having also undergone FGM, which is a practice that has yet to be completely discontinued, the pain and duration of childbirth were further worsened. Being that as of 2014, 21% of girls had undergone FGM, with higher incidences among certain ethnic groups such as the Maasai which saw 78% of girls still experiencing genital mutilation in the same year, it is not unthinkable that there are girls whose experiences of childbirth mirror that of Bahati, at least in part.<sup>143</sup> Given all the factors that make labour especially challenging for young mothers, it is clear that the writing of national examinations shortly after does not place them on equal footing with other students, bringing us to the third *means* by which our ideas of pregnant and mothering teenagers are passed on – exclusion.

The exclusion begins with their 'insider' perspectives not being the central part of the discourse that surrounds them and continues into faux inclusions in the form of equal access to examinations that symbolise uninterrupted educational opportunities and thus equal life chances. This further individualises their experiences, and suggests that their challenges thereafter are the fault of their own because they have been granted the same opportunities as their non-pregnant and non-mothering peers. Their exclusion is key as it is what creates the negative social constructions that go on to be adapted by the discourse in creating a false regime of truth. This is

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<sup>141</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>142</sup> Theresa Braine, "Adolescent Pregnancy: A Culturally Complex Issue", *Bulletin of the World Health Organisation*, 87, 6, 2009, 411.

<sup>143</sup> Tammary Esho writing for *Citizen News* at <https://www.citizen.digital/news/female-genital-mutilation-rates-peak-in-kenya-during-school-holidays-an-alternative-option-offers-a-solution-n311764>

the way the discourse on the 'problem of teenage pregnancy' is made to function as true, and its repetition, as with the 'female fear factory', renders their initial exclusion invisible.

## Chapter Two: “I never learned from anybody”

This chapter identifies Kenyan news media as a site of discourse, that is, an arena in which the topic of teenage pregnancy is constructed, where our knowledge of this topic is defined and produced.<sup>144</sup> It seeks to explore its relationship to the silence around sex, sexual violence, and teenage pregnancy, specifically during the time of the lockdowns (2020-2021). Through the stories of our experts, the first chapter of this work is able to identify the means through which our ideas of teenage pregnancy are passed on, namely: language, blame/shame, and exclusion. This chapter will read the news media content of Kenya’s three largest media houses, *Nation*, *The Standard*, and *Citizen* for these three means as it draws from the work of Majid KhosraviNik (2014) in his paper *Critical Discourse Analysis, Power and New Media Discourse*. He writes that “all systems of communications bring with themselves ways of representing the world around us, and as such are subjects to study for what is communicated, how it is communicated, and why.”<sup>145</sup> In centring the former two points, this chapter seeks to ask: in what ways do language, blame/shame, and exclusion feature in news sources surrounding teenage pregnancy between 2020 and 2021 and how does news media co-opt these means to (re)create the existing discourse on teenage pregnancy in the country. The why that KhosraviNik raises is a question that is at the heart of this work, and by understanding the role that news media plays in “(re)construct[ing] and (re)define[ing] social realities”,<sup>146</sup> we draw closer to making sense of the meanings that underwrite the discourse on teenage pregnancy in Kenya.



### *Nation:*

#### “Hii ujinga inatoka wapi?” CS Magoha Blames Parents for Teenage Pregnancies<sup>147</sup>

The source that begins this chapter is a news story from July 4<sup>th</sup>, 2020, that aired on *Nation’s* TV station known as *NTV*. When translated to English, the words that head the title are “where does this stupidity come from?”, a question asked in the video by the late cabinet Secretary of Education, George Magoha. Even before one watches the video, its title places it within a

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<sup>144</sup> Hall, “Power, Knowledge and Discourse”, 72.

<sup>145</sup> Majid KhosraviNik, “Critical Discourse Analysis, Power and New Media Discourse”. In *Why Discourse Matters: Negotiating Identity in the Mediatized World* edited by Monika Kopytowska and Yusuf Kalyango. Bern: Peter Lang, 2014, 299

<sup>146</sup> *Ibid.*, 284.

<sup>147</sup> *NTV* Kenya at [https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab\\_channel=NTVKenya](https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab_channel=NTVKenya)

particular frame, whereby “what is referred to as common understanding is largely the consequence of generally accepted and encoded frames.”<sup>148</sup> In this case, he is able to refer to teenage pregnancy, and the role played by parents as stupid because the framing of teenage pregnancy has been accepted as being a regrettable mistake, that is tarnishing to the image of adolescent girls and their parents. Then comes blame, one of the three means identified by our experts, recalling the story Zahara shared where those who found out about her pregnancy placed blame on her mother without question or knowledge of the circumstances surrounding her pregnancy. Malaika also expressed the feeling that parents are responsible for the matter of teenage pregnancies as they fail to speak to their children openly. What blame does is conceal the silence that has woven its way into Kenyan culture and society, a reality that no one person is responsible for. By blaming parents, we fail to create room to consider why exactly it is challenging to speak to their children about sex, and in actuality, the silence is so great that parents are compelled to speak to their children about pregnancy rather than sex specifically. The “accepted and encoded frames” demonstrated by this video’s title shows how pregnancy has somehow been separated from sex, treated as something that exists in isolation. Michelle Fine (1988) argues that “[s]exuality as violence presumes that there is a causal relationship between official silence about sexuality and a decrease in sexual activity — therefore, by not teaching about sexuality, adolescent sexual behavior will not occur.”<sup>149</sup> I seek to take her argument further in the Kenyan context, to say that by not being open about sexuality, adolescent sexual behaviour is made to appear non-existent. And adolescent pregnancy continuously betrays that fallacy. A great deal is encoded only within the title of the video, revealing the ways in which Kenyan news media is implicated in the (re)creation of silence.

The video begins with a news presenter who starts off by providing context for Magoha’s speech that is aired shortly after. I include her introduction to demonstrate the way silence around sex is carefully navigated when preparing the audience for Magoha’s speech: “Education cabinet secretary George Magoha is urging parents to give more attention to their children who could be seeking it in the wrong places. Magoha is blaming parents for failing in their roles, which has led to teen pregnancies among other vices.”<sup>150</sup> I wish to draw attention to the use of the word “vice,”

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<sup>148</sup> KhosraviNik, “Critical Discourse Analysis”, 286.

<sup>149</sup> Michelle Fine, “Sexuality, Schooling and Adolescent Females: The Missing Discourse of Desire”, *Harvard Educational Review*, 58, 1, 1988, 31.

<sup>150</sup> NTV Kenya at [https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab\\_channel=NTVKenya](https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab_channel=NTVKenya)

echoed elsewhere in an article written by *The Standard* (2023) which opens: “[d]espite a spirited fight against teenage pregnancies in Meru, the vice continues to rise.”<sup>151</sup> A vice is defined in several ways: a moral fault, wicked behaviour or a habit that is regarded as a weakness in one’s character.<sup>152</sup> The association of pregnancy with morality, behaviour, and character is a key way through which media discourse creates justification for the exclusion of pregnant teenage girls, demonstrating the way blame and exclusion function as both the tool and result of the manipulative language seen in both the *Nation* and *Standard* sources.

Language is a critical building block in the construction of “the shared abstract structures of knowledge and sense-making which orient audiences”<sup>153</sup> as it establishes the frame within which the larger story is perceived. By choosing to use the word vice in the very opening of both sources, that which follows is tethered to the idea of teenage pregnancy itself as an immoral act reflective of a girl’s poor character. The clip included of Magoha’s press conference is interrupted by the words of an unseen female speaker alongside images and videos of blurred and faceless pregnant teenage girls in various situations which I list in order: two girls are dressed in school uniform as they pack their suitcases, then cuts to a girl lying in hospital with drip attached to her vein, followed by a girl holding an infant completely wrapped in a blanket as she motions to breastfeed beneath the cover of the blanket, then followed by a girl sitting next to a *jiko*<sup>154</sup> with something cooking on the fire as she fiddles with her fingers, the camera moves down to her bare foot on the ground. Thereafter the camera focuses on the belly of a heavily pregnant girl and cuts to a completely blurred frame with her face obscured in the centre. A woman is then shown holding the hand of a young girl child as they walk out of the house, with the final frame focusing on the legs and feet of the same young girl as she walks behind the older woman. The visual imagery used by *Nation* illustrates how “a masculine representational logic” belies and distorts the body of pregnant to position them as the victims of their vice.<sup>155</sup> This is seen through the disembodiment of the girls, as in majority of the clips, the frame is limited to just below their neck, with focus placed on their bellies, centralising their pregnancies rather than their personhood. The exclusion

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<sup>151</sup> Phares Mutembei writing for *The Standard* at <https://www.standardmedia.co.ke/health/news/article/2001477299/alarm-over-rise-in-teen-pregnancy-in-veve-county>

<sup>152</sup> Merriam Webster; Oxford Dictionary; Collins Dictionary.

<sup>153</sup> KhosraviNik, “Critical Discourse Analysis”, 286.

<sup>154</sup> *Jiko* – A small charcoal fired stove

<sup>155</sup> Abigail Bray and Claire Colebrook, “The Haunted Flesh: Corporeal Feminism and the Politics of (Dis)Embodiment”, *Signs: Journal of Women in Culture and Society*, 24, 1, 1998, 35.

of their heads and faces does not serve the purpose of anonymity, as in the *Citizen* video, the entire body of the girls interviewed are included, with the camera kept at a distance and their faces shadowed by *lesos*<sup>156</sup> draped over their heads to preserve their identities without essentialising their representation.

The purpose of the images are not subtle, with the very first clip relating teenage pregnancy to a literal departure from school. It is true that a significant number of girls who become pregnant are forced to drop out of school, but what the news report fails to mention is that this is largely the result of unpublicised and unenforced government policies, with the most infamous example of this being the ‘1994 Return to School Policy’. The creation of this policy sought to ensure that girls would be able to “enrol, stay on and complete education at both primary and secondary school levels” given the consistently high number of dropouts occurring each year.<sup>157</sup> It is meant to provide special support to a teenage mother in gaining admission to the school of her choosing if she feels she is facing issues of stigma or discrimination. It is also meant to provide counselling to her and her parents to help them work through any of the challenges they may be experiencing as a result of the pregnancy.<sup>158</sup> However, studies carried out between 2012 and 2015 reveal that education institutions and the public at large are entirely unaware of the policy. Furthermore, a study carried out in 2015 in Homa Bay county in the country’s western region revealed that 66% of girls not attending school have been denied their attendance due to their status as teenage mothers.<sup>159</sup> Many school administrators and head teachers are sceptical about letting pregnant girls stay in school or readmitting young mothers because “it taints the school’s image and promotes promiscuity among other students.”<sup>160</sup> This reality is reinforced by the story of Bahati, where she recalls the way she was mistreated at school in the early days of her pregnancy: “there was a class teacher who told me that Bahati, you’ll never make it in life, you’re so whatever, you’re so, your work is just sleeping in class. Oh, he didn’t know, she didn’t know that I was facing a lot of trouble in my life.”<sup>161</sup>

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<sup>156</sup> *Leso* – A popular East African decorative cloth

<sup>157</sup> Meshack Mutua, Janet Miriti and Shiro Mogeni “Implementation of the ‘Return to School’ Policy for Teenage Mothers in Kenya: A Rights-Based Perspective”, *International Journal of Humanities Social Sciences and Education*, 6, 6, 2019, 58.

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*

<sup>160</sup> *Ibid.*, 61.

<sup>161</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

Pregnant and mothering teenage girls being excluded from school has been a serious issue throughout Kenya’s post-colonial history, continuing into its present. This is rooted in the absence of “discrimination-free environments”<sup>162</sup> for pregnant girls, with the media playing an active role in creating prejudice against them. At the time of this news report, “1 in 10 COVID-19 cohort girls [became] pregnant prior to sitting their examinations”<sup>163</sup>, yet the exclusionary status-quo persisted. I argue that the framing the media devises goes beyond news reports such as that analysed here, and extends further into the construction of social, political, and cultural realities in Kenyan society.<sup>164</sup> By creating and enforcing the idea that pregnant girls do not belong in school, subsequent reports from *NTV* such as one released in December of 2022 titled “Seven KCSE [Kenyan Certificate of Secondary Education] Candidates in Baringo Write Their Exams in Maternity Wards as the National Exam Kicks Off”<sup>165</sup> seem rational and even benevolent, with the latter observed in the conversation shared with Malaika: “Yeah! In labour after giving birth! He’s in the ward, he does her... exams. So the government have never denied them the right.”<sup>166</sup> I find the writing of Anne Stoler (1995) best captures the way news media is able to co-opt teenage pregnancy in service of two aims, the first is to maintain the silence that shrouds sex and sexuality by instead naming “its aspects, its correlations, and its effects”<sup>167</sup> and the second is to centre female sexuality and frame it as a vice – “a danger [that is] excessive, threatening and contagious, carrying a deadly disease.”<sup>168</sup> She writes:

National discourse drew on and gave force to a wider politics of exclusion. This version was not concerned solely with the visual markers of difference, but with the relationship between visible characteristics and invisible properties, outer form and inner essence. Assessment of these untraceable identity markers could seal economic, political, and social fates.<sup>169</sup>

Over time, the visible characteristic of pregnancy has become associated with poverty, recklessness, misery, dependency, and failure, seen in the *NTV* video that chooses to show imagery

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<sup>162</sup> Majid Steitieh writing for *Kennedy School Review* at <https://ksr.hkspublications.org/2021/08/14/back-to-school-in-kenya-how-152000-new-teen-mothers-can-resume-their-education/>

<sup>163</sup> Garazi Zulaika, Miriam Bulbarelli, Elizabeth Nyothach, *et al.*, “Impact of COVID-19 Lockdowns on Adolescent Pregnancy and School Dropout among Secondary Schoolgirls in Kenya” *BMJ Global Health*, 2022, 7.

<sup>164</sup> KhosraviNik, “Critical Discourse Analysis”, 283.

<sup>165</sup> *NTV* Kenya at [https://www.youtube.com/watch?v=pmpArGZrWV0&ab\\_channel=NTVKenya](https://www.youtube.com/watch?v=pmpArGZrWV0&ab_channel=NTVKenya)

<sup>166</sup> Malaika (Kumpa, Kajiado, Kenya, 18 June 2022).

<sup>167</sup> Foucault, *The History of Sexuality*, 19.

<sup>168</sup> Signe Arnfred, “African Sexuality/Sexuality in Africa: Tales and Silences”, In *Rethinking Sexualities in Africa*, edited by Signe Arnfred. Sweden: Nordic Africa Institute, 2004, 67.

<sup>169</sup> Stoler, *Race and the Education of Desire*, 8.

of teenage girls ailing in hospital, others without shoes, and others alone and burdened by responsibility. These ideas are cited so frequently, that they are taken to be natural correlations. This is observed in *The Standard* article that opens with the ‘vice frame’, its third line reads “[c]ommunity elders are scratching their heads over the causative factors, seeing as poverty, one of the contributory factors in many counties, is not widespread in Meru.”<sup>170</sup> The only causative factors of teenage pregnancy are sex or rape. But our silence complicates it so greatly, that we do not know how to grapple with either.

As the images in the *NTV* news report move across the screen the unseen speaker continues, “[e]ven as the numbers rise, it has been noted that the sexual assaults are more common at home. Since mid-March, pupils have been at home with their parents who Magoha says have neglected to take care of their responsibilities...”<sup>171</sup> followed by the press conference that is the focal point of the video, “*Hii ujinga ya pregnancy inatoka wapi?* [Where is this stupidity of pregnancy coming from?] What is it? Can we take our parenthood back? Where we sanctify life? ... the issue of our children getting wild is our problem!”<sup>172</sup> In a written article from *Nation* on this issue titled “Defiled, impregnated by kin during Covid-19 break”, we are told of various instances across the country where young girls became pregnant as a result of sexual abuse by close relatives during the pandemic lockdowns. Even before we engage with the content of this article, its choice to use the word ‘defiled’ in its title shames the girls at the centre of the story for being sexually abused by their relatives.<sup>173</sup> To defile means to damage the purity, goodness, and sacredness of an object, recalling Zahara’s introduction to ‘sex’, where it is explained in terms of something being taken away from the girl or woman. This title therefore functions to obscure abusers while disparaging the experience of survivors of sexual violence during the pandemic.

Proceeding to its content, this article highlights two cases concerning two 12 year old girls who both become pregnant after being repeatedly sexually abused by a father and guardian respectively.<sup>174</sup> Even after speaking on this reality, the news report chooses to follow with the question posed by Magoha, when it is clear that many of the pregnancies occurring at this time

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<sup>170</sup> Phares Mutembei writing for *The Standard* at <https://www.standardmedia.co.ke/health/news/article/2001477299/alarm-over-rise-in-teen-pregnancy-in-veve-county>

<sup>171</sup> *NTV* Kenya at [https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab\\_channel=NTVKenya](https://www.youtube.com/watch?v=QQpGVJ5OGZM&ab_channel=NTVKenya)

<sup>172</sup> *Ibid.*

<sup>173</sup> Njeri Rugene writing for *Nation* at <https://nation.africa/kenya/news/gender/defiled-impregnated-by-kin-during-covid-19-break-309432>

<sup>174</sup> *Ibid.*

were the result of sexual abuse, and not “children getting wild.” The two factors actually relevant to the increase in teenage pregnancies brought about by the pandemic lockdowns are mentioned so briefly and abstrusely, that they are made to appear the least relevant, allowing us to observe the way silence operates in news media and why it is damaging. Magoha’s language safeguards abusers by focusing on the matter of pregnancy and not the abuse that precedes it, nor the abusers who should be at the forefront of this discussion. And as Magoha speaks on the sanctity of life, the viewer is made to believe that pregnant and mothering teenage girls are the cause and indicator of an unsanctified society.



### *The Standard*

#### Covid Teen Mums: Plight of School-Going Pregnant Girls, Who is to be Blamed for their Woes?

In the previous chapter, this work identified blame as the tool through which the second means, shame, is enforced and perpetuated, leading to this means being dual in its nature, and therefore expressed as blame/shame. *KTN* is the television news network owned by *The Standard*, and on the 17<sup>th</sup> of January 2021, published a short news documentary carried out in two of Nairobi’s major slums: Mukuru Kwa Njenga and Dandora. In this video, multiple interviews are held with adolescent girls who share their experience of becoming pregnant during the coronavirus lockdowns. I seek to draw attention to these interviews to better explore the duality of blame and shame as they are recurring feelings in the stories shared, and like the experts that inform this work, the girls in the *KTN* video are experts too, despite them being positioned as victims of teenage pregnancy. In addition, I hope to demonstrate the subversive potential of these interviews through the work of Wendy Rickard (1998) that tells us of the way interviews surrounding traumatic or taboo subjects are able to reveal that our pre-existing knowledge is in fact ignorance.<sup>175</sup>

The news report and interviewer place the experts within a frame that positions them as ‘poor voiceless victims’, whose pregnancy is viewed as a ‘problem’, observed in its very opening: “The statistics of teenage pregnancies shocked the whole country when they were released. The severity of this problem is hidden in the numbers and the victims largely remain part of the

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<sup>175</sup> Rickard, “Oral History- 'More Dangerous than Therapy'?", 41.

statistics. They have no one to speak for them but what many people missed is that poverty was and still is the major cause of teenage pregnancies in the country.”<sup>176</sup> The second sentence of this excerpt is very interesting, as the wording suggests that the ‘problem’ is not teenage pregnancy, as this is not hidden in the numbers, it is in fact made very visible by the numbers. What is hidden is the trauma behind many of these pregnancies, and while victims become statistics, perpetrators are absent from much of the news’ focus. Because sex and rape are taboo, the language used in this news story by both the interviewer and the experts speak around instances of consensual sex, coerced sex and grooming, resembling Malaika’s words that are the title of this thesis, “*we are shying all of us away, from that thing*”, where *that thing* that is at the centre of this teenage pregnancy crisis is hardly ever stated. This *KTN* video therefore illustrates the way the real problem is hidden, seen through the interviews that follow, as they show a preference towards the ‘common understandings’ of teenage pregnancy, (mis)using the stories shared by the experts as evidence of poverty and victimhood among pregnant teenager girls.

Rickard, however, gives us a way of re-framing these interviews to show how these ‘common understandings’ are actually blame and shame in action. She writes:

This raises an interesting point about interviewing people in the context of trauma and taboo. What is often understood as the ‘marginality’ of my co-respondents... means that the construction of their history is tenuous or problematic. The interviewer is implicated in this instability. In interviewing the ‘less powerful’ about whom historical narratives have already been constructed, the interviewer is working within a generally accepted framework, even if he or she is working against it to disprove certain mythic features of the general narrative... Together interviewer and interviewee bring into the open secrets which in a certain way are already known but ignored, thereby threatening to expose knowledge as ignorance... and so withdrawing the implied absolving of responsibility that ignorance allows.<sup>177</sup>

By centring and engaging with these interviews and the language used, what follows will demonstrate the ways blame and shame function in news media’s (re)construction of teenage pregnancy, and its role in obscuring the significance of sex and rape, placing poverty in their place.

### Cecilia

The first interview is with a 17 year old girl given the pseudonym Cecilia.<sup>178</sup> The interviewer states that: “[t]he form 3 student was impregnated by her boyfriend also aged 17, but

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<sup>176</sup> *KTN* News Kenya at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNNewsKenya)

<sup>177</sup> Rickard, “Oral History- ‘More Dangerous than Therapy?’”, 41.

<sup>178</sup> All of the news media experts interviewed are given pseudonyms which this work uses.

hers wasn't a case of children having fun, it was deeper than that, she tells us. She lives with a single mum who cannot always meet her every need, and when things were difficult she would reach out to her boyfriend"<sup>179</sup>, by speaking for her, it is unclear whether the sex her boyfriend and her engaged in was consensual or transactional. The language in this opening, 'having fun' recalls that seen in the *NTV* video, 'seeking it in the wrong places' and 'getting wild', where sex is never addressed directly, which is also a feature of the stories shared by the interviewees. This opening reinforces the theme of poverty on which this documentary is based, by informing the viewer that Cecilia did not become pregnant because she possibly engaged in transactional sex, but because she comes from a struggling single-parent household, sex is made to disappear as the direct cause of her pregnancy, and poverty which may be the indirect cause takes its place.

The first question posed to her asks what it was like when she realised she was going to be a mother in a few months, to which she responds: "Mi nilikua tu nafikiria kujiuwa, what next, what about my studies, vile itakua, vile mum ataongea, nilikua tu confused. [I was thinking about killing myself... how will it be, what will mum say, I was just confused]." Cecilia brings to our attention the strong feelings of shame that come with unintended teenage pregnancy, where shame is defined as "a painful feeling or humiliation or distress caused by the consciousness of wrong or foolish behaviour."<sup>180</sup> The shame that surrounds teenage pregnancy is a feeling so strong that suicide is considered in the face of it and not just for Cecilia and the experts that will follow. In interviews carried out in Kisumu, Western Kenya, Lara Miller *et al* (2021) found that "[w]hat girls fear is pregnancy, they don't care about HIV and STIs. What they fear is what people in the community will say about them when they get pregnant",<sup>181</sup> with one of her interviewees stating that "sex is not even the issue. Most girls fear getting pregnant. You know when you get HIV, there are drugs that suppress the virus (ARVs), that is why we don't fear HIV. We just fear walking around pregnant."<sup>182</sup> The thoughts and experiences shared by these girls reveal how the anticipation of blame, is what brings about their shame, and that this shame does not surround their having had sex, or having been sexually abused, but rather the resulting pregnancy. This supports one of this

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<sup>179</sup> *KTN News Kenya* at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNewsKenya)

<sup>180</sup> Oxford Dictionary.

<sup>181</sup> Lara Miller *et al.*, "We Don't Fear HIV. We Just Fear Walking around Pregnant.": A Qualitative Analysis of Adolescent Sexuality and Pregnancy Stigma in Informal Settlements in Kisumu, Kenya, *Studies in Family Planning*, 52, 4, 2021, 563.

<sup>182</sup> *Ibid.*

thesis' key arguments which is that the focus targeted toward pregnant teenage girls is the result of their bodies betraying the silence that shrouds sex and rape.

Cecilia and Miller express that shame and fear are the result of pregnancy, not sexual activity, or incurable illness – because even the latter can be managed and hidden through the use of medication. Pregnancy however, is immutable, and our collective silence is so great that many girls would rather take their lives than suffer the consequences of breaking it with their bodies. Cecilia's shame is not validating its presence in the discourse on teenage pregnancy, rather, she is showing us how society's blame is internalised, that the first thing that comes to mind when a teenage girl discovers that she is pregnant are the reactions of others. Kenyan society's silence is violent and threatening to the lives of teenage girls, and unless we recognise our that our 'knowledge is ignorance' we will forever misunderstand and misrepresent their testimonies, causing us to perceive their shame as rightfully earned, when it is our blame that casts it upon them.

The speaker follows his first question by stating that Cecilia believes that had the closure of schools during lockdown not happened, she would not be in her present circumstance. To which she responds: “kaa ningekua shule, sidhani kaa ningepata ball, cause ningekua nafocus on masomo, singekua na time ya kuenda huku na kule, kutafutana na huyu boyfriend, Hapana. [If I was in school, I doubt I would become pregnant, because I would be focusing on my studies, I wouldn't have the time to go here and there, with my boyfriend, looking for one another, no].”<sup>183</sup> Contrary to the speaker's introduction, she does not blame her pregnancy on her family's financial situation, but instead on the free time that millions of students had following the yearlong closure of public primary and secondary schools in the country. And her choice to describe sex as 'kuenda huku na kule' [going here and there] mirrors the silence of her interviewer, and shows yet another way in which the topic of sex is skirted. However, by sharing her own view of the factors leading to her pregnancy, she reveals the need for the documentary to focus exclusively on poverty as “the major cause of teenage pregnancies in the country.”<sup>184</sup>

In Zahara's story, she spoke about the natural desires that arise during adolescence, and the freedom teenagers should feel in exploring their sexuality: “I'm 16 and I'm in a romantic relationship, this is my high school boyfriend and we're messing around, we're curious, we have

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<sup>183</sup> KTN News Kenya at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNewsKenya)

<sup>184</sup> Ibid.

sex. You know you can't stop that; you can't police that. So how about we just give them information? And tell them, okay guys.”<sup>185</sup> The continuous focus on poverty makes it so that news media does not have to address the simple reality of teenagers being sexually active with each other, as that would require acknowledgement of what Allen (2007) calls the missing discourse of desire. Desire invites adolescents to “explore what feels good and bad, desirable and undesirable, grounded in experience, needs, and limits.”<sup>186</sup> What takes its place are “discourses of sexuality as violence, victimisation and immorality”<sup>187</sup> which Cecilia challenges in seeing excess free time with her boyfriend as the reason for her pregnancy.

The interviewer draws the conversation to a close by stating that “despite the initial challenges, the young mother wants to become an engineer when she clears school”, to which she says “naplan tu kurudi shule kusoma, story ya relationship niache, nifocus tu na masomo, na mtoi wangu pekee yake [I plan to go back to school to learn, I will leave the story of relationships and focus only on my studies and on my child].” In this final exchange, both Cecilia and her interviewer speak of the future in positive terms, going against the negative social constructions that view teenage girls as unfit mothers whose futures, as well as those of their children as holding “gloomy adumbration[s].”<sup>188</sup> Her goals are clear to her, and her education and child are treated as a priority, meaning that the consideration of young mothers and their children as a problem, in this case, is debased. Through the words of Cecilia, it is clear that she does not view herself in the ways the *KTN* report makes her out to be, and despite its intentions to place within a poor and shameful frame, her words tell us a different story of resilience and optimism.

### Fredina

Fredina is the mother of a 13 year old girl who is not named in the video. She begins by telling us of her daughter's repeated attempts to take own her life following the discovery of her pregnancy: “alikuja akaniambia anaweza kunywa sumu, nikamuuliza kwa nini akawa anatufta chupa size hii aweke ile dawa, kutoka nje kurudi, alikunywia tu hapa, kaa namuona. [she came here and told me that she is likely to drink poison, I asked her why, she was looking for a bottle of this size so that she can put that medicine, she went outside, and when she came back she drank it

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<sup>185</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>186</sup> Allen, “Denying the Sexual Subject”, 227.

<sup>187</sup> Ibid.

<sup>188</sup> Phoenix, *Motherhood*, 88.

right here, as I watched her.]”<sup>189</sup> The interviewer goes on to say that her daughter was locked in a police cell for 3 days following this incident given that suicide is a criminal offense. In this interview, no mention is made of the circumstances surrounding the young girl’s pregnancy, and her being arrested rather than assisted speaks to the irreverence that surrounds the challenges young girls experiencing pregnancy in early years. The pervasive silence around the real factors leading up to pregnancy make it so that young girls do not have the space or chance to share what they have experienced and how it is affecting them, especially in cases of abuse.

A few months before this documentary was made, in October of 2020, there was a story of a 12 year old girl in Machakos who was sexually abused by a motorbike rider who made frequent contact with her as she sold roasted peanuts on the street to busy herself amid school closures while also bringing additional income to her family. Yet if one refers to sources, it is reads: “[d]uring the lockdown, the Grade 7 pupil became pregnant by a 28-year-old motorcycle taxi operator.”<sup>190</sup> The silences here are seen in an official report given by the County Children Officer in Machakos: “During this coronavirus pandemic we do have 4000 impregnated girls. These are so many innocent girls, most of the cases were the result of defilement by close family members. About 200 of these girls are aged 14 years and below. How can a 12 year old girl become a mother?”<sup>191</sup> The acknowledgement of their innocence is juxtaposed with a lack of acknowledgement of their abuse, in its place the constant repetition of ‘impregnation’, which is demonstrative of the way language in news media shapes and sustains a reality devoid of sexual violence. The discussion of Fredina’s daughter’s suicide attempts and the ensuing arrest, with no mention of what led to her pregnancy illustrates how blame and shame function to make young girls feel that they are automatically at fault for becoming pregnant, because Kenyan society has made it so that pregnancy is the offense, and not the probability of sexual abuse that leads up to it and that answers the question of how a 12 year old girl becomes a mother.

Fredina continues to share that her daughter was desperate to abort her pregnancy in order to resume school:

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<sup>189</sup> KTN News Kenya at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNewsKenya)

<sup>190</sup> Doreen Ajiambo writing for *Global Sisters Report* at <https://www.globalsistersreport.org/news/coronavirus/news/no-school-amid-pandemic-kenyan-girls-fall-prey-pregnancy-risks>

<sup>191</sup> Michael Oduor writing for *African News* at <https://www.africanews.com/2020/06/17/close-to-4000-school-girls-impregnated-in-kenya-during-covid-19-lockdown/>

Unajua sasa nitamkubali aje? Najua ni risky, mmm, juu aliniambia mimba ikona miezi tatu, mwenye aliambia daktari, daktari aliniambia na mi sikumuuliza. Lakini yeye mwenyewe aliniambia, baadaye aliniambia venye nilinyamaza, ikawa sina raha kwa sababu ninaumia kwa moyo, kama mzazi, na ninaona, ye mwenyewe anaona vile ilemavitu tunapitia na niko pekee yangu na nang'ang'ana tu wasome na wakule. [You know the thing is, how can I allow her? I know it's risky, mmm, because she told me the foetus has three months, she told the doctor, the doctor told me and I did not ask her. But later when she told me herself, I kept quiet, it became that I had no joy because my heart is aching, as a parent, I can see, she herself can see the things we go through and I am alone, I am struggling just so that they can learn and eat.]<sup>192</sup>

Article 26 (4) of the Kenyan Constitution states that “[a]bortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law.”<sup>193</sup> Any attempts to procure an abortion outside of these circumstances is considered a felony punishable by 14 years in prison. Fredina’s daughter has been stripped of all her agency, the school closure from the pandemic lockdown make it so that she is not able to attend school, her pregnancy makes it so that she cannot resume once they reopen, she is made to feel shame so great for her pregnancy that she wishes to take her life for which she is arrested, and she is guilted by her mother for her wish to get an abortion. Young girls in Kenya are put in a situation where they have little to no influence over their reproductive choices regardless of what led to their pregnancy, and are then blamed and excluded for continuing to bear those pregnancies. Thereafter, no attention is given to the challenges of mothering an unwanted child after birth. Our expert Bahati describes the difficulty she faced raising her first born who was conceived as a result of rape, she says that “[t]hough even being born with me, I never considered that the boy was mine. And my mother knew that I hate this child. Could come and take this child every time.”<sup>194</sup> Kenyan society’s misplaced concern for teenage pregnancy begins and ends with the pregnancy itself, but this is not the case for the girls whose motherhood only then begins, and this lack of care is too reflected in our silence.

### Maria and Jane

The stories of these two 16 year old girls are told in tandem, with the news video beginning with their friendship, pregnancy and poverty. Both pregnancies appear to be the result of

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<sup>192</sup> KTN News Kenya at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNNewsKenya)

<sup>193</sup> Kenya Law Reports, *The Constitution of Kenya*, Nairobi: National Council for Law Reporting, 2010, 23.

<sup>194</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

transactional and abusive relationships, with both girls desiring abortions but unable to acquire them. The first question asked to Maria is what went through her mind when she found out she was pregnant, to which she responds “Nilifikiria tu kuitoa. [I thought about getting rid of it].” The speaker then continues: “Maria wanted to get pregnant when she reaches the age of 25, but poverty had left her pregnant 9 years earlier, the man who got her pregnant was 22. Maria continues:

Mi niliona nikue tu na huyu chali, juu ananipeanga pesa, juu hakuna mahali pengine nilikua napata pesa, sasa nilikua naenda kwa huyu kijana, unajua saa zingine hadi sina pad, hakuna chakula, saa nikienda huko, unajua huyu mwanaume si ati ni brother wangu atanipea hivyo pesa. Ananiambia saa zingine anakuambia ulale huko ndio akupee do, saa inabidi tu ulale. [I saw that I might as well be with this guy, cause he gives me money, since there was nowhere else I could get money. So I started to go to this boy, you know sometimes I don't even have pads, there's no food, so when I go there, you know this man, he's not my brother, he's not going to give me money just like that. He tells me sometimes, he tells you to sleep there so that he gives you cash, so it means you have to sleep].<sup>195</sup>

Maria's words indicate that she felt she had no choice but to sexually engage with this man that was 7 years older than her, due to her dire financial situation. *KTN* writes that her pregnancy was the result of her poverty, but it was the result of sexual coercion: “unwanted sexual activity that happens when you are pressured, tricked, threatened, or forced in a nonphysical way.”<sup>196</sup> The news media's emphasis on poverty makes it so that conversations around what financial hardship translates to for teenage girls cannot be heard. Phoenix, Lloyd and Wollett write that “[o]utsider constructions often fail to consider the ways in which structural constraints impinge on the lives of those teenage women who become mothers.”<sup>197</sup> Maria's experience allows us the insight of an insider but *KTN's* framing attempts to negate the specific constraints she identifies and names by continuing to refer to poverty in vague terms as the source of all these girls' pregnancies.

Silence also makes it so that Maria may not possess the language to describe her experience as coercive nor does the interviewer raise issue with the age difference between her and her coercer. Instead he continues to say that “just like her friend Maria, when Jane she found out that she was pregnant, she too wanted to abort... Jane blames her pregnancy on bad company, and she wanted to take her life to escape the responsibility that lay ahead after getting out of an abusive relationship.”<sup>198</sup> To which Jane responds: “[n]a hio time nilikua na ex wangu, fulani alinivunjanga

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<sup>195</sup> *KTN News Kenya* at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNewsKenya)

<sup>196</sup> Office of Women's Health at <https://www.womenshealth.gov/relationships-and-safety/other-types/sexual-coercion#:~:text=Sexual%20coercion%20is%20unwanted%20sexual,%2C%20landlord%2C%20or%20a%20boss.>

<sup>197</sup> Phoenix, *Motherhood*, 94.

<sup>198</sup> *KTN News Kenya* at [https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab\\_channel=KTNNewsKenya](https://www.youtube.com/watch?v=Es7taHcLrcw&t=71s&ab_channel=KTNNewsKenya)

mkono, saa kunivunja, nikajipata hii ghetto, haikukua rahisi hadi saa hii, mahali nimefika. [And that time I was with my ex, that person broke my hand, now upon breaking me, I found myself in this ghetto, it wasn't easy until now, where I've reached]." Her voice breaks with emotion as she speaks, as the interviewer continues to say that "[e]verytime life hits her hard, Jane thinks of procuring an abortion."<sup>199</sup> To which she responds:

Kunatime nakaanga hivi hadi nafikira kutoa nasema Hapana, nitaenda huko nje, hata nivute bhangi, nidanganye akili kidogo, akili yangu itoke tu hapo, juu enyewe nikikaa chini, kwanza kunatime nikisota, naskianga tu kutoa hii mimba. [There are times I sit like this and think of getting rid of it, I say no, I will go out there, I will smoke marijuana, lie to mind a little bit, so that my mind leaves that place, because truly when I sit down, actually there are times I am broke, and I just feel like getting rid of this foetus.]<sup>200</sup>

Jane, and every girl interviewed before her has expressed the strong desire to have an abortion, as for every girl, their pregnancy has been unwanted and unintended. As she allows herself to be vulnerable and share very private and personal thoughts and experiences, the speaker dismisses her considerations of suicide as a means of "escaping responsibility" which invokes the blaming narrative that underwrites this entire news report. "Understanding the prevalence and nature of sexual violence is important because it has devastating short-term and long-term mental, reproductive, and physical health consequences"<sup>201</sup> but *KTN's* disregard towards the discussions of violence from Jane and Maria, and its already devastating consequences further stigmatises them and fails to recognise just how significant the challenges shared are and continue to be.

Barnett, Maticka-Tyndale and Kenya (2016) tell us that stigma is "an attribute that is deeply discrediting because it is incongruous with expectations about what a given type of individual should be... should is not simply a matter of norms, or what is typical, but also normativity, or what is good and desirable. In other words, stigma is an aspect of moral experience."<sup>202</sup> This stigmatisation is a key way through which the "politics of exclusion" that Stoler describes is carried out. The continuous association of teenage pregnancy with negative experiences and outcomes over time has come to "[s]eal [the] economic, political, and social fates" of teenage girls in Kenya.<sup>203</sup> Their economic hardships stem from their exclusion from learning institutions during pregnancy, their misrepresentation in news media fosters prejudiced perceptions within society,

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<sup>199</sup> Ibid.

<sup>200</sup> Ibid.

<sup>201</sup> Avid Reza, *et al.*, "Sexual Violence and Its Health Consequences for Female Children in Swaziland: A Cluster Survey Study", *Lancet* 373, 2009, 1967.

<sup>202</sup> Barnett, Maticka-Tyndale and Kenya "Stigma as Social Control", 449.

<sup>203</sup> Stoler, *Race and the Education of Desire*, 8

coupled with their underrepresentation in reproductive health law and policy which work to constrain their freedom and agency. The stories told by the experts in this *KTN* video heard alongside the narrativisation provided by the interviewer reflects the moral character of Kenyan society rather than that of teenage girls who become pregnant. The weaponisation of suicide, violence, sexual coercion, and drug abuse by the interviewer to demean each of the experts shows how the experiences of pregnant and mothering teenagers are used against them, to reinforce the stigma that surrounds them, failing to realise that society is what defines what it means to be a pregnant teenage girl.



*Citizen*

Teenage Pregnancy Pandemic | Many Girls Will Not Resume Schools When They Partially Open on Monday

Like *The Standard* report, this *Citizen* news report situates itself in another one of the largest slums in Nairobi, Korogoshi, and carries out interviews with three girls given the names, Kate, Winnie and Joan. In its opening, the news anchor that introduces their stories tells the viewer that in order to engage with their experiences we will need to “look inward at a shadow pandemic at the time of COVID-19.”<sup>204</sup> What does it mean for us to look inward? I believe KhosraviNik’s idea of the “supra-individual construction of discourse” enables an understanding of how discourse is (re)created through communicative interaction.<sup>205</sup> The introducing excerpt directly addresses the audience, going against the idea of the audience as silent, passive recipients of mass media discourses, but rather people able to interrogate themselves and their thoughts. The silence that surrounds sex and sexual abuse requires an unspoken consensus within the Kenyan public, this source will be used to illustrate the way the narratives that surround this issue are perpetuated collectively and then regurgitated by news media.

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<sup>204</sup> *Citizen TV Kenya* at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

<sup>205</sup> KhosraviNik, “Critical Discourse Analysis”, 289; Jon Elster, “Marxism, Functionalism, and Game Theory The Case for Methodological Individualism”. In *Debates in Contemporary Political Philosophy*, edited by Derek Matravers and Jon Pike. USA: Routledge, 2003, 22-23.

I use the following conceptualisation of supra-individual that KhosraviNik works with to form the argument that news media audiences are active participants in the creation of a discourse that blames and excludes pregnant and mothering teenage girls.

Supra-individual thinking means more than one person is required to participate if an idea is to be fully understood, so no one person has the ‘vision’ in its entirety. Supra-individual thinking arrives at agreements, but not agreements where each person holds an identical conception and opinion, but rather where each person holds conceptions and opinions compatible with the others in guiding collaborative action. Supra-individual thinking is unified intuitively and tacit-practically as well as rationally. In collaborative thought, the group somehow comes to know something coherently, which is only later completely understood by some or all of the group, but in the meantime is effectively applied to real-world problems.<sup>206</sup>

This theory demonstrates the challenge of situating a singular origin or perpetrator of the discourse on teenage pregnancies. It also aligns with Hall’s view of the power of discourse, which he describes as being “deployed and exercised through a net-like organisation. This suggests that we are all, to some degree, caught up in its circulation – oppressors and oppressed.”<sup>207</sup> The title of this chapter “*I never learned from anybody*” is the response given by Bahati to the following questions: before you fell pregnant, do you remember when you first heard about sex or what sex was? And similar to that question, when did you first hear about sexual abuse? Was it something that was distinguished from sex? Did you know of them as two different things? The second half of her response was that “[i]t was an experience; you experience before, and you learn after the experience that it was done.”<sup>208</sup> The silence around these two acts makes it difficult for adolescent girls to share their experiences with transparency. What is learned instead are the need to be secretive and shameful where these acts are involved, and most importantly without naming them.

The video begins by saying that “[o]ne sensitive subject that parents shy away from, and the government has not yet given clear direction on, is the fate of hundreds of school girls who got pregnant during the COVID 19 break.”<sup>209</sup> This framing centres the parents of pregnant girls in the same way the *NTV* video did and brings to the forefront the role the government plays in shaping the lives of pregnant girls. It is also curious why direction is needed given the existence of the 1994 Return to School Policy which should inform the way forward for pregnant and mothering

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<sup>206</sup> Anomologue Blog at <https://www.anomologue.com/2011/01/20/supra-individual-mind/>

<sup>207</sup> Hall, “Power, Knowledge and Discourse”, 76.

<sup>208</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

<sup>209</sup> *Citizen TV Kenya* at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

girls and educational institutions. It is also important to note that the subject of sensitivity is not pregnancy but the unmentioned circumstances that surround them. I would also like to draw attention to the use of the word 'fate' which is understood as "the development of events outside a person's control, regarded as predetermined by a supernatural power, or something that is destined to happen or turn out in a particular way."<sup>210</sup> The discourse on teenage pregnancy in Kenya greatly influences the fate of the girls affected and makes it so that the possibilities of pursuing their desires and aspirations become more limited as more and more odds are stacked against them. Hall writes that "[a]ll knowledge, once applied in the real world, has real effects, and in that sense at least, 'becomes true'."<sup>211</sup> The narratives that surround teenage pregnancy are not rooted in truth, but that which results from our ideas and knowledge (or rather ignorance) are what give life to this crisis. The voices that come through in the *Citizen* report reveal how despite the differences in conceptions and opinions around teenage pregnancy, they remain compatible with one another and together create a supra-individual thinking and conceptualisation of this issue.

After the news anchor's contextualisation, the video begins with an overhead view of Korogoshi's busy and littered streets, flowing sewerage, young girls walking together, with some carrying empty containers on their way to collect water, and a pregnant belly takes up the screen with the words 'CHILDREN WITH CHILDREN'. Over this imagery, a speaker is heard: "[w]hile all the attention was on the virus, a shadow pandemic, the social and economic impact particularly on the children who had to stay at home when schools were closed was being cast. It's not easy being a girl in Korogoshi. It's twice as hard being expectant at the same time."<sup>212</sup> The term shadow pandemic considers teenage pregnancy to be infectious, its immoral nature spreading among teenage girls. This association relates to the link established between pregnancy and morality by Stoler, whereby "sexuality, or at least the sexual use of one's own body [is taken] as the origin of an undefined series of... problems whose effects could be felt in all forms and at all stages of life."<sup>213</sup> The vague description that follows what *Citizen* dubs the shadow pandemic, that is said to have particularly affected "children who had to stay at home when schools were closed" without

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<sup>210</sup> Oxford Dictionary.

<sup>211</sup> Hall, "Power, Knowledge and Discourse", 76.

<sup>212</sup> *Citizen TV Kenya* at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

<sup>213</sup> Stoler, *Race and the Education of Desire*, 140.

explanation as to why that was, works in favour of sustaining the vice framing of teenage pregnancy. The acknowledgement that many of the pregnancies seen were the result of abuse discredits the infectiousness of sexuality as it brings rape into the forefront, rightfully shifting attention onto the major cause of pregnancy in the COVID context which rests not on teenage girls but on sexual abusers. It therefore appears that shadow pandemic is after all a fitting description, as the significant rise in teenage pregnancies between 2020-2021 reveals the widespread and clouded prevalence of sexual violence in the country that calls into question the morality of Kenyan society and the men within it, and not the morality of adolescent girls.

Pregnant and mothering teenagers are the subject of this discourse and are simultaneously subsumed within it. They are most affected by the silence, in many situations are uninformed about safe sexual activity and contraception use, in other instances lacking the language to describe experiences of coercion and non-consensual sexual acts. Kate, the first expert interviewed in this video appears to have been taken advantage of and coerced by a man ten years older than her, but this is not said explicitly in her retelling of what occurred.

Nikaskia simu ikilia nikiwa nje nikaenda nikapick, akaniambia niende nikamwambia mimi niko busy, na plus sina fare. Akaniambia fare nitafanya nini, nitakutumia, akanitumia one choppa, one chwani yani. Nikaoga nikajivaa mi nikatoka, nikaenda, nikakuta vyombo hazijaosha nikamwoshea, nguo nikamwoshea pia, paki hadi whole day hapo kitu six nikamwambia mimi nadai kurudi home, saa hapo ndio akaanza story, sijui oh, mimi nafanya nini? mi nadai. Tulisumbuana kidogo by the way, nikamwambia eh mi saa hii hapana, akaniambia sijui oh, usiogope ball, nitalea, nitakuo. Saa unajua ile akili ndogo nikaingia box, singepatana nayeye juu sinatime. Hata huwanafikiria fikiria hee, sijui nikona mtu, sijui chali, ukitoka shule six, umepata hapo vyombo, nikuosha, kabla umalize kuosha saa moja ishaafika. Saa ndio huyo wewe umeingia kwa vitabu, saa hakuna ile time ati ya kuzurura huku na huku.<sup>214</sup>

[I heard my phone ring while I was outside, I went and picked it up, he told me I should go there, I told him I am busy, and I don't have fare. He told me, fare I'll do what, I'll send it to you. He sent me one hundred and fifty. I showered, I got dressed and I left, I went there and found the dishes hadn't been washed, I washed them, I washed his clothes too, the whole day until around six, I told him I really want to go home, and that's when he started his stories, I don't know oh, what do I do? I really want to go. We disturbed each other a little bit, by the way, I told him eh right now no, he told me oh, don't worry about getting pregnant, I will raise it and I will marry you. Now you know with that little mind I got into the relationship. I wouldn't have met up with him because I usually don't have time. I often think, hey, I don't know how I have a person, I don't know this guy, when you leave school at six, you find dishes to wash before seven reaches. Now that's the time you get into your books, so there's no time to aimlessly go here and there.

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<sup>214</sup> Citizen TV Kenya at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

Unlike the previous news report, the interviewer describes her story as a case of statutory rape, however attributes it to her being “below the age of consent” rather than her saying that she told him she does not want to engage sexually and him persuading her. The definition of statutory rape provided here also erases the actions of the man who coerced Kate and denied responsibility. This definition also implies that teenage girls below the age of 18 are unable to both consent and deny consent, obscuring the stark differences between sex and rape. Kate’s experience does not resemble the stereotypical idea of what rape looks like, as she went to the home of the man and performed several chores, and even though she wanted to go home she was not allowed to do so through the pleading of the man rather than some kind of physical restraint. Her story is not only an instance of rape, but of grooming, that is, “manipulative behaviours that the abuser uses to gain access to a potential victim, coerce them to agree to the abuse, and reduce the risk of being caught.”<sup>215</sup> People are most often groomed by persons known and close to them, and had the *Citizen* report not chosen to attribute Kate’s rape to her age, a great deal could have been explored about the tactics abusers use to violate girls and women of any age.

Deborah Tolman (1994) argues that “adolescence is the crucial moment in the development of psychological disempowerment for many women. As they enter adolescence, many girls may lose an ability to speak about what they know, see, feel, and experience...”<sup>216</sup> What they are instead permitted to speak about are the feelings that follow the silenced act, for Kate she is able to describe her feelings of despair and worry in a way she is not able to describe what she felt about her experience of abuse. This is assumed to be natural due to it being a ‘sensitive subject’, however the feelings she describes here are extremely sensitive and personal, and echo those of Cecilia and Fredina.

Dream yangu ilikuanga kua lawyer, so saa hii naona imefail na nimefika mwisho. Sasa sina, sioni kama nitakua na hio dream tena. Maisha ya shule ilikua, saa hii naona nimetengwa, niko so low. Hadi sometimes unafikiria hadi ujuuwe, hadi unajiuliza saa hutu mtoi akam, utampeleka wapi. Life unaona imekukalia ngumu, ile ngumu kabisa.  
[My dream was to be a lawyer, so now I can see that I have failed and reached the end. Now I don’t, I don’t see how I will have that dream again. There was a life in school, but now I can see it has been excluded, I am so low. Until sometimes I think of killing myself,

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<sup>215</sup> Rape, Abuse & Incest National Network at <https://www.rainn.org/news/grooming-know-warning-signs>

<sup>216</sup> Deborah Tolman, “Doing Desire: Adolescent Girls’ Struggles For / With Sexuality”, *Gender and Society*, 8, 3, 1994, 324.

then I ask myself, now when this child comes, where will I take it? You see life has pressed itself upon you heavily, the heaviest.]<sup>217</sup>

The expression of suicidal thoughts has been repeatedly observed throughout the news media reports, and is taken to reaffirm the strong feelings of shame felt by these girls. And this is likely a result of the supra-individual thinking that perpetuates this discourse. Because “each person holds conceptions and opinions compatible with the others”<sup>218</sup>, the blame that is cast upon pregnant teenagers by news media is compatible with the same they feel, and the limitations they face in speaking “about what they know, see, feel, and experience”<sup>219</sup> is compatible with the *Citizen* reports framing of those experiences as sensitive issues.

The unseen speaker continues to say that “Kate’s experience is not uniquely hers, at this time of the pandemic, teenage pregnancies as a result of schools being closed was a matter of great concern.”<sup>220</sup> What exactly was Kate’s experience? What about schools being closed was leading to teenage pregnancies? The vague language seen here supports supra-individual thinking as it creates space for each person to come to arrive at their own conclusions on these questions, but the way the video is framed by *Citizen* ensures that those answers are complimentary and work in favour of a discourse that is silent, girl-centred and victim blaming. The interviews being situated in only informal settlements works to solidify the connection between teenage pregnancy and poverty. The matter of dropping out of school is also addressed after the next expert, Kate, shares that she does not think she will be able to continue with her studies and achieve her dream of becoming a nurse because of what pregnancy. Winne who is in her final year of high school gave birth during the lockdown period will also not be returning to school due to the demands of her child care. Following their stories, the video concludes with these remarks:

The government’s re-entry policy is clear that expectant girls or those who delivered can resume their studies. It is clear in principle but not in practice, the three girls in this story tell us they do not foresee resuming their studies. They have to bear the burden of being children raising their children. As schools reopen for candidates and grade four pupils, the Ministry of Education and the Ministry of Health have an uphill task of accounting for expectant girls who will drop out of school owing to pregnancy. Child protection is a shared responsibility between the government, the community and parents. Achieving a teenage

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<sup>217</sup> *Citizen TV Kenya* at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

<sup>218</sup> Tolman, “Doing Desire”, 324.

<sup>219</sup> Ibid.

<sup>220</sup> *Citizen TV Kenya* at

[https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab\\_channel=CitizenTVKenya](https://www.youtube.com/watch?v=I11hi1XMoac&list=PLizkAKKzJrzdzn9gQPcU9MCUwLM0CyLx2&index=2&ab_channel=CitizenTVKenya)

free pregnancy society is an arduous task but with strong child protection systems and community based protection systems, as well as a more robust children's act and sexual offenses act, child predators can be held to account. These three girls still have dreams of a better future, but being children with children, those dreams sometimes flicker, and they wane, but with the right support, they need not die.<sup>221</sup>

The Return to School Policy is brought forward frequently by news media, yet the government is never truly held accountable for its failure to implement its provisions, as will be shown in the third chapter.<sup>222</sup> Furthermore, the statement “achieving a teenage free pregnancy society” echoes rhetoric of a society absent of disease, and the pregnancies remain in focus despite the acknowledgement of abuse, as though abusers are guilty only of causing pregnancy and not the abuse that precedes it. This *Citizen* news report is different from that of *Nation* and *The Standard* because it uses more overt language and names the act of rape, however, this is done while still perpetuating a discourse that blames, shames and excludes pregnant and mothering teenage girls. It also shows how supra-individual thinking operates within news media, with only slight variations observed in the narratives of each media house, suggesting that their differences did not reflect in their reporting on teenage pregnancies during the pandemic. This chapter therefore finds that news media in Kenya works collaboratively and in complementary ways to continuously recreate silence through the use of blaming, shaming and excluding language.

### Chapter three: “we have that national policy, but it's not being implemented you know?”

This third and final chapter focuses on the legal discourses that surround adolescent sexual and reproductive health (ASRH). There exists no reproductive health law in Kenya, with the most recent bill failing to pass into law in 2020. This moment acts as the entry point to the political history of sexual and reproductive health (SRH) in the country as it introduces the two most significant points of contention, both of which are of relevance to this work. Abortion and comprehensive sexuality education have been the focal points of debate for proponents and

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<sup>221</sup> Ibid.

<sup>222</sup> Lewis Nyaundi writing for *The Standard* at <https://www.standardmedia.co.ke/article/2001480252/teen-mothers-returning-to-school-to-get-scholarships-cs-jumwa>; Treeza Auma and Harrison Yeri writing for *Kenya News* at <https://www.kenyanews.go.ke/re-entry-policy-helping-teen-mothers-proceed-with-education/>; Dorcas Muga-Odumbe writing for *Nation* at <https://nation.africa/kenya/news/gender/allow-teen-mums-back-to-school-4240314>

opponents of SRH since the 1990's, and this chapter seeks to argue that these debates have seen no remarkable progress since this time due to them being frozen within “interpretive frames” that operate through language, blame/shame and exclusion, making it “difficult to think outside of these frames.”<sup>223</sup> The silence that surrounds sex and sexual violence further influences these decade old debates for the failure to distinguish the two in the context of abortion and sexuality education enables the perpetuation of the three means.

Lynn Thomas' *Politics of the Womb* (2000) is used extensively in this chapter to draw parallels between past and present debates surrounding ASRH. This approach reveals the recurrence of particular themes that form the connecting thread between 60 years of reproductive health (RH) legislation, they include: development, medico-morality, and family. The specific policies that will be discussed have been chosen on the basis of their relevance to ASRH specifically in the context of the rise in teenage pregnancies during the lockdowns, they include: the 1994 Return to School Policy, the 2003 Adolescent Reproductive Health Development Policy, the 2015 Adolescent Sexual and Reproductive Health Policy and the Reproductive Health Bill of 2014 and 2019. Finally, this chapter argues that the silences that exist within society influence legal discourses and are at the same time upheld by legal discourses. The many silences that mute sex and the sexual abuse of adolescents have worked to reinforce one another since independence and have resulted in the stagnation of Reproductive Health for all Kenyans. Unless this silence is broken, the possibility of change will remain out of reach, and the same history will play out in the same ways, over and over again.

“We need a law. Yeah?”<sup>224</sup>

It is important to begin with the fact that Kenya does not have a reproductive health law. Zahara draws our attention to this issue in her story:

... the constitution gives reproductive health as a right. Eleven years since we, after we promulgated that constitution, we do not have a reproductive health law. It has failed twice, on the floor of the house, yet it's in the constitution, yet Kenya is party to international treaty law like Maputo Protocol and the Convention of the Elimination of All Discrimination Against Women that provides for reproductive health as a right and Kenya

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<sup>223</sup> Mbembe, “Decolonizing Knowledge and the Question of the Archive”, 10.

<sup>224</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

has yet, eleven years later we do not have a reproductive health law in this country, it operates in a vacuum. So we just have policies...<sup>225</sup>

The vacuum in which reproductive health exists is a crucial starting point to understanding the limitations faced by ASRH in the country. Laws set the standard of governing the behaviour of citizens whereas a policy sets out the procedures required to implement that law. Laws seek to bring justice to all persons whereas policies work towards the achievement of specified objectives. Lastly, the violation of laws results in some form of punishment, while there is no punishment incurred for violating a policy.<sup>226</sup> Given these differences, the repeated rejection of the Reproductive Health Bills in parliament shows that the Kenyan state has so far failed to remedy the injustice and impunity around sexual and reproductive health (SRH) that thrive within this legal vacuum. The most recent Bill was tabled in 2020 and aimed to set the standard for reproductive health and give women the right of reproductive choice.<sup>227</sup> It proposed a framework that would enhance access to “family planning, safe motherhood, termination of pregnancy, reproductive health of adolescents and assisted reproduction.”<sup>228</sup> Prior to this, the 2014 Bill brought forward similar provisions and was similarly rejected on the basis of abortion’s unconstitutionality and sexuality education going against the role of the family. Thus, the sections that concern this chapter are those that focus on the termination of pregnancy and adolescent sexuality education, which predictably have been the two most contested aspects of SRH legislation.

The first source of disagreement surrounds the termination of pregnancy, and the grounds the opponents of the Bills cite will be shown to be heavily misconstrued. This serves the purpose of misinforming the public; by framing the Bill as unconstitutional and un-African, its opponents garner support for its rejection so as to maintain the status quo that works to maintain silence. The idea of ‘un-African’ values also appears in the work of Elizabeth Williams (2024), where she finds that late colonial authorities attempted to demonise the Mau-Mau freedom fighters in the 1950’s by labelling their sexualities “excessive” and “un-African.”<sup>229</sup> It appears again in the language

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<sup>225</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>226</sup> Riddhi Garg writing for The EduLaw at <https://portal.theedulaw.com/SingleArticle?uid=462>

<sup>227</sup> Kenya Gazette Supplement, *Senate Bills*, Nairobi: 2019, 371.

<sup>228</sup> Anthony Ajayi and Meggie Mwoka writing for *The Conversation* at <https://theconversation.com/kenya-is-having-another-go-at-passing-a-reproductive-rights-bill-whats-at-stake-142387#:~:text=The%20failure%20was%20due%20to,scientific%20basis%20for%20the%20bill.>

<sup>229</sup> Elizabeth Williams, *Primitive Normativity*, 2.

used by parliamentarians in opposition to the Affiliation Act in the 1960's, where the Act was branded "absolutely un-African"<sup>230</sup> as it went against "transforming Kenya from a colony into a nation."<sup>231</sup> The Affiliation Act is the only piece of legislation in Kenya's history that addressed matters relating to reproduction . It was passed in 1959 and carried on into the first independent government before being repealed in 1969. This Act "granted all single women in Kenya the right to sue the fathers of their children for paternity support" and was modelled after the British Affiliation Proceedings Act of 1957.<sup>232</sup> The idea of these contemporary bills being 'un-African' demonstrates the way patriarchal hegemony (mis)uses sexuality to demonise different bodies to fit colonial and post-colonial nationalist concerns.

In the case of the Affiliation Act and the bill from 2020, abortion is considered 'un-African' because it gives women bodily autonomy and legal standing in their reproductive choices, eliminating "men's privileged legal position and sabotaging efforts to empower women through the law."<sup>233</sup> The result of the bill's opposition is detrimental to the reproductive health of women and girls in Kenya, for abortions being illegal in the country does not mean that they are not procured. In a survey from 2012, an estimated 465,000 induced abortions occurred, many of which were unsafe, accounting for 17% of all maternal deaths in Kenya.<sup>234</sup> This is also highlighted by Zahara in our conversation: "[w]e can't tell teenagers we're not going to give them access to contraception, they *will* continue having sex. It's the same thing with abortion, if you stop access to safe abortion, it doesn't make abortion stop, it actually just makes them more dangerous."<sup>235</sup> Yet, religious organisations such as the Kenya Conference for Catholic Bishops fuel the idea that an unborn foetus ought to be safeguarded to a greater extent than that of the woman that carries it.

We hold and strongly believe that the union of the East African Community is defined by unique cultures with similar values and diverse contextual approaches to the different members of the community. We maintain that the Bill as presented is an attempt to engender an amorphous field of rights referred to as "*reproductive rights*" [original emphasis] contrary the Right of Life as protected and guaranteed by our Constitution. Life

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<sup>230</sup> Thomas, "The Politics of the Womb", 166.

<sup>231</sup> Ibid.

<sup>232</sup> Lynn Thomas, *Politics of the Womb Women, Reproduction and the State in Kenya*, California: University of California Press, 2003, 151.

<sup>233</sup> Thomas, "The Politics of the Womb", 170.

<sup>234</sup> Abdhala Ziraba, *et al.*, "Unsafe Abortion in Kenya: A Cross-Sectional Study of Abortion Complication Severity and Associated Factors", *BMC Pregnancy and Childbirth*, 15, 34, 2015, 10; Anthony Ajayi and Meggie Mwoka writing for *The Conversation* at <https://theconversation.com/kenya-is-having-another-go-at-passing-a-reproductive-rights-bill-whats-at-stake-142387#:~:text=The%20failure%20was%20due%20to,scientific%20basis%20for%20the%20bill.>

<sup>235</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

is sacred, begins at conception and ends with natural death, therefore no legislation should support or promote any form of termination of life, but rather seek to ensure the sanctity of life.<sup>236</sup>

Roberts (2016) provides a captivating argument for the underlying premise of these ideas, she writes that “[t]his patriarchal link between women’s sexuality and procreation is fundamental to misogynistic abortion laws that devalue women’s health below that of a foetus, making disfigurement of women, even the death of women – punishment for getting pregnant without the desire to be a mother.”<sup>237</sup> A great deal of teenage pregnancies are unintended and undesired. The failure to consider the experiences of the girls who bear them, while upholding a discourse that has created and thrives within a legal vacuum renders women and girls in Kenya socially dead, for they are treated as though they are already dead or non-existent.<sup>238</sup> Once a teenage girl becomes pregnant, her pregnancy subsumes her identity, and becomes all that society sees. But they do not see the pregnancy itself, instead, they see all that has come to be associated with it, in the words of Stoler, their outer form becomes their inner essence.<sup>239</sup>

By extending this social death to all of East Africa, the speaker capitalises on the controversy seen in the neighbouring countries of Burundi and Tanzania after they tabled and failed to pass similar Bills of their own. As with Kenya, resistance came primarily from religious and conservative groups, who argued that that the provisions of their respective Bills “are part of the Western agenda, and against East African cultural values.”<sup>240</sup> In her narrative, Bahati pushes us to think about the way the idea of culture is misappropriated to work against women: “[s]o if you say it’s culture, we say that is not culture... It was just a way of intimidating women. It was just a way of making a woman to look like not a human being.”<sup>241</sup> Despite being made up of countless unique cultures, the values that appear to cut across the East African region are at odds with the sexuality and the reproductive health rights of their societies. This is not coincidental. Reproductive health rights specifically are framed as an issue affecting only women, but their needs and the needs of their bodies concern every human, patriarchal constructions however work to reinforce a gender binary that forces us to work against ourselves. Additionally, were it only a

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<sup>236</sup> AMECEA News at <https://amecea.blogspot.com/2021/11/kenya-we-disregard-and-reject-sexual.html>

<sup>237</sup> *What’s So Dangerous About Black Women’s Sexuality*, Dir. Dorothy Roberts. 2016.

<sup>238</sup> Borgstrom, “Social Death”, 5.

<sup>239</sup> Stoler, *Race and the Education of Desire*, 8.

<sup>240</sup> Anthony Ajayi and Nicholas Etyang writing for *The Conversation* at <https://theconversation.com/why-sexual-and-reproductive-law-for-east-african-countries-is-being-resisted-186954>

<sup>241</sup> Bahati (Bissil, Kajiado, Kenya, 17 June 2022).

women's issue, it would only follow that their voices would matter most in reproductive health debates. As Oyèwùmí reminds us, it is imperative for those in positions of power to affirm their privilege and authority over *others* by upholding the idea that their biology is somehow superior.<sup>242</sup> The Kenya Conference for Catholic Bishops (KCCB) is made up exclusively of men, and yet the institution's voice was influential in the Bill's opposition. The social death of the women and girls at the centre of this conversation makes it so that we cannot hear them, and we do not question why. The power of discourse lies in its ability to make itself appear "natural, obvious, self-evident, or universal"<sup>243</sup>, it is this power that carries the voices and opinions of outsiders over that of insiders, subverting the real issues to instead strengthen men's privileged legal positions while undermining the possibility of women securing an egalitarian position in society.<sup>244</sup>

Further, the perspective of the KCCB cannot be said to be rooted in the religious basis of the group, for in the years that followed the repeal of the Affiliation Act in 1969, women's church organisations were among the greatest challengers of this decision, with various church leaders expressing disappointment in the loss of a Law that protected women and girls "from men who feel they can do as they please."<sup>245</sup> The total resistance to the termination of pregnancy by opponents of the Bill extends to instances of rape and incest, which the 2020 Bill loosely encompasses as section 26 (1) B states that "[a] pregnancy may be terminated by a trained health professional where in the opinion of the trained health professional – the pregnancy would endanger the life or health of the mother."<sup>246</sup> Seeing as the Bill defines Reproductive Health as "a state of complete physical, mental and social well-being",<sup>247</sup> pregnancies that affect the mental and social wellbeing of women and girls, should permit termination. In the year that this Bill was tabled, the lives of 2,600 women were lost due to unsafe abortions, which accounts for 35% of all maternal deaths.<sup>248</sup> Maternal mortality more broadly doubled between 2017 and 2020, showing that the situation is deteriorating with time.<sup>249</sup> There are no statistics available after 2020 and this under-documentation is made possible by the legal shortcomings outlined in this chapter.

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<sup>242</sup> Oyèwùmí, *Making an African Sense*, 1.

<sup>243</sup> *Ibid.*, 48-49

<sup>244</sup> Thomas, "The Politics of the Womb", 163.

<sup>245</sup> *Ibid.*

<sup>246</sup> Kenya Gazette Supplement, *Senate Bills*, Nairobi: 2019, 387.

<sup>247</sup> *Ibid.*, 373.

<sup>248</sup> Nita Bhalla writing for *Reuters* at <https://www.reuters.com/article/us-kenya-women-health/church-anti-abortion-groups-seen-threatening-womens-health-bill-in-kenya-idUSKBN269208/>

<sup>249</sup> World Health Organisation, *Maternal Mortality: The Urgency of a Systemic and Multisectoral Approach in Mitigating Maternal Deaths In Africa* (2023), 2.

Legalising abortion, even if only within certain parameters would first and foremost directly reduce abortion-related deaths as medical institutions and practitioners would have the skills and infrastructure necessary to perform them safely, and women and girls would have access to those improved resources. Yet the petition brought forward to challenge the Bill asserts that:

It seeks to interpret Article 26 of the Bill of Rights by trying to make Article 26 (c) and (d) friendly to abortionists and those that seek abortion on demand. If this bill is passed, any woman who walks into a clinic and gives consent for abortion will be allowed to procure it contrary to the current laws.<sup>250</sup>

The following Articles are those they and the KCCB refer to:

- (2) The life of a person begins at conception.
- (3) A person shall not be deprived of life intentionally, except to the extent authorised by this Constitution or other written law.
- (4) Abortion is not permitted unless, in the opinion of a trained health professional, there is need for emergency treatment, or the life or health of the mother is in danger, or if permitted by any other written law.<sup>251</sup>

Neither the 2014 or 2019 Bills legalise abortion, but merely elaborate on these laws to extend the parameters of legality and provide greater consideration for the health of the women and girls who carry these pregnancies by expanding on what constitutes *health*. The constitution itself creates room for elaboration on its provisions through law. But because no bill has passed, the constitution remains the foremost Law on reproductive health, and continues to fall short.



Next to abortion at the centre of these debates is adolescent sexuality education. I include two quotes given by opposition groups to illustrate the kind of language used to challenge this aspect of the Bill, to demonstrate the way they work to reinforce each other on unsound basis.

Advocates for comprehensive Sexuality Education for adolescents and youths are contributors to the high rates of teenage pregnancies and abortion. This is attributable to its failure to establish abstinence as the expected standard for all children, it presents abortion as a safe or positive option while omitting data on the many potential negative physical and mental health consequences. Comprehensive Sexuality Education seeks to lead children to focus on unhelpful sexual behavior at the expense of education and life goals. Train up a child in the way that he should go: and when he is old he will not depart from it.<sup>252</sup>

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<sup>250</sup> Citizen Go at <https://www.citizenngo.org/en-af/1f/180382-senate-shelve-reproductive-healthcare-bill-2019>

<sup>251</sup> Kenya Law Reports, *Constitution of Kenya*, 23.

<sup>252</sup> Allan Kisia writing for *The Star* at <https://www.the-star.co.ke/news/2020-07-12-reproductive-health-bill-elicits-heated-debate/>

If we allow sexual pleasure to be taught as a right, what happens when one wants the pleasure and there is no consenting partner of the opposite sex? This will create perverts who will engage in masturbation, same-sex relationships, rape, bestiality, incest, teenage sex and abortion. The bill normalises underage sex and if passed will open the floodgates for children between the ages of 10 and 17 to receive and use contraceptives.<sup>253</sup>

In response to these statements, the Member of Parliament who tabled the Bill, Susan Kihika, dismissed their interpretations, arguing that it is not true to say it “encourages abortion and impresses upon teenagers that sex is for pleasure.”<sup>254</sup> The opponents of the Bill, as well as Kihika introduce the idea of pleasure into the debate. Fine (1988) writes that the contemporary standard of sexuality education does three things: it authorises the suppression of a discourse of female sexual desire, in its place promoting a discourse of female sexual victimisation and explicitly privileges married heterosexuality over other practices of sexuality.<sup>255</sup>

Kihika’s words reveal that parties on both sides of the debate are rooted in a common discourse and ideology, one that denies young people as sexual beings and sexuality as a source and site of pleasure. Both assertions are necessary for the perpetuation of a discourse that frames sexuality as victimising and immoral. The first excerpt acknowledges that abstinence only education is failing among adolescents, which is true, as a quarter of adolescents engaging in sexual intercourse before the age of 15, and another 84% of women and 87% of men before the age of 20.<sup>256</sup> It is also now well known that the promotion of abstinence only sexuality education that withholds information on contraception only jeopardises the sexual and reproductive health of students rather than actually delaying sexual debut.<sup>257</sup> But rather than a new approach, it reinforces the need to ‘train’ children, disregarding their individual agency and capability, recalling the words of Zahara “we’re curious, we have sex. You know you can’t stop that; you can’t police that.”<sup>258</sup>

The second excerpt creates a link between sexual pleasure and various forms of sexual violence, and interestingly makes one of the few references to consent seen in reproductive health

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<sup>253</sup> Allan Kisia writing for *The Star* at <https://www.the-star.co.ke/news/2020-09-04-catholic-doctors-reject-kihikas-reproductive-health-bill/>

<sup>254</sup> Ibid.

<sup>255</sup> Fine, “Sexuality, Schooling and Adolescent Females”, 30.

<sup>256</sup> Ministry of Health Kenya, *Kenya Adolescent Sexual and Reproductive Health Policy 2015*. Nairobi: Population Council, 2015, 20.

<sup>257</sup> African Population and Health Research Centre at <https://aphrc.org/blogarticle/new-study-shows-sexuality-education-programs-in-kenyan-schools-are-failing-students-falling-short-of-international-standards/>

<sup>258</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

debates. Consent is however grossly misrepresented, as same-sex partners as well as teenagers are able to consent, and the denial of their pleasure and of teenagers specifically as sexual subjects works to disempower and objectify them. Drawing connections between ‘same-sex relationships, masturbation, teenage sex’ and ‘rape, bestiality and incest’ also attempts to place consensual pleasurable forms of sex in the same category as harmful and destructive perversions and acts, returning us to the ‘vice’ framing observed in the second chapter. These connections work to blur the distinction between forms sex and sexual violence as a means to maintaining the reproductive constraints placed on women and girls. These views also echoes those posed by opponents of the Affiliation Act in the 1960s who argued that fathers being legally obligated to financially support the mothers of their children would lead to promiscuity and discourage marriage.<sup>259</sup> Despite being fifty five years apart, these debates appear to be anchored in the idea that women’s sexual pleasure, and reproductive freedom are detrimental to society. Roberts argues that these two aspects of female sexuality are positioned as a threat to patriarchal and capitalist regimes, and for that reason must be repressed through an apparatus of “interlocking stereotypes, ideologies, policies and institutions.”<sup>260</sup> Through these excerpts, I argue that the discourse on teenage pregnancy in Kenya reveals these interlockings.

Female sexual pleasure is a facet of sexuality that is actively obscured within a male centric worldview to the extent that it has become social dogma.<sup>261</sup> This perspective is so influential that sex and pleasure are disconnected from one another in the excerpts above, and conversations about sexuality education digress into threats of rape and incestuous abuse. Gqola writes that “[t]he saturation of our lives with violence is a legacy of unfinished pasts”<sup>262</sup>, a view which I find the writing of Achille Mbembe (1992) elaborates on:

To account for postcolonial relations is thus to pay attention to the workings of power in its minute details, and to the principles of assemblage which give rise to its efficacy. That is, one must examine the orderings of the world it produces; the types of... knowledges, norms, and practices that issue from it; the manner in which these... knowledges, norms, and practices structure the quotidian (occurring everyday); as well as the light that the use of... discourse throws on the nature of domination and subordination.<sup>263</sup>

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<sup>259</sup> Lynn Thomas, “The Politics of the Womb” 155.

<sup>260</sup> *What’s So Dangerous About Black Women’s Sexuality*, Dir. Dorothy Roberts, 2016.

<sup>261</sup> Bahlieda, “The Legacy of Patriarchy”, 28.

<sup>262</sup> Gqola, *Rape*, 54.

<sup>263</sup> Achille Mbembe, “The Banality of Power and the Aesthetics of Vulgarity in the Postcolony”, *Public Culture*, 4, 2, 1992, 4.

In her story, Zahara speaks about the feeling of abandon that she felt before becoming informed of the rights ASRH policies accorded her, and the persistence of that feeling after becoming aware of their inefficacy: “To know that you have the backing of your government, that must be a really great feeling. But if you’ve never heard about it, you must just feel forgotten or ignored. There’s so many girls like thinking, no one cares about us.”<sup>264</sup> Allen finds that discourses surrounding sexuality education are problematic in that they “work to ultimately deny young people as sexual subjects and divest them of the kind of agency necessary to look after their sexual well-being.”<sup>265</sup> Much time is spent by adults discussing the sexuality of teenagers in the same way that men discuss the reproductive rights of women. In both cases, those most affected by these laws are not present in their debates, and where they do appear, they still inadvertently reinforce the discourse that fosters these misogynistic and objectifying ideologies, seen in Kihika’s denial of the pleasure of sexuality.

This Bill failed in the same year the Coronavirus took hold of the world. Had it passed, it would have created conditions for a very different aftermath of the lockdowns and the widespread sexual and gender-based violence that occurred in that time. This Bill’s elaboration on what constitutes reproductive health would have likely transformed the lives and experiences of adolescent girls who wished to terminate their pregnancies, most of which were unintended, and occurred through sexual abuse. As Ochieng *et al.*, (2022) show, there was a 122% percent increase in sexual violence cases in the country within the lockdown period, majority of which were committed against persons between the age of 10 and 17.<sup>266</sup> The current discourse does not consider the circumstances leading to pregnancy because they are made to be irrelevant, with pregnancy alone being in focus. But were there a law that mandated the relevance of circumstance, the silence around sex and abuse would have no way to persist. The desire to abort was made apparent through the interviews carried out by *NTV*, *KTN* and *Citizen* with nearly every expert interviewed expressing that it was one of their first thoughts upon finding out that they were pregnant. By placing the thoughts, feelings and experiences of women and girls alongside the political history of sexual and reproductive health in Kenya, this chapter argues that past and present policies on this matter are doomed to fail, not only because they operate within a legal

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<sup>264</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>265</sup> Allen, “Denying the Sexual Subject”, 222.

<sup>266</sup> Ochieng, “Sexual Violence Trends Before and After”, 273.

<sup>266</sup> *Ibid.*, 274.

vacuum, but because they operate within a discourse that does not recognise pregnant teenage girls as living human beings.



### Development

The first Reproductive Health policy concerning adolescents seen in the country was the 2003 Adolescent Reproductive Health Development Policy, established under Mwai Kibaki's government in response to the HIV/AIDS epidemic which saw 2.2 million Kenyans living with the disease and another 1.5 million dying from the disease as of 2002.<sup>267</sup> The situation was dire among adolescent girls, with a UNAIDS report finding that 1 in 12 girls in Kisumu, Western Kenya was HIV positive by the age of 15.<sup>268</sup> The report writes that “[o]bviously, the girls were becoming infected during their earliest sexual exposures”, and finds that this was due to what it terms ‘age mixing’:

The other crucial factor pushing up HIV rates in young women is age-mixing. If the girls' sole sex partners were boys their own age, they would run little risk of becoming infected; ... there are few if any HIV infections among boys before the late teens. However, girls also have sex with older men – men who have been sexually active for many years and who therefore tend to be more heavily infected than younger males.<sup>269</sup>

Assuming that the sexual experiences between young girls and older men is consensual is important to highlight as the 2003 policy reflects the same ignorance and misrepresentation that persists two decades later. The relationship between this policy and the international landscape in the years that preceded it neither begins nor ends here. The 1990s saw a great increase in international efforts to address sexual and reproductive health rights in Africa, culminating in the 1994 International Conference on Population and Development (ICPD) “which reframed SRH as a human rights issue.”<sup>270</sup> Perhaps one of the reasons why ASRH policies continue to see very limited success is rooted in the necessity of such reframing, as if SRH were not seen as a human rights issue, what were they seen as?

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<sup>267</sup> Maureen Were and Nancy Nafula, “An Assessment of the Impact of HIV/AIDS On Economic Growth: The Case Of Kenya” *CESifo Conference On Health And Economic Policy*, 2003, 1.

<sup>268</sup> United Nations Programme on HIV/AIDS, *Report on the Global HIV/AIDS Epidemic*, Geneva, UNAIDS, 2000, 47-48.

<sup>269</sup> *Ibid.*, 48.

<sup>270</sup> Elsie Akwara and Priscilla Idele, “The Moral and Social Narratives of Sexual and Reproductive Health in Kenya: A Case Of Adolescents and Young People Pre- and Within the MDG Era”, *Reproductive Health*, 17, 75, 2020, 5

The answer may lie further in the past, in debates surrounding the Affiliation Act. In Thomas' *Politics of the Womb*, there is noteworthy reference to adolescent girls which I argue underlies the country's post-colonial perception of teenage pregnancy within legislation, a manifestation of their unrecognised humanness. The excerpt I include from Thomas' work describes the coercion and sexual abuse of a school girl by her teacher and the remarks of the case's judge once the crime was taken to court in 1969:

Parents were particularly perturbed by cases of teachers making school girls pregnant and then refusing to marry them... In court, Margaret Musimbi stated that one day when delivering her teacher's books to his home, her teacher asked her to have sex with him. Musimbi explained that she could not refuse the request as "he was her teacher and also the headmaster of the school." In issuing a ruling in favour of Musimbi, the judge pointed out that this was the third time that this teacher had been found liable for causing one of his students to become pregnant. The judge further chastised the teacher and others like him for "holding back the development of women." Such cases were disconcerting for parents because they left their daughters pregnant, unmarried, and expelled... In bringing their studies to a premature end and tarnishing their reputations, pregnancies diminished their daughters' prospects...<sup>271</sup>

There are several aspects of this excerpt that are concerning, beginning with rape being described as sex that Margaret was unable to decline and her teacher abusing his position and taking advantage of the power dynamic between them. It is also stated that that this was not the first instance of him sexually abusing his students. The parents also place focus on the negative reputation of their daughters rather than their abusers and fail to question why rape and pregnancy should reduce the future prospects and opportunities of their daughters. The aspect I however wish to focus on for the purpose of this chapter, is the Judge's remark that the teacher and others like him are "holding back the development of women."<sup>272</sup> I argue that the ICPD's attempt to reframe SRH did not result in Kenyan legislation seeing women and girls as human, but rather recognising that their sexual and reproductive health affected the wider population, and was therefore worthy of concern. By stating that sexual abusers are holding back the development of women, the case ceases to be about Margaret and her experience and instead reveals the perception of women as 'underdeveloped' and stunted by their manufactured and institutionalised vulnerability.

The word 'development' appears in the name and foreword of the 2003 Adolescent Reproductive Health Development Policy, this foreword establishes a link between the health of

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<sup>271</sup> Thomas, *Politics of the Womb*, 161.

<sup>272</sup> Ibid.

the people and the health of the nation, as well as framing adolescent persons as vulnerable but does not clarify what they are vulnerable to:

The Policy is grounded in the understanding that the relationship between a nation's development and the health of its adolescents and youth is of paramount concern – particularly when those age groups form such a dominant portion of the population... The Policy takes into consideration the vulnerable state adolescents and young people find themselves in and the expected roles of government, communities, and other stakeholders in redressing that vulnerability.<sup>273</sup>

Based on this opening, the origin of ASRH in the country was concerned with how the reproductive health of its young population was impeding the development of the country. This focus on development could also provide an answer for the incessant association between pregnant and mothering teenagers and poverty which is also identified as a cause of teenage pregnancy within this and the 2015 policy. By establishing a connection between the two, there appears a cyclical relationship where teenage pregnancy leads to poverty which leads to teenage pregnancy and so on. It is in this way that the *subject*, the imagined figure that represents teenage pregnancy and motherhood we have come to know is created within the discourse of teenage pregnancy in Kenya.

The Policy writes:

An estimated 52 per cent of the Kenyan population lives below the poverty line. Poverty is multifaceted and manifests itself through inadequacy of income, deprivation of basic needs and rights, lack of access to productive assets as well as to social infrastructure. Youth are adversely affected by the increasing incidence of poverty, which limits their access to essential social services such as basic education, health, water, and sanitation. Females are disproportionately affected. Young people constitute a major potential resource for Kenya's economic development. Yet the poor performance of the economy, coupled with the impact of structural adjustment programs, (SAPs) have adversely affected their absorption in both public and private sectors. Consequently, the majority of the young people wishing to enter the labour force have not been able to secure employment to support themselves. Idleness among the youth leads to crime, drug and substance abuse, and involvement in other anti-social behaviour, while poverty aggravates the rate of HIV infection.<sup>274</sup>

This excerpt from the 'current situation' section draws attention solely to people within a certain economic class, and blames them for the many challenges they face rather than a government that is aware of and able to identify their many needs and struggles yet fail to meet or supplement them. It fails to see them as human beings, but rather as 'resources' that this policy seeks to better exploit.

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<sup>273</sup> Ministry of Health Kenya, *Adolescent Reproductive Health Development Policy 2003*. Nairobi: National Council for Population and Development, 2003, 5.

<sup>274</sup> *Ibid.*, 7.

The identification of poverty as a cause of teenage pregnancy appears again in the opening of the 2015 Policy as it identifies the changes that have occurred since the 2003 Policy:

Many continuing and emerging issues have come to the fore as a result of advances in information, communication, and technology (ICT) and the resultant exposure to materials and practices that influence young people's behaviour. These issues include: high incidence of poverty; early initiation of sex by adolescents;<sup>275</sup>

The inclusion of poverty as a result of ICT advancements is illogical, this sector has saw great growth throughout the 2010's with the digital divide narrowing to enable people across varying social classes to access and capitalise on this technology. The Minister of ICT himself noted that this sector was the greatest source of potential in employment creation and economic growth as of 2018.<sup>276</sup> Poverty is repeatedly framed as a causative rather than contributing factor of teenage pregnancy and reinforced through situating studies exclusively in slums, as seen in the news documentaries in the second chapter. Similarly, the same 2015 Policy writes that the growth of urban centres has led to the growth of slums alongside them, and these have become sites of "heightened poverty and limited opportunities [which] expose young people to risky sexual behaviors including early sexual debut, low contraceptive use, transactional sex, sexual coercion/abuse, high burden of unintended pregnancies, and drug and alcohol abuse."<sup>277</sup> It refers to studies carried out broadly in 'Nairobi slums' which is very generalising given that there are 40 of these neighbourhoods in the city. These studies are said to have revealed that "11% of males and 9% of females had initiated sexual activity before the age of 15, with 84% of females and 87% of males already sexually active by age 20."<sup>278</sup>

The focus on slum neighbourhoods by *KTN*, *NTV* and *Citizen* shows how both news media and legal discourses perpetuate the idea that there is a causative correlation between teenage pregnancy and poverty. This shapes our knowledge of the issue in very particular ways. Hall writes that "[a]ll knowledge, once applied in the real world, has real effects, and in that sense at least, 'becomes true'."<sup>279</sup> The statistics quoted in the 2015 Policy are used to prove that sexual activity begins early in informal settlements, but no comparison is provided to show sexual initiation in other parts of the city, so against what background is this considered to be 'early'? It also situates

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<sup>275</sup> Ministry of Health Kenya, *Adolescent Sexual and Reproductive Health Policy*, 15.

<sup>276</sup> Cheruiyot Korir writing for Ministry of Information, Communications and the Digital Economy at <https://ict.go.ke/ict-to-create-employment-opportunities/>

<sup>277</sup> Ministry of Health Kenya, *Adolescent Sexual and Reproductive Health Policy*, 13.

<sup>278</sup> Ministry of Health Kenya, *Adolescent Reproductive Health Development*, 23.

<sup>279</sup> Hall, "Power, Knowledge and Discourse", 76.

“transactional sex, sexual coercion/abuse, high burden of unintended pregnancies” as being prevalent in informal settlements, confining these incidences to certain locations rather than realities that occur throughout the country.<sup>280</sup> Although poverty may heighten the vulnerability of women and girls where sexual coercion and transactional sex are concerned for example, these discourses suggest that poverty itself is the cause of pregnancy, and not the circumstances which poverty creates.

The idea that sexual coercion and unintended pregnancies specifically are outside the norm is also prominent in political discourses. An article written by *Nation* in 2018 captures an address given in Migori county by William Ruto, then vice president, now president in response to thousands of cases of teenage pregnancy in the county during the Kenya Certificate of Secondary Education (KCSE) examination period. His response to the matter was that:

It is a shame that people ruin the lives of school girls by impregnating them... Many girls in primary and secondary school are impregnated by... I don't know, mad people or which type of people. We want our girls to be in school and complete their studies. I warn those behind this vice that we shall get them... The girl child in this country is under threat from all manner of vices, including early pregnancy... and many other kinds of nonsense that affect our communities. These things have no basis for the development of our country.<sup>281</sup>

When teenage pregnancy is discussed, it is in terms of society:

Society pays a high price when 15% of its teenage girls become pregnant. For virtually all of them – and statistics say majority are from poor families - it means an end to their education, closing the door on a route out of poverty... The overall effect is a perpetuation of the cycle of poverty that brings personal catastrophe while weakening social and economic development and adding strain to already stretched medical services.<sup>282</sup>

But when Ruto speaks about sexual abusers, which has seldom been seen in this research, he first terms them “impregnators”, and individualises their violence, they are ‘mad people’ or some other type of people, and for that reason are not reflective of the wider society. Even though it is undoubtedly society, and its silence that makes sexual violence on such a scale not only possible but permissible. He states that vices – such as teenage pregnancy – affect the community, but not the abuse, or ‘impregnation’ that he addressed moments prior. The invented subject of teenage pregnancy has been inextricably linked to the development of the nation, but the men that make

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<sup>280</sup> Ministry of Health Kenya, *Adolescent Reproductive Health Development*, 23.

<sup>281</sup> Viviere Nandimo and Abdimalik Hajir writing for *Nation* at <https://nation.africa/kenya/news/irked-by-teen-pregnancies-and-fgm-ruto-warns-of-punishment-107688>

<sup>282</sup> Siddharth Chatterjee writing for Thomas Reuters Foundation at <https://news.trust.org/item/20181115141829-8gmv5/>

pregnancy possible are never viewed in similar terms, they are behind the ‘vice’ of pregnancy, but their abuse itself is not the vice. Individualising sexual abuse as Ruto does works against SRH policies in that it minimises the scale of the issue. It centres the ‘mad people’ and invisibilises the experiences of the abused and what it is like to have an unintended pregnancy that is the result of sexual violation. Furthermore, it upholds violence by maintaining silence, for nowhere in his speech does he name the action that is the focus of his address. Ruto reiterates that young girls are vulnerable and under threat, but pregnancy itself is neither: it is here that I wish to introduce Allen’s conceptualisation of how a protective discourse is (re)created.

A protective discourse... carries an assumption that sexual activity is an inherently ‘risky business’ rather than a potentially positive and pleasurable experience. This idea derives from what Mort (1987) characterises as medico-moral discourses of sexuality where medical insights about physical risk are aligned with moral and religious doctrine as a means of regulating sexual behaviour. Within such discourses sexual intercourse is only ‘safe’ within the sanctity of marriage and outside this context has supposedly ‘dangerous’ implications. A protective discourse suggests that young people need to learn to protect themselves from their own desires, with sexuality education providing a vehicle for informing them about what sexual dangers they could encounter and how to prevent them.<sup>283</sup>



### Medico-Morality

The medico-moral aspect of the 2003 policy is linked to the HIV epidemic that was ongoing during the time it was made. Akwara and Idele (2020) see this epidemic as a kind of blessing in disguise as it allowed ASRH to be prioritised within the state’s national agenda without receiving as much contestation from religious and cultural groups as it did prior to the spread of the disease.<sup>284</sup> I would like to disagree on the basis that this epidemic also set the tone for the way ASRH would be thought about and handled for the following two decades and within Ruto’s speech. Susan Kiragu (2013) describes sexuality education in Kenya as “being concerned with the giving of factual knowledge, where sex as desire is seldom spoken of and, when it is talked about, is often in terms of its terrible consequences.”<sup>285</sup> This is evidenced in the detailed purpose of the 2003 Policy:

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<sup>283</sup> Allen, “Denying the Sexual Subject”, 225

<sup>284</sup> Akwara, and Idele, “The Moral and Social Narratives”, 6.

<sup>285</sup> Susan Kiragu “Conceptualising Children as Sexual Beings: Pre-Colonial Sexuality Education Among the Gikuyu of Kenya”, *Sex Education*, 13, 5, 2013: 586.

This Policy is an effort to highlight adolescent health issues and bring them into the mainstream of health and other social services. Young people form a critical national resource for today, and the core of our future development efforts. Their health is a worthwhile investment for future growth and development. Young people have great potential to contribute to the process of decision making and the implementation of programs for their own benefit as well as the development of society at large. The understanding, adoption and implementation of this Policy will contribute positively to the efforts to emancipate young people and integrate them into social development efforts.<sup>286</sup>

In its first sentence, the protective nature of this Policy is clear, for what has been brought into the mainstream are the dangers and perils of sexuality among adolescents, even though the word is avoided in favour of health and reproduction. Young people are also said to be in need of emancipation, but it is not clear what it is that constrains them. Undie and Benaya write that the conceptualisation of sexuality in Sub-Saharan Africa “has privileged a severely limited number of themes, including disease and reproduction.”<sup>287</sup> With this in mind, the Policy’s title choosing to exclude the word sexuality not only suggests that reproduction can exist without sexuality, an idea that has lasted into present day discourse, but it also makes it so that sexuality is tied to these specific themes of disease and reproduction even in its absence; it ‘rules out’ the possibility of imagining sexuality in other ways, specifically in positive ways. What room is there to understand sexual violence as demeaning and destructive when sexuality is framed in these ways? While the urgent need to limit the spread of HIV at the time is understandable, this Policy authorised an oppressive discourse around sexuality that laid a faulty foundation for the future. The absence of a sexual and reproductive health law in the present day is tied to the ways of thinking that this Policy legislated twenty years ago. But this is not to say there has been no change, as the 2015 Adolescent Sexual and Reproductive Health Policy, even from its title, tells us that discourse is not fixed.

The knowledge that is presented as factual includes the biological aspects of reproduction that do not tread near matters of consent or desire, as well as information that lays the groundwork for the discourse to be protective in its nature. The 2003 policy writes that:

Sexual activity among Kenyan young people begins early. It is, moreover, often characterised by what might be called serial monogamy - one partner after another. Adolescent liaisons are usually brief and easily replaced, so that by the time a person is ready to consider settling into marriage they have already experienced many partners. Despite this multiplicity of partners, sexual activity is usually unprotected, giving rise to

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<sup>286</sup> Ibid., 22

<sup>287</sup> Undie and Benaya, “The State of Knowledge on Sexuality”, 124.

early pregnancy and unsafe abortion, school dropout, STIs including HIV/AIDS, and economic hardship.<sup>288</sup>

The presence of economic hardship in this list reinforces the subject of teenage pregnancy as living in poverty through it being stated as a factual link. The inclusion of school dropout is also extremely noteworthy given that this policy came into effect nearly a decade after the 1994 Return To School Policy. The 2015 Policy also includes dropping out of school as a consequence of teenage pregnancy, writing that “[e]vidence from KDHS 2008-2009 shows that among adolescent girls who had started childbearing by age 18 in Kenya, 98% were out of school, indicating that early pregnancy clearly means the end of education for almost all adolescent girls.”<sup>289</sup> What this does is perpetuate the idea that teenage pregnancy automatically results in dropping out of school, without investigating why that is. Njoroge *et al* (2010) write that there is a lack of openness in the way sexuality is communicated between adults and young people, and in order to avoid speaking about sexuality itself, pregnancy and dropping out of school as a result are used to instil a fear of sexual activity among girls specifically.<sup>290</sup> This was expressed in the narrative of Zahara, for when she learned about reproductive health in her sixth year of school, “the teacher said, if you have sex you will get pregnant.”<sup>291</sup>

This discourse is powerful enough to thwart the possibility of the 1994 Return to School Policy being accepted by the public and with there being no way to enforce it due to the absence of a RH law, the discourse ‘becomes true’. This is one of the ways through which the public is distracted from silence around sex and sexual violence, legal discourses make constant reference to the negative consequences of sexual activity to the extent that they take the place of sexuality. The statistics quoted time and again are used as justification for speaking about these consequences, they provide: “a determination on the part of the agencies of power to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail... sex must not be named imprudently, but its aspects, its correlations, and its effects must be pursued down to their slenderest ramifications.”<sup>292</sup>

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<sup>288</sup> Ministry of Health Kenya, *Adolescent Reproductive Health Development*, 9.

<sup>289</sup> Ministry of Health Kenya, *Adolescent Sexual and Reproductive Health*, 21.

<sup>290</sup> Kezia Njoroge, *et al.*, “Voices unheard: Youth and sexuality in the wake of HIV prevention in Kenya” *Sexual & Reproductive Healthcare*, 1, 2010, 146.

<sup>291</sup> Zahara (Lavington, Nairobi, Kenya, 19 June 2022).

<sup>292</sup> Foucault, *The History of Sexuality*, 18.

It is in this way that sexuality has over time become overshadowed by medico-morality, and is now subsumed within it. The effect of this is that it discourages young women especially from exploring themselves and their desires, being taught to fear it and defend themselves from it instead.<sup>293</sup> This is exemplified by one of the goals of the 2003 Policy named Behaviour Change Communication which states that: “Young people must learn that they are ultimately responsible for their own actions and that it is they who must live with the results of poor decisions. Programs here will include life skills training to help them assess situations and possible outcomes, as well as efforts to help them identify risky behaviour and its consequences.”<sup>294</sup> So much is said, with nothing said at all. Weaving silence into legislation results in adolescents being blamed for something that is not even stated. The attempt to introduce the life skills mentioned to schools was also met with extreme retaliation from the public, religious groups in particular who burnt books that were to be used in the pilot program, as well as condoms and HIV/AIDS pamphlets in the belief that teaching about prevention measures would encourage immorality and promiscuity.<sup>295</sup> Between 1995 and 1996 for instance, in the midst of the HIV epidemic, Catholic and Muslim leaders held separate but aligned ‘pro-life’ marches in the country, with posters advertising the events stating the following: “It is immoral to teach family life education in schools; Sex education is not the cure for AIDS, abstinence and fidelity are; No legalisation of abortion, it is murder; More contraceptives, more abortions; Trust condoms, trust death’.”<sup>296</sup>

Adolescent Sexual and Reproductive Health Policies cannot succeed without first breaking the silence that surrounds sexuality and sexual abuse. Without this, legislation becomes not only a site but an agent of discourse, exacerbating the challenges that people in their adolescent years face by inviting the outcry of adults who are also victims of the same silence they fight to maintain. The Policy rightfully identifies the need for Behaviour Change Communication, but fails to connect it to the behaviour that is at the heart of SRH of all Kenyans, not just adolescents. The unwillingness to speak openly about sex and sexual violence, what they look like, how they are different. How they affect the bodies and minds of those that experience them. How the former is a natural and pleasurable feature of human life, and how the latter is solely the fault of abusers

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<sup>293</sup> Fine, “Sexuality, Schooling and Adolescent Females”, 30-31.

<sup>294</sup> Ministry of Health Kenya, *Adolescent Sexual and Reproductive Health*, 21.

<sup>295</sup> Akwara, and Idele, “The Moral and Social Narratives”, 19.

<sup>296</sup> Lynne Muthoni Wanyeki writing for *Inter Press Service* at <https://www.ipsnews.net/1996/09/kenya-population-church-burns-condoms-and-aids-materials/>

who should in every instance be held responsible and brought to justice, and never under any circumstance the fault of those they cause suffering – are what need to change.

The 2015 Policy attempts to address the problems posed by this medico-moral discourse through the introduction of “Age-Appropriate Comprehensive Sexuality Education (AACSE)” as opposed to Behaviour Change Communication. It defines AACSE as

an age-appropriate, culturally relevant approach to teaching about sexuality and relationships by providing scientifically accurate, realistic and non-judgmental information. Sexuality education provides opportunities to explore one’s own values and attitudes as well as build decision-making communication and risk reduction skills about many aspects of sexuality.<sup>297</sup>

This same provision was included in the 2019 Bill. It was a great source of controversy among its opponents, and likely one of the reasons it was rejected. This 2015 Policy operating in isolation, in absence of law means that there is no way for AACSE to be properly implemented and its intended content upheld. Interviews carried out in 2017 by the African Population and Health Research Centre among secondary school students across the country revealed that a majority of them were told that they should not have sex before marriage by their teachers in their AACSE classes. “Fewer than one in five students said they learned about different contraceptive methods, how to use them and where to get them” despite a quarter of the students interviewed already being sexually active.<sup>298</sup>

An abstinence-only approach to sexuality education is unrealistic and has been shown to be ineffective in improving the sexual and reproductive health of adolescents, but it persists on the basis of cultural attitudes that are built around silence. Allen’s work argues that schools act as a site where “a nexus of discourses in relation to sexuality are articulated and struggled over; moral/religious, medical, political and cultural”<sup>299</sup> and the same is true of sexuality education in Kenya. The obstacles that stand in the way of AACSE therefore do not originate within schools, but within cultural silences that have permeated family dynamics resulting in the inability of parents to communicate with their children. Godia *et al.*, (2014) carried out interviews in 2014 in which adolescent girls said that their parents assumed they were aware of specific reproductive health information when, in reality they were not. The information many of them had was limited

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<sup>297</sup> Ministry of Health Kenya, *Adolescent Sexual and Reproductive Health*, 10.

<sup>298</sup> African Population and Health Research Centre at <https://aphrc.org/blogarticle/new-study-shows-sexuality-education-programs-in-kenyan-schools-are-failing-students-falling-short-of-international-standards/>

<sup>299</sup> Allen, “Denying the Sexual Subject”, 223.

to the biology they learned in school which is not a substitute for sexuality education or advice they wished they could receive from their parents.<sup>300</sup> It is here that I shift attention to the final theme of family, beginning with the 1994 Return to School Policy which originated at a time when sexuality education was out of the question, and the family was expected to be the sole source and conveyor of this knowledge.



### Family

This 1994 Return to School Policy appears frequently in this research given that its provisions are seen to hold the potential of resolving one of the most critical aspects of teenage pregnancy crisis – interrupted schooling for pregnant and mothering girls. It also returns us again to the ICPD that took place in the same year as its passing. The Program of Action raised at this conference sought to expand human rights to include reproductive rights, empower women and address gender inequalities.<sup>301</sup> 179 countries, with Kenya among them, adopted this Program and its objectives despite a speech given by George Saitoti, Kenyan Vice President (1999-2002) and Minister for Planning and National Development (1997-1999) at the conference that made it abundantly clear that the country's government was not open to embracing reproductive rights where they concerned adolescents:

We, therefore, do not subscribe to the idea that the youth should be exposed to a contraceptive mentality, Kenya believes in the dignity of human life. Although we teach a number of topics related to the biological processes in schools, these must always be complemented with the utmost respect for the family's ability to inculcate its own religious and cultural values.<sup>302</sup>

Given the silences around sex within the family, both then and now, the unwillingness to go beyond the biological aspects of reproduction which are devoid of sexuality, consent or desire was the earliest instance of silence being legislated in post-colonial Kenya. This silence continues to stand the test of time, as in 2018, very similar sentiments are expressed by the Cabinet Secretary of Education, George Magoha as he speaks on the high number of students giving birth during the national examinations for primary and secondary schools:

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<sup>300</sup> Pamela Godia, *et al.*, “Young People’s Perception of Sexual and Reproductive Health Services in Kenya”, *BMC Health Services Research*, 14, 172, 2014, 7.

<sup>301</sup> United Nations Population Fund at <https://www.unfpa.org/icpd>

<sup>302</sup> United Nations Population Fund at <https://www.unfpa.org/events/international-conference-population-and-development-icpd>

The high rates of candidates giving birth, it's a cultural problem, let us go back to the family, family values. Is the family system collapsing in this country? My humble view is that it is not, I think the problem that is happening is that we as parents are failing to bring up our children... Otherwise you can't, you cannot imagine somebody asking a 12 year old to open her legs for him or her. So that issue is a very very serious issue and I think we go back to the family and deal with it ruthlessly from there, where parents must have time for their children. If parents don't have time for their female children, somebody else will have time for them, and that somebody else is going to be the hyena that will be telling her 'you're the most important thing in my life', so, making noise about it is not going to help. I think it's a very very serious issue, and if we are capturing only those numbers for 3 days, you can assume that this is happening all the time. Where have our family values gone to?<sup>303</sup>

In 1994, Saitoti argued in favour of leaving ASRH to the family, and in 2018 Magoha demonstrates the ineffectiveness of this approach. He also points to the magnitude of sexual abuse, correctly describing it as a constant. However the effect of this statement is dulled as abusers are referred to as hyenas – animals, rather than humans in male bodies, again individualising sexual violence and placing perpetrators outside of the culture and outside of the norm, as was seen earlier in Ruto's speech. Sexual abuse is also addressed in a very convoluted way, but is rightfully described a prolific phenomenon 'you cannot imagine'. Magoha and Saitoti's words illustrate the timelessness of this debate and show that family values have continuously been expected to be the backbone of ASRH, but in the midst of cultural silences, the family can only carry on values that are authorised by legal discourses – that which can be said without breaking the silence; the sounds of silence.

In their study "Paper to Practice: Sexuality Education Policies and their Implementation in Kenya" (2017), Estelle Sidze *et al.* highlight the way conservative societal norms and cultural sensitivities discourage parents from having conversations related to their children's sexuality or sexual activity of any kind, with many parents maintaining abstinence as the only way to prevent sexually transmitted illnesses and unintended pregnancy.<sup>304</sup> The avoidance of a 'contraceptive mentality' coupled with the family's inability to see sex and sexuality outside a moral lens can be seen in a study carried out among secondary school students in three Kenyan counties: Homa Bay, Mombasa and Nairobi. The study revealed that "[n]early one in four students... thinks that using a condom during sexual activity is a sign of mistrust" and "[a] third of female students and more than half of male students also said that when a girl says no to sex, more often than not, she really

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<sup>303</sup> @citizentvkenya at <https://twitter.com/citizentvkenya/status/1059692033445490689>

<sup>304</sup> Estelle Sidze, *et al.*, "Paper to Practice: Sexuality Education Policies and Their Implementation in Kenya" *Guttmacher Institute*, 2017, 40.

means yes.”<sup>305</sup> Furthermore, Michael Ungar argues that “parents who are most hesitant to let their children hear the truth about sex have children who are the most at risk of becoming victims of abuse, or unintentionally causing, or having, an unwanted pregnancy.”<sup>306</sup>

This situation therefore raises questions surrounding ‘Kenya’s belief in the dignity of human life’ that Saitoti refers to. The lives of pregnant and mothering adolescent girls are in no way treated with dignity, especially given that the circumstances surrounding their pregnancies are overlooked, followed by them being denied the right to choose whether or not they wish to carry their pregnancy to term, and then being shamed, excluded, and stigmatised for being pregnant. It has been shown that teenage girls who wish to terminate their pregnancies prioritise “social safety”<sup>307</sup> over their own bodily and personal safety, “[w]omen’s priority is avoiding prosecution and social stigma. Their need for secrecy is one of the reasons why women and girls continue to use unsafe methods for abortion.”<sup>308</sup> It is likely that the inclination towards suicide stems from this same fear of social stigma. Misogyny in Kenya has been woven into legislation but has found a way to operate under the guise of ‘culture’, but this guise fails when it comes to the treatment of sexual violence in within ASRH policies.

The 1994 Policy being devised in the same year as the ICDP is not a coincidence. Akwara and Idele find that it was a reactionary and necessary action following the conference as a show of solidarity by the Kenyan government. For that reason, it is unlikely that the policy was created to succeed, as at the time of its implementation, 77% of schools opposed the re-entry policy while the remaining schools were altogether unaware of it due to them never having seen it.<sup>309</sup> Studies carried out by Omwancha in 2012 revealed that the policy had gained more visibility in educational institutions, but this did not equate to greater implementation, with school administrators deliberately choosing to withhold knowledge of the policy from students:

The students well, would not say we have told the students about that because if you go ahead and tell that now it is official you can become pregnant and stay in school we will have so many cases  
**He starts to laugh.**

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<sup>305</sup> African Population and Health Research Centre at <https://aphrc.org/blogarticle/new-study-shows-sexuality-education-programs-in-kenyan-schools-are-failing-students-falling-short-of-international-standards/>

<sup>306</sup> African Arguments at <https://africanarguments.org/2020/09/seven-myths-about-sex-education-debunked/>

<sup>307</sup> Ramatou Ouedraogo and Grace Kimemia writing for *The Conversation* at <https://theconversation.com/abortion-in-kenya-and-benin-medical-safety-isnt-enough-women-and-girls-need-to-feel-safe-socially-too-189151>

<sup>308</sup> Ibid.

<sup>309</sup> Akwara, and Idele, “The Moral and Social Narratives”, 5.

Actually it is important for them to know yaa but you see what we are cautious about is you can become pregnant and still stay in school.<sup>310</sup>

This statement reveals the environment in which ASRH policies operate and shows that even when legislated, institutions decide for themselves whether or not to enforce them, and this is only made possible by the legal vacuum within which they exist.

Pushback from schools against the Policy in both instances occurred within a climate where sexual violence was rife against school-going girls, for instance, in 1991, three years before the Policy came to be, news broke of 71 girls being raped, and another 19 being killed in Central Kenya by their male schoolmates after their refusal to join a school strike.<sup>311</sup> The 1994 Policy did not consider or address instances of sexual violence that those at its centre may have been facing in general, and within schools. The 2003 Policy attempted to redress this gap, it stated that:

Data on sexual abuse and violence in Kenya are limited. However, existing statistics show that 40-60 per cent of reported sexual assaults are committed against girls aged 15 years and below. Although both boys and girls can be victims of sexual abuse, girls are up to three times more likely to be sexually abused than boys. Girls who suffer sexual abuse are likely to begin sexual intercourse on average one year earlier and are much more likely to become pregnant before the age of 17.

This section highlights the alarming existing statistics of sexual violence being committed against young girls at the time, and then goes onto direct blame towards them for engaging in sex that results in pregnancy within their teenage years. Abusers are also completely invisibilised in the process, and the issue of girls who become pregnant as a result of the aforementioned abuse is skirted. It also does not question or seek to resolve the limited data that surrounds sexual abuse, which is largely influenced by the stigmatisation directed towards survivors and the complicated and degrading process of police reporting and the medical testing that follows. This is also a product of the female fear factory, for as Gqola tells us, it relies on three key things: that the aggressor remains safe from any form of blame or punishment, that the vulnerability of the abused is continuously reinforced and that it is successfully communicated that the abused is powerless against her abuser.<sup>312</sup> The language seen in this excerpt reinforces the violence directed towards

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<sup>310</sup> Kodek Migiro Omwancha, “The implementation of an educational re-entry policy for girls after teenage pregnancy: A case study of public secondary schools in the Kuria District, Kenya”, PhD Thesis, Victoria University of Wellington 2012, 92.

<sup>311</sup> Timothy Dwyer writing for *The Washington Post* at <https://www.washingtonpost.com/archive/politics/1991/08/24/kenya-still-haunted-by-night-of-horror-at-coeducational-boarding-school/ee804fc8-df17-4683-8883-e0ec9a9da9bd/>

<sup>312</sup> Gqola, *Rape*, 80.

adolescent girls by failing to critically question and challenge it, instead it normalises it through its matter-of-fact framing.

The power of the female fear factory persists unabated, seen again in the treatment of sexual violence in the 2015 Policy. It writes:

According to a national study by UNICEF (2012) on violence against children in Kenya, adolescent girls aged 13-17 were more likely to have experienced sexual violence (10.7%) compared with similar age group of boys (4.2%). In addition, nearly half of both adolescent girls and boys reported experiencing physical violence in the 12 months preceding the survey. Adolescents who suffer sexual abuse are more likely to be exposed to unintended pregnancy, unsafe abortion.<sup>313</sup>

No question is raised about why sexual and physical violence were so prevalent in this study, the statistics provided also concern only victims of abuse and not those behind the abuse. Misogyny has an overwhelming grasp on our understanding of sexual violence, and it sustains itself by centring those who experience violence with the idea that by making them visible, their experiences are considered and cared for; it is made to seem that they are a cause for concern. These statistics are gained from the perspectives of those who experienced sexual violence, many of whom know their abusers. This is evident in the work of Walter *et al* (2022) where they find that during the pandemic, “78% of perpetrators were known to the victim” who were most often “either family members or neighbours.”<sup>314</sup> This was also the case prior to the lockdowns placed in 2020, where sexual offences committed against children and adolescents were found to occur “more frequently by someone known to the survivor, and in private rather than a public location.”<sup>315</sup>

Such unsettling and crucial details tend to be excluded from statistics on sexual violence in Kenya, with the emphasis instead placed on the number of victims within a particular timeframe. The excerpt is also sure to remind adolescent girls specifically of their ‘vulnerability’, as only unintended pregnancy and unsafe abortion are listed as consequences of sexual abuse, even though it is clear that boys are also being abused. For what reason does their abuse matter less? It is made to matter less because it is not always visible, unlike pregnancy which is always visible. The inseparability of sex and pregnancy in legal discourses, made possible by cultural silences has made it so that not only abusers are absent, but that all men and boys are non-existent in these

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<sup>313</sup> Ministry of Health Kenya, *Adolescent Reproductive Health Development*, 22.

<sup>314</sup> Ochieng, “Sexual Violence Trends Before and After Rollout of COVID-19”, 273.

<sup>315</sup> *Ibid.*, 274.

ASRH policies. Where the policies speak on sex or sexual violence, they speak on pregnancy, and so the silence around the two acts has been able to persist for sixty years, with no end in sight, as debates and disagreements mimic meaningful discussions about these issues. Patriarchal hegemony has caused SRH to become synonymous with women and women's bodies, possible only because of the visual nature of pregnancy. The family is complicit in these discourses by emphasising the dangers of sex and abuse where girls are concerned, and in this way, the humanness of men and boys are also not recognised. Patriarchy dehumanises every human being, but is upheld by delusive discourses that serve no one.



When I first embarked on this chapter, I was very captivated by the work of Phoenix, Woollett and Lloyd as they drew attention to the way institutions work to pass on state ideologies, with a specific focus on the family's role.<sup>316</sup> It is clear that the family is instrumental in creating silence around sex and sexuality in the private realm, framing them as taboo within a wider social climate that is "averse to the very notion of young people as sexual beings."<sup>317</sup> These silences are then reinforced by a continuously contested sexuality education syllabus whose content is also crippled by silence. Medico-morality has made it so that it is not sexuality or violence that are the focus, but their negative and damaging consequences which have taken over the conversation. These consequences are not just the focus of discourse but of this thesis, which came to be as a result of teenage pregnancy specifically. As fate would have it, an emerging trend among these three themes, and the various examples used in this chapter are the means that this work began with: language, blame / shame, and exclusion. The language displayed does the work of the other three; politicians blame the family, and the family blames the schools while female victims of violence are shamed for becoming pregnant as a result of abuse, all while men are repeatedly excluded in every way, which at first may not seem obvious given how vocal they are on these issues (Saitoti, Ruto, Magoha).

By historicising SRH in Kenya since independence, I have come to understand the work of silence in a new way. By inventing a subject of SRH that is a poor uneducated adolescent girl, legal discourses make it seem as though this issue is not of concern to all of society, only 'particular

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<sup>316</sup> Phoenix, *Motherhood*, 16.

<sup>317</sup> Caroline Kabirua, *et al.*, "Transition into First Sex Among Adolescents in Slum and Non-slum Communities in Nairobi, Kenya" *Journal of Youth Studies*, 13, 4, 2010, 454.

kinds of people' within it. And in that way the state attempts to absolve itself of responsibility, aided by the family upon which blame is continuously shifted. All of these discourses take place over the silence, until it appears it is not there. Therefore, the ideology that the state passes on through these institutions is not patriarchy or misogyny, but silence.

## CONCLUSION

The ambition of this thesis is to re-imagine the way we think about the history of teenage pregnancy in Kenya. The reason this work anchors itself in the time of the coronavirus pandemic is because the crisis that emerged exposed the many preconceived ideas that frame our thinking about pregnant teenage girls. Over time, these ideas have come to form the basis of our knowledge about this issue, and as Hall reminds us, “[k]nowledge linked to power, not only assumes the authority of ‘the truth’, but has the power to *make itself true*. [original emphasis]”<sup>318</sup> For this reason, ‘the truth’ of the present paints an imagination of the past that is inherently misogynistic in its understanding of teenage pregnancy. Understood simply, History is the study of past events, with a vantage point that can only be the ever-changing present. But our present understanding of teenage pregnancy is a cacophony of contradictions, built upon the perspectives of outsiders.

Edward Carr (2003) describes the writing of History as “a matter of selection and interpretation of facts to buttress a theory and an understanding” of the past in a way that make sense to us.”<sup>319</sup> This thesis questions the facts of teenage pregnancy in Kenya through the stories of its experts in hopes of building a new understanding of the past, and of the present from which we perceive it. Bahati, Malaika and Zahara had completely different experiences of pregnancy in their teenage years, Bahati’s first conception was the result of rape, Malaika conceived with her boyfriend who shortly after asked to marry her, and Zahara also conceived with her boyfriend, although their relationship did not continue thereafter. They all chose to carry their pregnancies to term and for each of them, their young motherhood shaped and impacted the directions their lives took.

The process of selecting and interpreting the means that appear in their narratives in chapter one, “*the family built a homestead for the lady*” happened by chance, following the emergence of language, blame/shame, and exclusion in all three of their stories. In writing about Scott’s critical feminism, Butler emphasises the importance of how gendered social categories historically come to be, and this question became the point of focus in the first chapter.<sup>320</sup> The overlaps in the stories of our experts were not the result of them having been pregnant in their teenage years, but rather, were the result of them falling into a socially constructed category of ‘teenage pregnancy’. Because

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<sup>318</sup> Hall, “Power, Knowledge and Discourse”, 76.

<sup>319</sup> Edward Carr, “What is history?”, *Reading Architectural History*, 2003, 2.

<sup>320</sup> Butler, “Speaking Up, Talking Back”, 17.

of their stories, it is possible to understand how this social category has perpetuated itself throughout Kenya's post-colonial past, with all three means appearing in the earliest feminist records of this period, as seen through the work of Thomas for example. What this chapter reveals is that the historical lens through which this issue is written about would need to broaden, for in the words of Foucault, we are not only dealing with a discourse on teenage pregnancy "but with a multiplicity of discourses produced by a whole series of mechanisms operating in different institutions."<sup>321</sup> It is for this reason that news media and legislation come into focus in the second and third chapters respectively. By beginning with the narratives of the experts, and the three means that emerge from them, what follows are the two most prominent vehicles through which they have been carried from the past into the 'present' (2020).

The second chapter "*I never learned from anybody*" carries out an in-depth reading of news media stories from 2020-2021 using these three means as the points of focus. It finds that the language used by the news reports (re)create a particular subject of teenage pregnancy that is poor, vulnerable, alone, a school-dropout and in cases of those contemplating abortion and suicide, attempting to escape the responsibility of pregnancy. Because of their taboo nature, sex and rape are seldom stated to be causes of pregnancy, while poverty is centred in their place. Where these acts are referred to, the language tends to be euphemistic and suggestive, a recurrent feature in the wording used by experts and interviewers alike. The girls interviewed in the news stories in this chapter are treated as experts to emphasise the way they speak about their own experiences rather than the way their interviewers choose to speak about them. Many of the interactions that take place between them reveal the way "competing discourses represent their claims",<sup>322</sup> deploying language that does the work of blaming, shaming, and excluding their interviewees.

Through the news reports discussed, this chapter finds that news media exemplifies Gandhi's argument that this thesis uses to explain why the pregnant teenage girls at the heart of this issue disappear. It finds that even when they do speak, the voices of outsiders speak over them, their experiences are "written over with the text of other desires, other meanings."<sup>323</sup> Connecting her work with that of KhosraviNik leads us to the why of the statement that guides this chapter: "all systems of communications bring with themselves ways of representing the world around us,

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<sup>321</sup> Foucault, *The History of Sexuality*, 33

<sup>322</sup> Gandhi, *Postcolonial Theory*, 90.

<sup>323</sup> Ibid.

and as such are subjects to study for what is communicated, how it is communicated, and why.”<sup>324</sup> During the pandemic lockdowns, news media in Kenya represented a subject of teenage pregnancy that is within the frame of our ‘common understandings’ using disparaging language and disembodied imagery to communicate that representation. The reason these experts are ‘written over’, is because if they are allowed to represent themselves by speaking freely about their experiences, they threaten “to expose knowledge as ignorance”,<sup>325</sup> destabilising the ‘truth’ that this discourse has securely built itself upon. The role of news media is therefore to legitimise the material reality born from the discourse on teenage pregnancy in Kenya. The sharp rise of these pregnancies during the pandemic, and the sexual violence that underwrote them allows us to see the way crisis influenced this particular site of discourse to stress a singular narrative on teenage pregnancy that focuses on poverty while blaming, shaming, and excluding the experts that choose to share their stories.

Moving into the third chapter, “*we have that national policy, but it’s not being implemented you know?*”, the three means are seen to have been a feature of legislative discourses where adolescent girls are concerned since the Affiliation Act debates of the 1960s. An exploration of the legislative history surrounding teenage pregnancy in post-colonial Kenya reveals that development, medico-morality, and family have been influential in creating stasis around adolescent sexual and reproductive health law (ASRH). This chapter argues that there exists a sense of timelessness within these debates, made possible by the continuous use of language, blame/shame, and exclusion in the (re)construction of teenage pregnancy.

The experiences of the experts at the centre of this thesis have all been shaped by the legislation surrounding ASRH, the feelings of regret, uncertainty, fear, and isolation that many of them express are the product of policy failures made possible by the legal vacuum that surrounds sexual and reproductive health more broadly. For this reason, legislation is understood to be the corporeal creation of this discourse, it is the way it *makes itself true*.<sup>326</sup> Dropping out of school is one of the greatest sources of angst and difficulty for pregnant and mothering teenage girls, but this is not a natural, given outcome of teenage pregnancy, it is the result of a lack of enforcement surrounding ASRH policies that exist to eliminate these very challenges. This chapter therefore

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<sup>324</sup> KhosraviNik, “Critical Discourse Analysis”, 299.

<sup>325</sup> Rickard, “Oral History- 'More Dangerous than Therapy'?", 41.

<sup>326</sup> Hall, “Power, Knowledge and Discourse”, 76.

reveals the entangled and cyclic nature of the discourse on teenage pregnancy. Through the stories of all the experts in this work, we learn how language and ‘controlled enunciations’ limit their ability to express their experiences of sex and sexual violence.<sup>327</sup> Without considering the experience behind their pregnancy, many in their lives blame them for being pregnant, and in other instances the girls feel shame as a precursor to this blame. The work of Stoler helps us to understand how their pregnancies (visible characteristics) come to represent who they are (invisible properties) and how this legitimizes a politics of exclusion around pregnant teenage girls.<sup>328</sup> Because their pregnancies subsume their identities, this chapter argues that these girls are treated as socially dead, as though they themselves do not exist. This returns us to the first chapter, where Bahati, Malaika and Zahara share their understandings of love: an awareness of equality in the face of difference, and a desire to ease rather than add to the challenges experienced by the person one loves. The absence of love in many of the experiences of pregnant and mothering teenage girls reveals the misogyny that characterises this discourse. And shows the necessity of love in transforming it along with the lives of those at the centre.



Kenyan society’s silence is violence. The consequence of framing sex and sexual violence as taboo subjects throughout the post-colonial period is revealed in the crisis of teenage pregnancies that occurred during the coronavirus pandemic. The prevalence of sexual violence in this time and the inability of news media and legislation to address perpetrators in cases of teenage pregnancy is the result of this discourse’s long history. Becoming aware of the *means* by which our ideas are (re)created and stagnated is made possible by the stories of our experts who must be at the core of all ASRH research. Through them, this thesis is able to understand the ways in which present constructions of teenage pregnancy influence the way they have been perceived and written about in research, news media and legislation over time. The history here shows us that time alone does not initiate change, and that the usefulness of Critical History where gender issues are concerned is to “make visible those blind spots in order to open a system to change. Not to replace what is with a fully formulated, ideal plan, but to open the possibility for thinking, and so acting, differently.”<sup>329</sup>

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<sup>327</sup> Foucault, *The History of Sexuality*, 18.

<sup>328</sup> Stoler, *Race and the Education of Desire*, 8.

<sup>329</sup> Joan Scott, “Finding Critical History”, 49.

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