

# **PUBLIC POLICY TRANSFORMATIONS IN AFRICA**

Edited by  
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ISBN 978-88-909162-0-5



9 788890 916205



EUROPEAN CENTER FOR SCIENCE  
EDUCATION AND RESEARCH

ISBN 9788890916205

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Typeset by EUSER

Printed in

Rome-Italy

2016

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## **Dedication**

To Nelson Rolihlahla Mandela for his assiduous, selflessness and personal sacrifice to see a free African continent.

## Acknowledgements

The authors could like to thank individuals and organizations that took time to help us in one way or the other throughout the writing of this book. First and foremost, we'd like to give special thanks to OSSREA, the organization that organized a gender mainstreaming workshop in Addis - Ababa, Ethiopia in December, 2007. The meeting laid the foundation for several collaborative research projects among the authors of this publication. Thanks to Olivier Provini, our friend and colleague at the Universite de Pau et des Pays de l'Adour, France, who played a crucial role in providing insights into the contents and organization of the book. The completion of this project could not have been realized without the support of the team of contributors that provided the perfect blend of knowledge and skills that went into the writing of this book. We thank each and every one of them for devoting their valuable time and efforts towards the realization of the book. We could like to express our gratitude to Prof. Christian Thibon for his relentless support, academic nourishment, mentorship and encouragement and Prof. Shumirai Nyota for accepting to write the foreword.

We cannot express enough thanks to our families who have been our inspiration and motivation to continuing to quench our thirst for knowledge and move our academic careers forward and for having been patient with us during the countless moments we put into the editing and shaping up the manuscript. Last, but definitely not least, we are indebted to Mihaela Ioana Danetiu and Sébastien Garciaz for their kind assistance with the editing and publication process. The views expressed in the articles are not in any way those of editors and the contributors take full responsibility for any errors and omissions inherent in their individual chapters comprising this book.

*Joseph Misati Akuma, Enna Sukutai Gudhlanga  
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Pau, France  
December, 2015*

## Foreword

Public Policy Transformations in Africa: Trends, Challenges and the Future is a book handling a number of challenges affecting development in Africa that the writers have observed in the respective African states they explore. Though the writers are dealing with issues in their respective states, the similarities in the challenges highlighted are striking. The book provides an informative interdisciplinary study of the socio-cultural and economic landscape of the African states the writers explored. It expertly tackles the seemingly inseparable pair of Africa and suffering through the yoke of poverty. The degree of research that was undertaken by the writers is impressive. This enabled them to engage in original discussions of important topics in matters to do with African development which among other things include; natural resource management, agriculture, governance, decentralisation, education, youth and gender mainstreaming. The writers' interrogation of policies in place reveals in some cases, gaps and mismatches inherent between policy and practice. In handling these challenges, the writers have re-engaged some old and familiar debates and at the same time framed new ones that enrich the discourse of development in Africa. They lay bare shortfalls of foreign solutions and at the same time do not over-glorify indigenous knowledge systems or home grown solutions for their sake, but they thoroughly evaluate the home grown solutions suggested for their merits and demerits. The scholars have demonstrated why Africa, a continent endowed with numerous natural resources such as mineral wealth, rich soils, tourists' resorts and manpower remains poor economically and a third world. They strongly feel that this is mainly because Africa has no faith in herself as a continent and if this scenario is not attended to, she will continue to be poorer despite several years or decades in most cases after attainment of political independence. They go on to suggest that, in order for the continent to leapfrog into the 22nd century, she needs to have a paradigm shift whereby she looks at home grown solutions which are owned and understood by the people concerned. This is the public transformation the book unambiguously stresses with appropriate supporting evidence discussed by the various writers.

On the whole the book is a welcome boon to students and scholars of African studies. Policy makers will also find it a valuable gift since it provides informative evaluations of their policies as well. General readers are also going to find the book readable.

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# 1

## **Policy Transformations in Africa An Introduction**

*Joseph Misati Akuma, Enna Sukutai Gudhlanga and Ezekiel Mbitha Mwendwa*

### **Africa's turn: The Continent of the future**

In many respects, the African continent has experienced tremendous transformations in the last five decades. While the continent is intriguing for its cultural, environmental, racial and political diversities, scholars have often portrayed her as being in a catastrophic situation, most of whose nations are in a desperate shape (Meredith, 2011; Kanyandago 2002; Guest, 2005; Kaarsholm, 2006). The disillusionment has majorly been attributed to the happenings that shaped Europe and America in the nineteenth and twentieth centuries, particularly the partition of the African continent into many segments (Rodney, 1973; Schroeder et al, 2000). Aside from that, upon gaining their independence, the spilling over to the African countries, the ideological rivalries during the cold war era beginning in the early 1960s to the late 1980s brought about devastating consequences to Africa. Also, the policy impact of the Structural Adjustment Programmes which were considered as a panacea for the problems that the continent faced at the time led to an “erosion of the national sovereignty” as they were modeled on an external design and neglected the human dimension of the crisis (Adedeji, 1989).

However, at the beginning of the new millennium characterized by the radical shift in economic and political power from the USA, Europe and Japan to other countries and regions, Africa has been brought into the focus of global attention with the catchword “Africa's turn” (Radelet, 2010). The continent possesses some of the most abundant natural resources in the world, most of which are yet to be tapped. Her youthful population, a growing middle- class, massive urbanisation process, improvements in governance and the growing strength and dynamism of the private sector are some of the

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factors attributable to her impending growth. Globally in 2012, 15 out of the 20 countries which made the greatest progress towards the attainment of the Millennium development Goals were from Africa, with countries such as Benin, Egypt, Ethiopia, Malawi and Rwanda making an impressive progress in a number of goals and targets (UNDP, 2013). Furthermore, available evidence indicate that the spread of HIV and AIDS, Tuberculosis and Malaria has been halted on the continent (UNAIDS, 2013). The above notwithstanding, the burden of runaway insecurity and terrorism, child and maternal deaths and food insecurity are a recurring challenge (UNFPA, 2014; African Development Bank, 2012). Hence for Africa to take her rightful place in the global arena as the “flourishing continent” it calls for a paradigm shift geared towards instituting fundamental changes by the Africans themselves on several fronts, in response to contemporary reality, key among which include; the adoption of export oriented investment, enhancing the quality of human capital and social cohesion across the continent in order to create an environment that is capable of supporting wealth creation.

### **The past of the present**

The use of foreign models to solve Africa’s problems has to a greater extent failed to achieve positive results on the continent. Structural Adjustments Programmes (SAPs) have failed dismally to resolve Africa’s economic problems. These SAPs have left African countries on a worse off position with spiraling debts that they cannot service. Also the World Bank assisted land reform programmes on a willing seller-willing buyer that have been practiced in countries like Kenya, Zimbabwe and South Africa have also failed to work. After so many years of attaining independence the racial injustice in land ownership in most countries that were settler colonies have not yet been resolved. In most countries like South Africa, Namibia and Kenya the land still largely belongs to whites and a number of multi-national corporations. The reasons why these countries waged liberation struggles was to regain their lost land which had been alienated from them by colonialism. So many years have passed after the attainment of independence and most African states still have not given back land to their citizens.

The issue of affordable healthcare is also still a major problem in most African states. When these states waged liberation struggles they were preaching free or affordable healthcare for their citizens. This has also not materialized; accessing good health care has been a preserve for just a few who have been so lucky to be in the right positions. Public hospitals that the majority of the African populace can afford to access treatment from are grossly understaffed and are poorly equipped to treat people who need their services. The private hospitals are so expensive and can only be accessed by only a few people. Also only the elite can afford to seek treatment abroad in India, United Kingdom and the United States of America. The HIV and AIDS epidemic has hard hit Africa because she does not have the resources to take care of her population. Also the current Ebola Virus outbreak in West Africa which started in March 2014 and the world is just watching the epidemic skyrocketing to unprecedented levels. People are dying on a daily basis and African states despite the fact that most of these countries are in their third, fourth and fifth generation of post-independence 'sovereignty' still watch aimlessly when these epidemics hit them.

Also, on the political front there have been some problems bedeviling most African countries that have celebrated diamond and silver jubilees of self-rule. There have been a lot of wars erupting on the continent, mainly civil wars based on ethnic and religious differences resulting in further partitioning of some countries like the recent partitioning of Sudan into South Sudan and North Sudan. The same upheavals are also going on in Nigeria where the Boko - Haram group in the northern part of the country is terrorizing the nation by abducting innocent girls among other terrorist vices. Thus even after attaining so many years of independence most countries are still having problems and Africa is failing to leapfrog into the first world or to become a developed continent like Europe and the America.

### **Home Grown policies for a flourishing Continent**

The foreign solutions that have been used in economic recovery, diplomacy, environmental management and achieving a sound health delivery system have failed to a very large extent to put Africa at par with the so called developed continents like Europe, America and Australasia. This therefore

calls for homegrown solutions that originate and are deeply rooted on the continent. Once the people own the solutions that are used to solve their problems they will survive and will stand the test of time. The chapters in this book written by eminent scholars based at institutions of higher learning in Eastern, Central and Southern Africa, put forward some of the innovative ideas from the Social Science perspective that are being crafted to introduce reforms meant to support transformative development in a renescent Africa. Adopting an interdisciplinary approach, the text aims at enhancing the understanding of the background to Africa's position at the beginning of the second decade of the twenty – first century and suggests the possible future scenarios. The collection of chapters tries to discuss how Africa can have a paradigm shift in addressing her woes as foreign policies have failed to work in the past and the continent needs to wear new lenses in redressing her challenges.

### **Outline of the book**

The collection of chapters in this edition has tried to bring to the fore on how Africa can have some transformation in the way she tackles and resolves the challenges that she faces. Gudhlanga and Chirimuuta focuses on harnessing indigenous agricultural farming methods to mitigate climate change in Chimanimani District of Zimbabwe. They contend that the whole world is facing challenges of climate change and some of these causes of climate change are a result of the highly industrialized technologies which are being used in the world today. Zimbabwe like other countries is also facing challenges of climate change which is attributed to the agricultural methods being used by the Zimbabweans people today that have been heavily borrowed from the west (Kunnie, 2000 ; Brown et al, 2012). Gudhlanga and Chirimuuta argue that prior to embracing new and highly technological farming methods the indigenous communities of Zimbabwe did not have erratic rainfall and increased temperatures which are also resulting in perennial droughts (Kunnie, 2000). It is against this background that Gudhlanga and Chirimuuta suggests embracing indigenous farming methods that were environmentally friendly. They argue that embracing these traditional farming methods will immensely contribute towards mitigating climate change. Also, they state that findings might also go a long way in informing government policy on better methods of farming which should be practiced among African communities and

also taught in agricultural colleges. In Chapter two, Chirimuuta and Gudhlanga also discuss indigenous knowledge systems, food security and nutrition as a tool for promulgating an indigenous policy on nutrition in Zimbabwe. They note that most African communities have attracted media attention in terms of their food insecurity, with channels such as CNN, BBC, Aljazeera and CCTV among others covering images of African children and women suffering from famine, starvation and malnutrition, situations that have become synonymous to life on the continent. They state that handouts and policies on food security have been extended at international level to salvage the people from the starvation and malnutrition. These international interventions have helped ease the problem, but paradoxically they cultivated an emotional attachment to exotic oriented nutritional substitute as opposed to affordable, reliable and easily accessible indigenous ones. The attempts have only served to confirm Asante's argument that European interventions in Africa cannot provide a panacea to the challenges of Africa's own people. Chirimuuta and Gudhlanga demonstrates the extent to which the indigenous knowledge on food security and nutrition is still being upheld among the households in Domboshava peri-urban community and Musana communal areas of Zimbabwe and demonstrate how these can salvage the rich heritage in food security and nutrition that is embedded in the abandoned local knowledge reservoirs. They contend that such research might assist in informing government in coming up with an indigenous and practical driven policy on food security and nutrition.

Gudhlanga and Chirimuuta further discuss how traditional gender relations in African societies were constituted. They argue that women were not passive but active agents of development in traditional African societies. They endeavour to correct the misrepresented image of gender relations in Shona and Ndebele traditional cultures and demonstrate how male-female relations have been affected by the onset of colonialism, Islam, Christianity and codified customary law. Gudhlanga and Chirimuuta demonstrate that pre-colonial African women did not see themselves as an under privileged class which had to fight with men in order to seek social equality because they enjoyed more freedom and power in a complementary gender system in which they participated as active agents of development and made immense contributions in both the private and the public spheres (Gudhlanga, 2011b). they critique the traditional oral literature of the Shona and Ndebele people and demonstrate how this portrays male-female relations

In these respective societies because the philosophy of life as lived and celebrated in these societies is embedded in traditional oral literature. Gudhlanga and Chirimuuta contend that such research would guide the present society which incessantly clamour for equal rights and might also inform government and gender policies in various African countries to draw from indigenous gender relations. Besides, it might also guide the African continent on how it would progressively address issues pertaining to gender equality.

On their part, Ezekiel Mbitha Mwenzwa and Gillian Louisa Kaliwa compare and contrast gender mainstreaming in Kenya and Malawi. They argue that gender mainstreaming has been topical since the 1970s and it also became an issue among African states when more people accessed formal western education. They argue that gender mainstreaming has been misconstrued to mean women mainstreaming and this has faced a number of challenges in most patriarchal societies on the continent. As a result many countries resorted to piecemeal gender mainstreaming amid murmurs that it was women mainstreaming. Many countries therefore have tried to redress this by Acts of Parliament. Mwenzwa and Kaliwa use comparative lenses to look at the trends in gender mainstreaming in Kenya and Malawi. They analyse policies that have been formulated in this endeavor in the two countries in order to bring out the similarities and differences. Finally, they give they suggest the way forward to augmenting gender mainstreaming for prosperity and posterity in the two countries.

Tankie Khalanyane and Palesa Moseitse discuss feminism empowerment of an African woman in Lesotho. They argue that feminism is not an empowering concept to an African woman for a variety of reasons. They give the following reasons to demonstrate that feminism is not a concept which empowers African women ; firstly, historically an African woman has always been held in high esteem by her male counterparts ; secondly, issues raised by western feminists tend to universalize all women yet the contexts, experiences and other factors differ from region to region ; thirdly, western feminism tends to take a top-down approach where the agenda is set by a group of individuals who do not know the contextual problems of individual women and men. Based on the above Khalanyane and Moseitse argue that feminism cannot and will not succeed in empowering an African woman because it misses the context and the intricacies of her life and experiences.

Elsewhere, Enna Sukutai Gudhlanga and Chipo Chirimuuta discuss traditional wildlife and forestry management in promoting suitable conservation management practices in Chipinge District of Zimbabwe. They argue that there has been rapid destruction of vegetation cover globally and this has posed a challenge to humanity. If nothing is done expeditiously the African countries like Zimbabwe which still brag of wildlife and forestry will turn into deserts and would result in the extinction of wildlife as has already happened in other continents. Gudhlanga and Chirimuuta further contend that traditional communities had their own ways of managing resources which did not involve laws that came from outside the community but these were embedded in a people's beliefs and cultural values. It is against this background that they recommend tapping into traditional practices of wildlife and forestry management that did not waste a lot of financial and other resources. Gudhlanga and Chirimuuta hopes that if Africa tapes from its indigenous conservation methods it would improve development in a big way since these methods would not be imposed on the people but would be originating from within.

Fabian Kigadye discusses architectural heritage conservation in rapidly urbanising cities like Dar-es-Salaam. He contends that Dar-es-Salaam city is changing structurally by replacement of old building with new ones and the city is facing challenges on conservation of built heritage due to demolition of historic buildings and the areas surrounding historic monuments. He states that the demolition of historic buildings to pave way for construction of new building for housing and office spaces to meet the free market economy demand has largely negatively impacted on historic sites and buildings. There are some pieces of legislation that declared part of historic city centre of Dar-es-Salaam as architectural conservation. However these are ignored when new buildings are being erected in the city. Kigadye recommends that, national authorities should harmonise national policies and legislations and strengthen institutional linkages for heritage conservation and management.

Michael Chesire discusses natural resources management approaches, ethics and development in Africa. He contends that natural resources remain the major engine of development the world over and are perhaps set to remain so in the distant future. This explains why development initiatives have continued to hinge around natural resources particularly in the global

South. He states that there is need for cautious exploitation of natural resources which is informed by the changing human lifestyles, population pressure, high poverty indices and environmental degradation resulting from urbanization, industrialization, globalization and commercial agriculture among others. There have been different approaches to natural resource management have been employed including ecological, economic, technological, ethnological and those that are community-based. To Chesire the latter have demonstrated significant impact on development outcomes given that it has a human face. Natural resource management approaches are guided by the development, preservation and conservation ethics. He discusses the various approaches and ethics employed in natural resource exploitation, management and development which ultimately influence development activities. Finally, Chesire suggests best practices that might be employed to revitalize development outcomes in natural resources.

Joseph Misati Akuma discusses the role of devolution in enhancing transparency and accountability in Kenya. He argues that the challenges that the country is facing are traceable to the recently replaced centralized system of government characterized by top-down approaches. He brings to the fore the advantages of devolution, a decentralized system of government which involves the grass roots. He cites recent key reforms among them, the Vision 2030 blue - print and the new Constitution of Kenya (2010) aimed at strengthening institutional capacities to reform political and economic governance and promote citizen participation. Once people feel that they are part of the decisions made, they will honour them and also thrive to see them achieved. Akuma, however, also raises the challenges that the devolution system of governance might have. He further recommends that constructive civic engagement, restoring financial discipline including curbing corruption and adoption of e- governance will lay a firm foundation for institutionalization of transparent and accountable governance in the country.

Sammy Mwangi Waweru further discusses the implementation of devolution in Kenya and highlights the prospects and challenges of such a new way of governance. The writer contends that centralization of power to the central government in Nairobi brought in a number of problems bedeviling the country. He argues that many political systems globally have adopted decentralization of power and governance in order to curb most of the problems that centralisation is associated with. He contends that the new

Kenya Constitution has realised the need to decentralize power to different countries. Waweru identifies constitutional and legal framework, provision on share of national budget, sequential transfer of functions, vibrant media political will as major prospects in the implementation process. He however notes the following challenges; lack of constitutionalism culture, lack of capacity and opposition to transfer of functions, leadership problem and lack citizen participation in county matters as major challenges to successful implementation of devolution. Waweru recommends that there should be an increased civic awareness to increase public participation, county governments to diversify revenue source to reduce dependence on national government allocation. He also identifies the role of judiciary in solving problems associated with divergence interpretation of laws related to devolution for a successful implementation process.

Ezekiel Mbitha Mwenzwa discusses dry land development policy in Africa if it could be adopted as the panacea for continental renaissance. He argues that dry land constitutes 41% of the global land area and in Africa they constitute 61% of the total continental area. He states that these dry lands have been condemned as wastelands which cannot produce food for their own sustenance and they are perpetual recipients of relief assistance, leading to the dependency syndrome among local communities and near death to local development initiatives. They remain deficient in many development indicators, thereby holding back human welfare. Mwenzwa discusses the development challenges and potentials of the African dry lands and proffers a uniform dry land development policy to revitalize continental development. He concludes that their improvement is not an optional route to general continental progress.

Ezekiel Mbitha Mwenzwa also discusses policy implications of executing the African Youth Charter in Kenya. He argues that more than half of the population is in Arica and therefore there needs to be some policy and institutional mechanisms put in place to take care of their needs. African countries met in Banjul, The Gambia on 2nd July 2006 and came up with the African Youth Charter. He states that among other issues the Charter is seen as the yardstick for member states to initiate measures to ensure youth mainstreaming in development. In particular, it obligates member states to develop country-specific youth policies to augment their welfare and contribution in nation building. Mwenzwa analyses the Charter to determine the implications of its implementation in Kenya while pointing out the challenges that lie ahead. Finally, he suggests policy imperatives to assuage youth needs and invigorate their welfare in line with the ideals envisaged by the Charter.

Florence Kanorio Kisirkoi's chapter focuses on the assessment of the education sector policy reforms in Kenya. She argues that traditional African education which was prevalent in Africa before colonialism had a holistic approach and it produced a total human being who would not be a job seeker. The western oriented education which came with missionaries produced job seekers who thrive for white collar jobs, not everyone can be absorbed into this sector and therefore this type of education produced a number unemployed people. Through western oriented education Africans developed a negative attitude towards their traditional African education which emphasized vocational training and they craved for elitist education offered to white children. She further states that at independence Kenya offered elitist education that served the country for a short while and then led to joblessness for many. Since then there has been efforts made to reform education through commissions, reports and other policy documents. Notable ones were in 1964, 1976, 1981, 1988; 1999, 2003, 2005 and 2007. Kisirkoi brings to the fore the fact that western oriented education has resulted in a number of jobless people, it has stifled indigenous African education which produced a total human being who would not roam the streets as a job seeker. She recommends that future education reforms in Kenya should address identified educational needs without colonial hangover and aim at holistic development of learners equipped with problem solving and job creation skills.

Noah Sang'anyi discusses the future challenges and policy direction of social protection in Kenya. He argues that the general population of Kenya especially in urban areas is poor and continues to face challenges despite the country celebrating 50years of independence in 2013. The social problems continue to skyrocket and these are worse among households affected by HIV and AIDS. Households therefore need some social protection nets to cushion them against these vulnerabilities that they face on a daily basis. Sanganyi takes note of the cash transfer programme adopted in 2004 to assist vulnerable households which has demonstrated significant impact on poverty reduction in households affected HIV and AIDS while supporting livelihoods, enabling access to education and improving nutrition. He further states that social protection strategies face operational and management challenges which mitigate their impact to better the lives of the poor and vulnerable. He recommends that there is need for discussion, research and development to assist policy makers in identifying, designing and implementing social protection policies which will improve livelihoods.

Japhace Poncian discusses the prospects and challenges of a gas led economy in Tanzania. He observes that Tanzania is a relatively resources rich country in Africa which has recently discovered large deposits of natural gas. This discovery has been received with both optimism and pessimism. Drawing on literature and experience from some resource rich African countries, Poncian argues that benefits from the oil and gas sector would greatly be determined by how the country structures itself against such challenges as corruption, weak state and institutional capacity, as well as how benefits would be shared.

John Nyangena interrogates the developments in the water sector in Kenya which has undergone major reforms since independence. He contends that the water sector reforms were meant to ensure that both rural and urban citizens gain access to portable and reliable water. He notes that the sector has recorded mixed performance. It has recorded the following achievements; increased water and sanitation coverage, establishment of a mechanism for Integrated Water and land Resources Management, improved accountability and increased budget allocation. The sector has also been affected by the following challenges; high non-revenue water, ineffective institutional arrangement, underperforming water utilities, slow community integration and inaccurate and unreliable sector data. Nyangena observes that despite the reforms the country per capita water availability declined from a high of 1853 m<sup>3</sup> per year in 1969 to a paltry 503 m<sup>3</sup> per year in 2010. Translating the reforms into management practices is the biggest problem in the realisation of positive outcomes. In conclusion, the various book chapter contributions have endeavoured to show how Africa can adopt a paradigm shift in dealing with her problems. Most of the solutions that are offered in the different chapter contributions are home-grown and devise a new way of doing things. Africa should desist from a spirit of dependency on the west to solve all her problems. As long as the continent does not stand on its own and continues to have foreign based solutions to her problems she would even go into the next centuries without developing but remaining where she was if not worse than where she was at independence.

David Mbutia observes that the youth are an indispensable heritage whose engagement will bolster their inspiration and lead them away from participating in destructive endeavours. He argues that in all societies globally, the young generations are the agents of social change and this has been demonstrated in the continent, whose resilient youth have attained superb accomplishments in diverse fields.

Kennedy Wagura discusses the need for governments in the continent to institute policies for addressing in - country and regional inequalities for all communities to enjoy ~~unrestricted~~ access to their' nation's natural resources. Citing the Kenyan scenario, he observes that marginalization of the country's northern region has been a deliberate design by successive political regimes rather than the often cited ecological and geographical factors. The chapter notes that the new economic strategies, but more specifically, the LAPPSET marshall plan is destined to bring about far reaching transformations to the region

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# 2

## **Harnessing indigenous agricultural farming methods to Mitigate climate change in Zimbabwe**

*Enna Sukutai Gudhlanga and Chipso Chirimuuta*

### **Introduction**

It has been observed that the whole globe is experiencing some weather changes as a result of human activities. This is well documented by research that the earth has become warmer than it was fifty years ago (Hulme et al, 2001; IPCC, 2007; Mutekwa, 2009). The cause of these weather changes has mainly been attributed to human activities, how humans have interacted with nature in realising their desired goals. Africa has also not been spared by the climate change and its concomitant effects. The continent is also facing a number of challenges due to the borrowed western ways of doing things which have overshadowed the indigenous ways of doing things (Kunnie, 2000).

A lot of focus has been put on industrialisation and urbanisation with its heavy industries and the automobile industry as the cause of climate change. The agriculture sector has been largely overlooked as both the source of greenhouse gas emissions and a potential tool for mitigation (Niles, 2008). It has been observed that agriculture is among the major causes of climate change in the world. The sector accounts for 14% of global greenhouse gases, or 25% if agriculture driven deforestation is included (Schaffnit-Chatterjee, 2011). The contribution of agriculture to gas emissions that result in climate change has also been observed by Ngigi (2009) who argues that agriculture is part of the climate change problem contributing 13.5% of annual greenhouse gas emissions and agriculture-related deforestation contributing 19% as compared to 13.1% from the transport sector. Most of these farming methods that are harmful to the environment that have also come to Africa have been borrowed from the west through Africa's contact with such culture through colonization and also through globalisation in which she is also an actor who usually borrows heavily from the big brother's ideas and abandoning her own traditional methods even if they are good.

In as much as agriculture is the main contributor of climate change it also has a lot of potential in mitigating the problem if environmentally friendly methods are used. It is the purpose of this research to investigate the

traditional farming methods that were used in Africa in general which are now being used in Chimanimani District of Zimbabwe in particular that can be used to mitigate climate change. A lot of scholars have argued that before Africa came into contact with Europe she had her own farming methods some of which, if taken up today, could assist in alleviating some of the challenges that the continent is facing today (Matowanyika, 1995; Kunnie, 2000). It is therefore against this background that the research advocates the embracing of traditional ways of farming that could be harnessed in mitigating climate change if they were to be taken up today.

## Theoretical framework

The study is informed by the afro centrality theory which was propounded by Asante (1998). This theory encourages that African phenomena should be looked at using the viewpoint of Africans, this might be their works of art, their education, farming methods and even ways of combating climate change. The theory emphasizes that the African way of life as well as all endeavours at responding to problems on the continent should be approached and given meaning from the standpoint of African people. Its main thrust is the placing of African people's interests at the centre. As Gray observes, Afrocentricity is:

*... a perspective which holds that African people can and should see, study, interpret, and interact with people, life, and all reality from the vantage point of sane African people – rather than from the vantage point of European, or Asian, or other non-African people, or from the vantage point of African people who are alienated from Africanness (2001 : 3).*

The theory argues that using western or foreign theories to understand African realities often results in the distortion and misrepresentation of the indigenous people's history and cultural values. Again, looking at African realities from the point of view of westernised Africans produces wayward and awkward results (Gudhlanga & Makaudze, 2012b). It is prudent that the various ways in which climate change can be mitigated be discussed using a framework that stresses the significance of African people's way of life, their indigenous practices, and in this case their traditional farming methods. This theory therefore enables the researchers to dig deeper into the traditions of the African people and see if they had any farming methods which could be used for the benefit of the continent today. Instead of always heavily borrowing from the west afrocentricity theory gives affirmation to the African people's way of life and that, unlike western theorists who have presented Africa as barbaric and uncivilised there are also good things that emerged from the continent which could be harnessed and assist in its

development today.

## **Methodology**

The research adopted the descriptive survey for collecting information. The researchers purposively sampled 20 elderly farmers in Chimanimani District and interviewed them on the traditional farming methods practiced. Semi-structured interviews were used for the study. This form of interview was preferred because it provided the researchers with a framework within which to operate while at the same time enabling them to probe further on areas of interest they would need further clarification and elaboration. Also elderly people were purposively sampled because they were believed to be the storehouses of the traditional values and norms that guided the community with all its socio-economic and political practices including the traditional farming methods that could be harnessed in this climate change debate.

## Conceptualizing Indigenous Knowledge Systems

The study is informed by afrocentricity as stated earlier and therefore is guided by the indigenous ways of doing things. It is therefore necessary to have a clear understanding of what indigenous knowledge systems entail. It is indisputable that there have been so many definitions on what entails indigenous knowledge and in most instances the term indigenous knowledge systems has been used synonymously with traditional knowledge systems. The International Indigenous Forum on Biodiversity (2003) defines traditional knowledge as “as the essence, identities and worldviews of indigenous peoples. Traditional knowledge constitutes the collective heritage and patrimony of indigenous peoples. Therefore it is priceless to us, and its value cannot be calculated for economic exploitation”. Usher (2000: 186-189) also concurs with this definition and argues that, “traditional knowledge could be characterised as the knowledge claims of those who have a lifetime of observation and experience of a particular environment and as a result function very effectively in that environment, but who are untutored in the conventional scientific paradigm. Traditional knowledge is not privileged or secret knowledge in the way that certain other cultural phenomena, such as ritual, healing, or spirituality may sometimes be.” No matter the various definitions of traditional knowledge it has to be noted that most of these definitions concur that this knowledge is transmitted orally from generation to generation, it is not a preserve of the few, it is deeply rooted in the cultural beliefs and traditional practices of a particular community for the purpose of survival and living in harmony within ecosystems. It is learnt during a life time and realises the interconnectedness of the trees, soil and water (Hiebert and Van Reese, 1998: 3). This study heavily borrows from this understanding of traditional knowledge and takes it interchangeably to mean indigenous knowledge systems. It is the purpose of this study to investigate how the people of Chimanimani District use their indigenous farming methods which have been handed down from generation to generation in mitigating climate change.

## Understanding Climate Change in Chimanimani District of Zimbabwe

Chimanimani District of Zimbabwe is a very unique region on that it has both the very high rainfall areas typically referred to as agro-ecological region 1 covering areas like Chimanimani town and Rusitu areas where high rainfall crops are grown, these include deciduous fruits and also low temperature fruits like apple, pears and pineapples; and timber plantations. The District also has part of the Save low veld which receives very low rainfall and falls into the agro-ecological region 5 with very high temperatures. Areas comprising the low rainfall areas of Chimanimani District include Chakohwa, Gudyanga, Changazi and Nyanyadzi. Both the inhabitants of agro-ecological region 1 and agro-ecological region 5 have experienced some weather changes in their respective areas.

The people of Chimanimani District might not be using the term climate change to define the different weather phenomena occurring in their areas but have definitely noticed that weather patterns have changed. All informants concurred that the drought spells are more frequent than they were a few years ago. They also concurred that temperatures have become warmer in summer and very cold in winter; and above all they have noticed that the rainy season commences very late and it has become very short as compared to fifty years ago. They have also noticed the frequency of tropical cyclones and floods and made allusion to cyclone Eline of 2000 which destroyed the district and resulted in very heavy floods such that some people were left homeless, a rare phenomenon during their life time. The informants have also noticed that the major rivers in their areas like Nyanyadzi, Save and Odzi have very little water while some rivers like Changazi and Chikwizi have dried up. These last two only have water flowing soon after a storm and when all the runoff water is finished these simply dry off. What these simple elderly farmers of Chimanimani District are alluding to are the effects of climate change which they are experiencing though they might not be using the term climate change itself but they are experiencing it.

The experiences of climate change by the farmers in Chimanimani District have also been corroborated by researchers in Zimbabwe who argue that “there are shifts in the onset of rains, increases in the frequency and intensity of heavy rainfall events, increases in the proportion of low

rainfall years, decreases in low intensity rainfall events and increases in the frequency and intensity of mid-season dry spell” (Unganai, 2009). Also extreme weather events like tropical cyclones have increased their intensity and frequency (Mutasa, 2008). Even the Zimbabwe Meteorological Services has recorded an approximate increase of 2.60 C over the last century and an increase of 20 C in the daily maximum temperatures during the same period. Chifamba and Mashava (2011: 19) have also noted that the Save River which is a major river in Zimbabwe is drying up as a result of deforestation, reduced rainfall and land degradation. These changes have resulted in more arid environments for agriculture production in a district which relies heavily on rain fed agriculture.

All these changes allude to climate change which has been defined by Kersi and Ross (2005) as “a large scale change in one or more basic climate components such as temperature or precipitation.” Muyambo and Maposa (2014) argue that climate change is caused by a number of factors, chief among them being the activities of human beings. Kunnie (2000) also argues that among the human activities that have resulted in climate change are the farming methods that have been borrowed from the west. He further argues that these foreign farming methods have hastened the concomitant effects of climate change among the indigenes of Africa. Muyambo and Maposa (2014: 24) have also further observed that “indigenous cultural beliefs, practices and knowledge systems, if engaged responsibly, can be the panacea for the climatic problems that are associated with climate change.” They however focused on how the Ndu cultural beliefs can be harnessed to preserve two wells in Manzvire area of Chipinge, Zimbabwe. The present study borrows heavily from the concept of using indigenous knowledge systems proffered by Muyambo and Maposa (2014) and goes further to investigate how indigenous farming systems can also be harnessed to mitigate climate change in Chimanimani District of Zimbabwe. Whilst Maposa and Muyambo (2014) focused on the preservation of water bodies through cultural beliefs and practices the present research focuses on how traditional farming methods could be tapped into in mitigating climate change since it has been observed by most researchers that agriculture has been overlooked yet it is the major cause of climate change and also that it can also proffer solutions to this problem that the world is currently facing.

## **Indigenous farming methods that can mitigate climate change in Chimanimani District**

Data collected from the purposively sampled traditional elderly people in Chimanimani District point to the fact that there are some traditional farming methods, which some people are still using, which can be used to combat climate change in today's world. This traditional knowledge is still available among the elderly members of the community who are the store houses of the African people's traditions. It only needs a generation that is proud of its identity and culture to approach these elderly people and draw from them the wealth of traditions and experience that can be used today in assisting the present generation to follow ways that are not detrimental to the development of the continent. The recurrent themes that emerged from the collected data came up with the following traditional farming methods which were in harmony with the environment and did not interfere with some of the natural climatic conditions and subsequently leading to the harsh effects of climate change.

### **Weeding instead of using herbicides in removing weeds**

Most of the informants stated that traditionally in Chimanimani District farmers used to weed or uproot weeds instead of using herbicides as happens today. Traditionally farmers in Chimanimani would just use simple hoes to remove unwanted weeds amongst their plants and not to spray herbicides that make the grass wilt as some farmers are doing today. Weeding and just uprooting was friendly to the environment and did not interfere with the natural environment. This practice ensured that the unwanted and uprooted weeds were naturally converted into natural compost to form the very humus that further nourished the much needed and cherished food crops in the field. Furthermore, the weeding exercise was selectively done, whereby some weeds were left out to serve as ground cover and to preserve moisture. Besides, some of these weeds had to be left out because they acted as 'pesticides' in their own capacity, they would scare away insects and other small organisms that were likely to threaten the lives of the crop. However, some of these weeds that were left out in the crop fields were deliberately left as a mechanism of actually preserving them for their medicinal properties. Thus, such kind of herbs could be found to play dual or multiple roles in the agro-economic practices of the community as they helped maintain the well-being of both the lives of the farmers as well as that of their crops.

A lot of researches have observed that these chemicals that are sprayed in order to remove the weeds being used today have resulted in the depletion of the ozone layer resulting in a drastically increase in the amount of heat that is reaching the earth because the insulation that protects the earth from the sun's heat would have been destroyed by such use of herbicides (Schaffnit-Chatterjee, 2011; Ching, 2011). Apart from destroying the ozone layer the use of herbicides also interferes with other micro-organisms that are in the soil that assist in keeping the soil intact as well as enhancing its fertility. Such micro-organisms also help to ensure that the soil grains are not easily eroded during times of rains as well as promote the soil texture. Micro-organisms within the ecosystem such as earthworms and even other harmless ones, that would not have any negative effect on the crops that would be the target of protection, have a great contribution in maintaining the equilibrium within the ecosystems and likely to be severely threatened by the use of these herbicides. The traditional farming methods of removing weeds have thus proved to be friendly to the climate and the new technologies that have been embraced in the name of civilisation are bringing with them disastrous effects to the planet and ultimately inducing climate change. The agricultural extension workers in Chimanimani District are even encouraging the general populace to work hand in hand with the elders who have the traditional knowledge of farming which does not harm the environment. People are taking heed because they also have begun to feel the effects of climate change when they see some of their perennial rivers drying up.

### **Biological methods of killing pests**

Likewise informants stated that traditionally pests were not removed from plants by pesticides as happens today. Instead farmers knew the times to plant their crops when the pests would be at a minimum and the few pests that would be found would not be killed by pesticides but they would use the discriminative weeding approach to scare away rather exterminate the threatening species within the natural ecosystem. This way the insects would just leave their crops, creating an environment where the natural environment is not disturbed or distorted. Furthermore, instead of spraying crops the farmers could plant some plants that were not edible together with their crops; again such plants would make the insects to desert the crop fields. Also some of the few insects found were physically squashed using hands as a management strategy to remove the pests without necessarily using harmful pesticides. The pesticides just like the herbicides also deplete the ozone layer, leave the earth more open to the heat of the sun and greatly interfere with the natural co-existence of species in the ecosystem. This therefore, demonstrates that the traditional method

of removing pests was climate friendly, it did not interfere with the ozone layer. While these indigenous ways of removing pests from the fields might be perceived as archaic by the people who have embraced western ways of doing things, it is undisputable that they were more environmentally friendly and did not put the earth at risk of the effects of depleted ozone layer and resulting in increased temperatures.

### **Use of organic fertilisers**

The study informants stressed that they did not use inorganic fertilizers to increase soil fertility. Currently some people who have embraced western ways of farming in Chimanimani are using inorganic fertilisers like Ammonium Nitrate and Compound D to improve soil fertility. These fertilisers mainly contain Ammonium, Nitrates, Calcium and Potassium. One elderly person had this to say about the type of fertilisers they used traditionally, "We never used these fertilisers which make food stuffs taste so bad, instead we used manure from our kraals namely chicken manure, goat manure and cow manure. This manure is very good and does not harm the soil; also the crops grown do not taste as bad as happens to your vegetables that would have been grown using these modern fertilisers. We also used to make compost from maize stalks and this would degenerate into manure that was then used in our fields." The organic fertiliser has been proved, even to this day, to be very friendly to the soil. Scientific research has documented evidence that the use of fertilisers overloads the atmosphere with high levels of carbon which is emitted from the chemicals that are utilised in the production of the inputs, which in turn interferes with the normal carbon levels in the atmosphere resulting in severe weather changes that are not friendly to human lives. This has also been observed by scholars like Ching (2011) who argue that the carbon emissions into the atmosphere and the use of nitrates found in fertilizers has interfered heavily with the climate.

### **Using Simple farming implements**

The use of simple farming implements like hoes was of paramount importance to traditional farming methods. Chimanimani farmers did not use heavy machines that would destroy large tracks of land. They only cleared a small piece of land to grow crops to feed their families and not for export or business purposes. This came out clearly in what one lady said, "Our traditional farming methods did not destroy large tracks of land as happens today for the sake of growing a lot of crops for commercial purposes or cash crops, some of them not even edible crops like tobacco. We only cleared small pieces of land and grew what was enough for our families

and just a little surplus to use in times of drought. Farmers today are commercially-oriented; they just use heavy machines to clear large tracks of land in the process destroying the natural vegetation.” It can be seen that destruction of vegetation cover on a large scale has really interfered with the environment. The heavy machines being used in the agricultural sector destroy very big trees and clears large tracks of land as compared to simple farming implements like hoes, machetes and axes among others which would only clear small shrubs leaving very big trees in the fields. The indigenous people of Chimanimani did not completely destroy the trees but only removed shrubs and left big trees because they used simple farming implements. Trees play a very significant role in the hydrological cycle and once these are removed, the hydrological cycle becomes greatly affected. Deforestation was also singled out as one of the major contributing factors to climate change. This has also been observed by scholars like Sechaffnit-Chatterjee (2011) who argues that if agriculture driven deforestation is included the sector would contribute 25% of gas emissions into the atmosphere.” Also use of heavy machinery like tractors and combined harvesters emits gases into the atmosphere. This interferes with the natural climatic conditions resulting in the devastating effects of climate change. The emission of gases into the atmosphere by the automobiles has been noted to be one of the causes of climate change. Kunnie (2000: 35) states: In Arizona in the United States most of the streams and rivers that were present 20 years ago on maps, are absent today, because of warmer weather conditions, droughts and lack of rainfall, as the reality of global warming looms. This results from depleted ozone levels in the atmosphere caused by carbon dioxide emissions issuing from the hundred thousands of trucks, cars and vehicles all speeding on the road of progress.

This demonstrates that carbon emissions into the atmosphere has greatly interfered with the natural climate and consequently leading to warmer temperatures and dried river beds. Traditional farming methods were environmentally friendly and did not cause climate change. Farmers in Chimanimani are being encouraged to follow these traditional farming methods that did not interfere with the natural environment resulting adverse climatic conditions that are not suitable for human beings. The use of greenhouses has interfered greatly with the natural climate and Schaffnit-Chatterjee (2011: 1) has stated that “agriculture is a major emitter of greenhouse gases. It accounts for 14% of global greenhouse gases or 25% if agriculture driven deforestation is included. This makes agriculture a big contributor to climate change as the energy sector.” It is therefore clear that the indigenous farming methods that did not use green houses were environmentally friendly and did not cause climate change. Agricultural extension workers in Chimanimani are even encouraging farmers to resort to these traditional farming methods.

## Natural farming methods

Traditionally, in Chimanimani farmers did not use greenhouses but since the green revolution of the 1960s some farmers are also using green houses. They normally grow tomatoes and other vegetables in winter in green houses so that these would not be affected by the chilling winter weather. These vegetables are grown mainly for sale. One informant stated that, “the use of green houses was unheard of, we only practiced farming methods that were friendly to the environment without necessarily manipulating the environment as is the case today in which some farmers are also using green houses. It would be prudent if all of us revert back to the traditional farming methods that were environmentally friendly.” This demonstrates that the elderly farmers in Chimanimani are aware of the traditional farming methods that did not interfere with the environment and they recommend that it would be good if all farmers revert to tradition. Some farmers have taken heed and have gone back to using traditional methods of farming. The new farming methods epitomised by the use of green houses; have greatly interfered with the natural climate and greenhouse gas emissions have been the major cause of climate change in most parts of the world. Niles (2008) concur that the use of green houses in agriculture has greatly contributed to climate change and he sees the solution in not using greenhouses. He states that it is better for today’s world to revert to indigenous ways of farming and summarizes this as, “the agriculture sector has been largely overlooked as both a source of greenhouse gas emissions and a potential tool for mitigation of climate change” (Niles, 2008 : 19). Also the recent reports of the Intergovernmental Panel on Climate Change (IPCC, 2001, 2007) have stated, “not only that green-house gas emissions are already beginning to change the global climate, but also that Africa will experience increased water stress, decreased yields from rain fed agriculture, increased food insecurity and malnutrition, sea level rise, and an increase in arid and semi-arid land as a result of this process). It is therefore prudent for today’s farmers to take a leaf from the traditional farming methods instead of imbibing every technological development from the west some of which might be disastrous to our communities as represented by the use of greenhouses.

## Terracing

Chimanimani District is also mountainous in terms of its topography especially in the eastern part of the District which forms part of the scenic eastern highlands. Informants stated that crops were even grown on the mountain sides through terracing. This prevented water from running off and eroding all the top soil that could be used for growing crops. The

indigenous people of Chimanimani knew how to manage their environment so that they could get the best out of their mountainous topography. Colonial conservation authorities discouraged people from growing crops on the slopes fearing that there would be soil erosion but did not stop to consider closely how these people did it (Mapara, 2009). Terracing ensured that the top soil would not be washed away and that people had food security and would not be the first victims of climate change induced droughts. The importance of terracing in the mountainous areas of the eastern highlands has also been observed by Kunnie (2000: 38) who asserts: Terracing crop cultivation prevented livestock from destroying crops and prevented soil erosion. Notwithstanding some of the most difficult topographical terrain of Southern Africa, these indigenous farmers transformed this area into the most productive and intensively cultivated area of Zimbabwe, diverting water from streams along corridors that irrigated crops and gardens. The supposedly liberated women of the west still have failed to produce farmers who produce and conserve vital natural resources for sustaining Mother Earth and future generations. Mapara (2009) concurs with this observation and argue that the people of Nyanga District also part of the eastern highlands also practiced terracing and prevented soil erosion. Agricultural extension workers in Chimanimani are encouraging farmers who grow crops on mountain slopes to use the terracing method which through history has been seen to be useful in preserving the soil and ensuring food security in the community.

### **Mixed cropping**

Also, of paramount importance among the farming practices of Chimanimani District was mixed cropping or intercropping. Almost all the sampled informants concurred that traditionally farmers in Chimanimani practiced mixed cropping. This involved growing different crops on the same piece of land. When the western agronomist came to Chimanimani they dissuaded farmers from practicing mixed cropping without understanding the positive gains that Chimanimani farmers got from practicing such farming methods. Mixed cropping as understood by traditional Chimanimani farmers had its own advantages. Matowanyika (1995: 54) highlights the importance of mixed cropping: The way that extremely different crops are grown together on the same plot of land [maize, plantain, taro, groundnuts, etc] strikes western agronomists as something deeply primitive and anarchic. However, on closer examination, one notes that the soil is under permanent cover, thus reducing sun exposure and heating of the surface soil, the variety of root systems probably ensures a greater utilization of the soil volume; the succession of plant growth cycles mean that cover is provided during heavy [and most erosive] rains, when the large leaves [of crops] protect the soil; utilization of solar energy is probably higher; the risks of parasite infections are reduced.

This demonstrates that the traditional farming methods were not anarchic but were able to manage the local climatic conditions and even the removal of pests without using harmful chemicals. Mixed cropping as well ensured that there was maximum utilisation of the soil moisture which could not be easily evaporated since the soil was under permanent cover. Above all, mixed cropping also ensured that farmers would not be vulnerable to droughts, pests and crop diseases. If one crop did not do well another crop type would flourish and thus cushion farmers from the concomitant effects of climate change namely drought, pestilence and plant diseases. Farmers in dry land farming of Chimanimani District have embraced mixed cropping which has made them survive the recent harsh weather changes; this has also of recent been imbibed by Chimanimani farmers who are in the irrigation schemes who have been practicing western methods of farming. For example, Nyanyadzi, Chakohwa and Gudyanga irrigation farmers have also resorted to mixed cropping after noticing that their counterparts in dry land farming where there is no irrigation water but relying on rain water were doing very well and were able to survive the recent harsh weather changes. Thus farmers in Chimanimani have now appreciated the significance of the various traditional farming methods which could be harnessed to cushion them from the disastrous effects of climate change. Gukurume (2012) has also observed that farmers in Bikita District of Zimbabwe have also resorted to mixed cropping as a way of combating the effects of climate change. He argues that “farmers in Bikita are not passive recipients of the harsh effects of climate change but have rationally responded to it through various adaptation and mitigation strategies both individually and collectively.” Thus farmers can tap from indigenous farming methods as a way of alleviating the harsh effects of climate change.

### **Drought resistant cereals**

Most of the informants highlighted that traditionally Chimanimani farmers planted drought resistant cereals like mhunga (millet), rukweza (rapoko), mapfunde (sorghum) which are drought resistant and also adapt very well to the drier climates of the Save valley of Chimanimani District. Western agronomists encouraged Chimanimani farmers to grow maize instead of these drought resistant cereals which had been the staple food of the indigenous people. Maize wilts quite easily in harsh climatic conditions and as a way of allaying the harsh effects of climate change farmers in Chimanimani have resorted to planting traditional cereals like mhunga, rukweza and mapfunde which can do well in the short rainy season being experienced now. One informant said,

*We have now gone back to planting the crops that our forefathers planted. These include mapfunde, mhunga and rukweza. This maize that the agricultural extension workers encouraged us to plant in the irrigation scheme is susceptible to drought and the whole community starves when this crop fails due to less rainfall and higher temperatures. Those that plant traditional cereals do not face starvation for these crops can do well even after receiving very little rainfall. So some farmers in the irrigation schemes have resorted to growing these drought resistant cereals as well. At first the agriculture extension workers did not want us to plant these traditional cereals in the irrigation scheme but have kind of given in after seeing that farmers who grew such crops have food to feed their families and do not suffer the effects of these frequent droughts that have befallen us.*

The farmers have, therefore, realised that they could do better if they resort to traditional cereals. Maize that has been promoted by western oriented agronomists in Zimbabwe is not indigenous to Zimbabwe but zae maize is originally from Brazil and would not do well in our climatic conditions, it needs more rain in order for the crop to mature. Brazil falls into the Equatorial region which receives more rainfall than Zimbabwe which lies in the savannah region and therefore maize cannot do very well in Zimbabwe's climatic conditions which have also been aggravated by climate change. It is not only Chimanimani farmers who have resorted to indigenous crops as a way of mitigating climate change but Bikita farmers as well. Gukurume (2012) states that farmers in Bikita District have resorted to crop and livelihood diversification as an adaptation strategy to climate change; he further asserts that "peasant farmers in Bikita have switched to drought resistant crops like rapoko, millet, sorghum and finger millet which are more prone to drought" (Gukurume, 2012: 90). This attests that indigenous crops can be used to mitigate the harsh effects of climate change as evidenced by Bikita and Chimanimani farmers.

### **Growing food crops**

Also a very important farming practice that was raised by Chimanimani farmers was that traditionally they only grew food crops. They planted only crops that could be consumed as food and not any other crops that could be exported. Most informants were worried about some of the crops that people grow today as a result of their contact with western culture. One informant summarised her worries as, "In our culture we only grew crops that can be used as food namely, mhunga, rukweza, mapfunde, yams and sweet potatoes. The practice of growing non-food crops like cotton and tobacco only came with the white agronomists who introduced us to these

crops." This demonstrates that traditionally all crops were edible and farmers would have to store surplus produce in their granaries which they would resort to in times of drought. Having abundant food reserves would cushion farmers from the devastating effects of climate change. Chimanimani farmers and especially those at Chakohwa and Nyanyadzi irrigation schemes have taken a leaf from the traditional farming practices; they now rarely grow cotton as they used to do 20 years ago. They have realised that it is better to grow food crops so that they could be cushioned from the harsh effects of climate change by storing food in their granaries and not to rely on food aid from Non-Governmental Organisations which is not reliable anymore.

### **Rain making ceremonies**

Informants also highlighted that their traditional religion also played a significant role in their day-to-day activities. They stressed that African traditional religion played a crucial role in their farming practices. The Shona people believe in the Supreme Being Mwari (God) and communicate with him through vadzimu (ancestors) who are the departed members of the clan and now have a duty to look after the living. Whenever they want to communicate with Mwari they do that through vadzimu who will pass on their requests to Mwari. Even planting seasons were guided by vadzimu. They also requested for the rains from the spirit world through mukwererea (rain making ceremony) and once this ceremony was performed it marked the onset of the rainy season. Failure to perform rain-making ceremonies is believed to have contributed to the dry spells that the Chimanimani District is currently experiencing. One informant said we used to perform mukwerera; we would brew beer and go to the mountain for the function where people would drink the beer and perform rituals. We usually left the mountains when the rains had already started falling. But now people rarely perform these rituals; that is why the ancestors have forgotten us and are not intervening in these droughts and other natural disaster like cyclone Eline that have befallen us. If only we could perform these rain making ceremonies and respect the ancestors through performing the requisite rituals then our problems will be over.

The rain making ceremonies were environmentally friendly, they are not like cloud seeding which injects chemicals into the atmosphere and will end up having disastrous consequences on the climate. The people of Chimanimani therefore believe that religious ceremonies have a greater role to play in the challenges that people face today including climate change. Taringa (2006) also concurs with this and argues that the Shona people view climate change with religious prism and it is the religious prism which should be harnessed in order to mitigate climate change and

its devastating effects.

## Recommendations

From the findings of the study we can therefore recommend a number of solutions to the climate change debate. The first major issue which should be of paramount importance is to tap from indigenous knowledge of the people since they have rich traditions and ways of doing things that are in harmony with nature. In the climate change problem which has befallen the continent there is need to harness indigenous practices and beliefs to salvage humanity from the dangers of climate change (Muyambo & Maposa, 2014). Also scholars like Kunnie (2000) concur with the solution of tapping from indigenous knowledge as a way of mitigating the problems that humanity currently faces. He has encouraged going back to the traditional farming methods. He argues that : It is high time that western European powers recognise that the authentic environmentalists of the world are the indigenous coloured peoples and that they need to take direction from people such as the indigenous Africans to explore long term sustainable modes of growth and development (Kunnie, 2000 : 35). This demonstrates that indigenous African people already had sound practices which did not harm the environment and such practices should be harnessed in today's mitigation strategies.

The process of harnessing local knowledge will go a long way into promoting what people already believe in and people will not be getting ideas from outside their communities. Ideas that come from within the community are easily followed since people tend to own them, what they do not want are these exogenous ideas that are imposed on them. Brown et. al. (2012 : 12) also concurs with the notion of being guided by indigenous knowledge. They state that "... indigenous knowledge offers a rich resource to draw on to informal local responses. On the other hand, local cultural norms mean that acting externally to impose adaptations may be discarded or ignored by communities." Since people will own solutions that would have emerged within their societies, communities would benefit immensely by tapping from their local knowledge.

Finally, government should be guided by indigenous knowledge in crafting policies that promote environmentally-friendly farming methods and practices. The government should ensure that colleges and universities teach these indigenous methods of mitigating climate change. Chirimuuta, Gudhlanga and Bhukuvhani (2012) concur that the Zimbabwean cultural heritage can be preserved and passed on to posterity through the teaching of indigenous knowledge systems in Zimbabwean schools and therefore,

it should be part of the curriculum innovation. The continent has failed dismally because it has discarded its indigenous ways of doing things and no society can develop in a progressive manner without tapping from its wealth of indigenous knowledge. It is therefore necessary to take a leaf from the indigenous ways of doing things and use it in the development of our communities today for such communities managed to deal with most of the problems that are being faced today without any foreign intervention (Chirimuuta & Gudhlanga, 2013; Gudhlanga & Makaudze, 2012a).

### **Conclusion**

The study has demonstrated that even though agriculture has been overlooked it is also another cause of climate change in the world today. It also provides the solutions to the climate change problems that the world is grappling with. The research has amply demonstrated that African communities like Chimanimani are suffering because they have discarded their rich cultural heritage which had various ways of interacting with nature without causing disastrous effects. It has also brought to the fore that the problems of climate change that Africa is struggling with today are a result of imbibing foreign ways of doing things. It is therefore necessary for communities to harness indigenous knowledge which seems to be the solution to the challenges that the world is facing today. Climate change therefore, can be mitigated if policies makers in Zimbabwe and other countries can tape from the indigenous knowledge which is still abound in contemporary society.

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# 3

## **Towards an Indigenous Food and Nutrition Security Policy in Zimbabwe**

*Chipo Chirimuuta & Enna Sukutai Gudhlanga*

### **Background**

The occurrence of food crises in Zimbabwe makes it imperative for researchers and scholars across all disciplines to search for initiatives and interventions that will go a long way into addressing the dynamic nature of food security and nutrition within the nation. This research attempts to browse through the sphere of Zimbabwean indigenous knowledge systems to try and find out if people could find a stratagem that could likely alleviate the drastic effects of food insecurity and malnutrition in the nation. The hope is that the nation could ultimately take advantage of possible opportunities that could be unveiled from these normally unrecognized systems of knowledge. A general survey on the discourse on food security and nutrition would reveal that it is dominated by a myriad of players directly or indirectly linked to governments, donor organisations and many other Non-Governmental organizations. These are largely unrooted within the communities for which the interventions will benefit. Such interventions have generally tended to concentrate on the supplying of food instead of attempting to address long-term solutions to the problem (Economic Commission for Africa, 2011: vii, cited in Sunderland, T., Powell, B., Ickowitz, A., Folli, S., Pinedo-Vasquez, M., Nasi, R., and Padoc, C. (2013). It's the realisation of this complicated problem that demands the need to divert human attention and endeavours from the ivory towers as sources of resolutions to problems, and bow down to the real experiences and lessons from the lives of the people who are actually affected by this insecurity. This is important in order to find, out if their own systems have something to bail them out of the quagmire.

## **Conceptualizing food security**

According to Kennedy (2003), food security is defined as physical and economic access to sufficient, safe and nutritious foods which meet the individual's dietary needs and food preferences for an active and healthy life. There are three key dimensions to household food security; food availability, food access, and utilization of food by the body. Some thinkers on the other hand view food security as a process of 'ensuring that all people at all times have both physical and economic access to the basic food they need' (FAO, 2003). The definition emphasizes the ability to access food, whether through production or the market. According to Stone et al, (2011) solutions to the alleviation of food insecurity, hunger and famine in Africa should not be construed as resident on foreign sponsored initiatives such as the introduction of food varieties that are brewed in laboratories. For Stone et al. (2011), it has been documented that indigenous foods can help improve nutrition, increase income, restore agricultural biodiversity and preserve local cultures. This research attempts to highlight some of the Zimbabwe indigenous food security measures, crops and vegetables that might be considered in addressing the question of possible interventions to deal with the problem of food insecurity in the nation.

## **Conceptualizing Indigenous Knowledge Systems**

According to Mawere (2010: 211), indigenous Knowledge Systems refer to; local knowledge that is unique to a given culture or society. They are knowledge forms that have failed to die despite the racial and colonial onslaught that they have suffered at the hands of western imperialism's arrogance.

In concurrence with Mawere is Mapara (2009: 140) adds that indigenous knowledge systems are a body of knowledge or bodies of knowledge, belonging to an indigenous people of a particular geographical area, upon which they have survived on since time immemorial. He further illuminates that these bodies are developed and refined through processes of socialisation, re-socialisation, acculturation and kinship relationships that communities design and are passed on "to posterity through oral traditions

and cultural practices such as rituals and rites” (Mawere, 2010: 212). For Nyota & Mapara (2008), these knowledge forms constitute the basis of indigenous ways of knowing, indigenous, traditional, technical, rural grounded knowledge as well as ethno-science (or people’s science). These knowledge systems form the bonding agent that binds the communities in their struggle for survival, their dissemination, conservation and acquisition of knowledge within their historical contexts. They “are those forms of knowledge that the people of the formerly colonised countries survived on before the advent of colonialism” (Mapara, 2009: 140).

In the face of the fight against food insecurity in Zimbabwe, indigenous knowledge systems will go a long way into convincing the indigenous people that foreign sponsored ways of dealing with the problem of food scarcity and famine are not the best solution while at the same time showing or parading that food security concerns and practices were “not something that was brought to Africa by colonialists. It is something that was already there” (Mapara, 2009: 144).

Adoption of the indigenous knowledge systems in addressing the problem of food insecurity in Zimbabwe will be in line with Article II of the International Covenant on Economic, Social and Cultural Rights (ICESR) of 1966. This document recognizes that indigenous peoples, like anyone else anywhere in the world, have a right to adequate food and a fundamental right to be free from hunger. It further stipulates that they have the right to economic, political and social environment that will allow them to achieve food security in dignity through their own means (Thornberry, 2002). Pursuing this debate on indigenous knowledge systems and food security will go a long way into assisting in the maintenance of cultural values of dietary and eating habits in the different sub-cultures within Zimbabwe. It will also contribute immensely towards developing respect towards the indigenous people’s traditional lifestyles as well as strengthen their food systems. It is hoped that it will also provide a platform that will enhance the provision of essential food that is culturally appropriate, food that is indispensable for the existence, the well-being and integral development of the indigenous Zimbabwean people.

## **Conceptualizing Food Security**

Most people's understanding of food security is focused on the provision, availability and accessibility of carbohydrates. For them, availability of this type of food is enough indication of the fact that food consumption is regular among the households and within the given community. This concept is very limited in the sense that carbohydrates just but constitutes a fraction of a balanced diet. It is the ability to access a balanced diet, a meal that consists of all the necessary nutritional values that stands as a benchmark for food security within any given community globally. Agricultural food crops that are indigenous to Africa such as sorghum, rapoko and millet among others are very crucial to the discussion and deliberations on food-security in the continent. It is however, unfortunate that there is very little discourse on these crops within the context of food security. And one wonders how indigenous Zimbabweans can address their food challenges relying solely on borrowed or imported ideas as well as resources.

## **Indigenous Food in Zimbabwe**

In the context of this chapter, the term indigenous food alludes to all the types of food crops whose origins can be traced to Zimbabwe. This definition will also encompass all those crops whose origins might not be Zimbabwe, but were introduced into the nation and are adopted, adapted and recognized as naturalized or perceived as traditional crops by the local people.

## **The Cultural Dimension of Food Security**

According to Mararrike, (2001), food has a strong connection to the cultural existence of a people in the most organic and interactive way and as such it has been used in the enhancement and celebration of the cultural practices of the Zimbabwean indigenous people. This accounts for the cultural ceremonies that were associated with the preparation for the rainy season such as the "mukwererera", the planting, weeding, harvesting as well as the thrashing processes that accompanied the food production chain in the Zimbabwean context. The processes that benchmarked the food production process in this context were punctuated with ritualistic/spiritual gatherings that also served to bring coherence and cohesion within the given community.

Such cohering of the community provided the adhesive device that cemented the group collaboration against external dependency syndrome such as the one that has come to be characteristic and associated with most African nations who include mostly the war-torn zones of Somalia, South Sudan, Ethiopia, Libya as well as the hard-drought hit areas like what occasionally happens in Zimbabwe when the nation experiences unprecedented drought spells. It was this above mentioned spirit of the need to be independent and self-sufficient in the face of food scarcity and need that provided the platform upon which the idea of the zunde ramambo as known among the Shona speaking groups or isiphala senkosi among the Ndebele speakers was conceived.

As presented in the above scenario, and supported by Mararike (2001), zunde ramambo or isiphala senkosi was a food security scheme. It is however, sad to confirm that this food security scheme which was given impetus by the spirit of extended family rootedness has since been threatened by the ill-digested notions of commercialized estate-style land ownership patterns that were ushered in by proponents of Land Tenure Act of 1930. The implementation of this Act resulted in the mass displacement, uprooting and scattering of previously coherent groups of people into artificial settlements (reserved areas) that had no connections whatsoever with their traditional survival practices and feeding habits. These were the very culturally informed feeding habits which went a long way into creating the core of an integrated community.

In their struggle to fortify their communities against food shortages, starvation and famine, the indigenous Zimbabwean people were creating a socially coherent and culturally bonded society. The process witnessed the buttressing of importance of culturally appropriate types of food together with the activities that accompany the processes of obtaining them such as agriculture, hunting and fishing among others. These ways of getting the culturally defined food, together with the traditionally esteemed diet, formed the crux of the cultural identity of the concerned groups of people, hence the link between traditional food to the indigenous people's culture and identity.

## **The Zunde Ramambo Food Security Scheme**

According to Mararike (2011) zunde is a Shona term which has various meanings. It may imply a large gathering of people involved in a communal activity, it may also refer to a large amount of storage grain that is communally owned by a group of people. For Mararike (2011: 57), the concept implies an informal, in-built social, economic and political mechanism, whose principal aim was the provision of adequate availability of food reserves that would cater for the needs of a community group during times of scarcity. Under this scheme, the chief put aside a piece of land for communal production of food crops.

With regard to the foregoing, all the people within the community had a responsibility to provide labour and at times inputs on the piece of land. The harvested products were then stored in granaries that were normally established at the chief's place known as zunde ramambo among the Shona communities or isipala seNkosi amongst their Ndebele counterpart. As has already been alluded to, the food reserves were used for feeding the community during times of droughts and scarcity, prisoners awaiting trial, travelers, widows and orphans. Above all, these reserves could benefit members of the communities during community activities such as funerals.

## **Traditional Food Security and Nutrition Crops in Zimbabwe**

There is an array of indigenous food crops that can be harnessed to avert food insecurity in Zimbabwe. These are the crops that have apparently been pushed to the doldrums of Zimbabwean agricultural activities and almost discarded as uneconomically viable poor people's crops. These have been discarded consequential to commercial style farming that was adopted as a result of the adoption of commercial agriculture. In the succeeding paragraphs we discuss some of the Zimbabwean food crops that can be considered as possible remedies or alternatives for bailing people out of the food insecurity amid an environment characterized by unprecedented climate change and unreliable as well as unpredictable weather patterns.

## **Nyimo/ Indlubu /African Round Nuts**

In the Zimbabwe, households make it mandatory to have a portion of land set aside for the planting of round nuts, mostly known as “nyimo” in Shona and “indlubu” among the Ndebele communities. These crops would be consumed fresh or dry, the latter during the dry season, having been harvested and stored into granaries. The indigenous Zimbabweans would then use this food crop for preparing a meal best known as “mutakura” in Shona and “inkobe” in Ndebele. Because of the starchy nature as well as the nutrition of groundnuts, people would not need to eat a lot of other forms of food after such a meal. What, however has emerged from the survey that was carried out among the families within the Guruve District in Zimbabwe is that crops such as groundnuts have been totally ignored by the general population as many households find themselves placing emphasize on cash crops such as cotton. The people also argue that the agricultural extension workers, development agencies and even humanitarian programmes for poverty and hunger alleviation do not have the idea of producing crops such as roundnuts on their programes.

### **What makes round nuts Panacea for Food Insecurity?**

The round nut is a hardy plant that is able to withstand high levels of temperature as well as dry conditions. When used for consumption, particularly in Zimbabwe, the nuts are boiled or roasted. Western oriented researchers have tended to argue that they are taken as snacks, however, in the Zimbabwean context, they can be taken as a meal in their own right because “the nutritional value of the round nuts is so high that consumer can survive on the seed alone” (US National Academies of Science Report 2006 ; cited in Stone et al, 2011). The report further proposes that the round nuts have a high level of protein content, particularly methionine. In addition, the nuts are said to possess the highest concentration of soluble fibres, as compared to other types of bean food. This particular characteristic has been associated with the reduction of heart diseases and some forms of cancer.

Among the Shona speaking group, these round nuts have also been used, since time immemorial, to assist women who have problems with lactation soon after delivery. One of the informants testified that in the event that a mother fails to produce adequate milk for her newly born baby, the elderly women within the family would roast and salt round nuts for her. Consumption of the roasted and salted nuts is believed to enhance the

lactation processes and ultimately provides the much needed nutrition to the newly born member of the family. In the context of a search for a permanent indigenous oriented solution to food insecurity in Zimbabwe and Africa in general, the high levels of protein, that has been cited by Stone et al, (2011), in the round nuts (nyimo/ indlubu) make them a potential candidate food crop for both rural and urban populations. Such characteristics make the round nuts a potentially powerful weapon in the fight against hunger and food-insecurity, hence the conviction that “this little bean could go a long way in fighting Africa’s food crisis” (Stone et al, 2011: 3).

### **Cowpeas**

Cowpeas, “nyemba” in Shona and also known as “indumba” among the Ndebele speaking people is another example of another crop that has come to be perceived as indigenous to the Zimbabwean society. This is a drought-tolerant crop that is adapted to poor soils like those characteristic of the Domboshava, Musana and many other areas in which Africans were resettled as a result of the Land Tenure Act of 1930. This characteristic makes the cowpeas a potential candidate for staple food crops in such communities, which, besides having poor soils, are characterised by very low rainfall and at times high temperatures. The cowpeas are a source of protein. Scientifically they have proved to be able to improve the human body’s absorption and breakdown of other forms of food such as carbohydrates (Stone, et al. 2011). For them this food crop is rich in oil and digestible carbohydrates.

Indeed, the fact that the cowpeas can be consumed at different stages in their growth makes them even more suitable for adoption in the alleviation of food insecurity, hunger and starvation in Zimbabwe. The leaves and the very immature pods can be used as vegetables while the fully mature and dried seeds can be stored as grain. According to one of the respondents who were interviewed, the seeds can be roasted and ground to produce what the Shona people in the regions around Masvingo, Zvishavane and the Midlands Region of Zimbabwe call “rupiza”- cowpeas porridge. For them, while the rest of the products from this food crop can be used for feeding the people, the dried stem and leaves can be used as rich source of stock feed, when pastures are dry and fodder for livestock scarce. An interview with one of the farmers in the Musana communal area revealed that the farming courses that they undertook taught them that growing

cowpeas greatly improved the texture and fertility of the soils. For him, the cowpeas, like all other legume crops fixed nitrogen into the soil rendering the field more nutritious for other crops.

Besides fixing the nitrogen, the informant also argued that the crop helped in stabilising the soil texture, while the dense cover of the crop leaves also went a long way into preserving the moisture on the ground, an advantage to the farmers amid the uncertain and low rainfall patterns in Zimbabwe. Furthermore, its candidature as a potential panacea for Zimbabweans in the struggle to alleviate food insecurity is further strengthened by the fact that the cowpea seed can remain viable for several years before it can be attacked by weevils or any other weathering conditions. It was gathered from the informants that even those grains that had been attacked by weevils can still be used as potential seeds for yet another season's crop because it is rather difficult to easily destroy the core of the cowpea.

### **Pearl Millet**

This is one of the crops whose roots in Zimbabwe are difficult to question. Pearl millet, commonly known as “inyawuthi” or “amabele” amongst the Ndebele communities in Zimbabwe or “mhunga” among the Shona communities is on record as being one of the most nutritious of all the world's major cereal crops (Stone, et al. 2011). In Zimbabwe, this food crop has been used for the production of mealie-meal for sadza and porridge. The grains can also be popped like popcorn. Pearl millet is said to possess high levels of carbohydrates, and more superior starch content as compared to some other crops such as wheat. Like other cereal crops it has some protein, but its advantage lies in the fact that the protein is easily digested.

Furthermore, the millet is said to have the third highest iron content that can be found in any grain crops. Like most of the indigenous crops in Zimbabwe, millet is an ideal crop for areas with very low rainfall, since it can lie dormant for weeks only to come back to life immediately after rainfall. This food crop becomes even more ideal for Zimbabwe in its intervention against food insecurity because of its short season nature. Millet can be ready for harvesting in less than 45 days after planting. After the harvesting process, the seeds are resistant to rot and attack from insects. Because of this characteristic, pearl millet becomes one of the crops that is

easy to store for future consumption, in times of scarcity, with very limited challenges. Millet when dry can survive for more than 5 years, such that it can become a staple food when no other form of food is available.

Despite its value as a food crop, production of millet in Zimbabwe has generally declined. In the Musana and Domboshava communal areas in which most of the respondents were drawn, none of the farmer is growing this crop. Further probing into the reasons behind the decision not to grow the crop revealed that the people around the area view it as a poor communities' crop and producing it would reflect negatively on the social status of the people who opt to grow it. These negative feelings are probably buttressed by the strength of the western influence that is exerted by the proximity of these two communities to the capital city of the nation, Harare. The informants also accused policy-makers within the field of agricultural sector of paying lip-service to the agricultural extension related to the growing of traditional oriented crops.

However, there were some people among the respondents who had a different opinion altogether and argued that the production of the crop is very labour intensive as compared to other seasonal crops like maize, and as such, engaging into the production of millet is bound to affect their horticulture activities that constitute the mainstay of their survival. For them, there is no machinery for harvesting the crop, it is most manually harvested and it is the handling the small sizes of the grains that is an uphill task. Some even alluded to the weeding process. They argued that even though they have never been involved in the production of the crop, the weeding could also be equally laborious as the millet might look more or less like the very weeds that need to be eliminated.

### **Finger Millet**

Finger millet, commonly known as zviyo/rukweza among the Shona speaking groups, is yet another food crop that no one would doubt is indigenous to Zimbabwe. This is a very small grain food crop that was popular among the Shona speaking groups in Zimbabwe, before the commercialization of farming activities. A survey through the majority of the Zimbabwean rural communities revealed that this is one food crop that is almost losing its visibility on the agricultural platform. It emerged that very few, if any young farmers were producing this food crop on their

farms. The research revealed that the production of this crop had been left to the elderly people who do it out of nostalgia for the old age days when they would produce bans of finger millet that lasted them for years and bailed them out of hunger and starvation during dry spells. This was alluded to by an elderly woman key informant who made reference to the 1947 drought in Zimbabwe during which her mother saved relatives from far community using the finger millet that she had stored and preserved for almost five years in her ban.

On making further inquiries into the advantages of growing finger millet in an environment characterized by climate change and unreliable rainfall patterns, the informant told the researchers that finger millet was not prone to attacks by weevils and because of that it could be stored safely in secure bans for more than five years without losing its self-value. She also highlighted that finger millet could grow well in regions with poor soils and low rainfall patterns just like the other small grain crops like pearl millet, and therefore suitable for production on most of the communal areas in Zimbabwe. The informant also emphasised the nutritional value of the crop which could be used for making mealie-meal. The pound or ground powder can be used for preparing porridge or sadza.

Besides producing the staple food for the traditional Zimbabwean Shona communities, finger millet could be fermented to produce malt that was used in the production of both alcoholic and non-alcoholic traditional beverages (Whawha/ doro/mhamba) and mahewu. While the traditionally brewed beer (Whawha/ doro/mhamba) was prepared for the adult population, mahewu was the non-alcoholic beverage which was prepared and served to the young members of the population as well as children who were not expected to take alcoholic beverages. This non-alcoholic drink was nutritious and was consumed in between main meals ensuring that there was never a time when the young members of the society would feel hungry.

## Sorghum

According to Stone et al (2011), sorghum is Africa's second most important cereal. It is actually the staple food for the bulk of the population in the Horn of Africa. According to these authors, this indigenous cereal was first domesticated in North Central Africa (Halan, 1992, Wayne, Smith and Fredricksen 2000), and it has come to be grown in most parts of

Southern Africa by small scale rural farmers as a primary source of carbohydrates. The Shona communities know it as “mapfunde”. As a food crop, sorghum can be cooked like rice, it can be pound into powder for the preparation of porridge, it can be melted for purposes of brewing beer, while some communities pop it like popcorn. Like millet and other above mentioned food crops in this research, sorghum is drought resistant. It, on the other hand can also withstand water-logging. This crop has proved beyond reasonable doubt that it can be best adapted for food-insecure communities. It can thrive in poor croplands and can be harvested up to three harvests a year (Stone et al, 2011).

Again and like the rest of the food-crops that have been highlighted above, there is no evidence of support on the encouragement as well as other logistical support for scientific research and commercial farming of the crop. It emerged from the interviews that were carried out that sorghum in Musana and Domboshava communal areas is rarely considered as a crop to be grown. The informants proposed that sorghum is largely a subsistent crop which is grown by those people whose aim is the production of beer for sale rather than a staple food-crop. Because no-one ventures into the production of sorghum in the communities, they have also not benefited from the nutritional value and drought resistant nature of the crop.

### **African Indigenous Plants in the Promotion of Food Security and Nutrition**

It is the contention of this chapter that the fight against food security in Africa and Zimbabwe in particular can never be complete without taking into account the nutritional value of the indigenous food crops that at times are found abundant at the disposal of the population. From time immemorial, indigenous Zimbabweans have been known to consume plant food that is found in their environment. Some of these plants have been on record for bailing out the communities during drought and food scarcity situations. It is, therefore against this background that African indigenous plants have to be seen as possessing a potential to address the challenges of food security and nutrition in Zimbabwe. The indigenous plants will allude to the edible plants that are consumed by the indigenous people in Zimbabwe that have the potential to avert hunger as well as assist in alleviating food shortages and malnutrition within the communities.

There is evidence from most of the studies to the effect that the discourse on food security has tended to emphasise much on the need to intensify agricultural production, hence the dominantly laboratory fed initiatives in agricultural production. It is however, necessary to consider that emphasis on agricultural production alone might not provide a holistic panacea to food security in Zimbabwe. It is at this point that attention has to be given to the wild foods that are naturally available within the natural environment of given communities. Hence the contention that wild food is also critical to food security and nutrition among the communities in Zimbabwe. It is, however, unfortunate that the expansion of industrial and commercial oriented ventures in the nations have greatly threatened and undermined the role of the natural environment to foster food security and dietary nutrition to the people.

Flowing from the foregoing, “the role of the forests in human food security and nutrition remain largely under researched and [barely] understood” (Sunderland, Powell, Ickowitz, Foli, Pinedo-Vasquez, Nasi and Padoch, 2013 ). For these scholars, the discourse on food security that is on the agenda in many political and academic fora calls for the imperative understanding of the role of the natural environment to a food secure and nutrition sensitive future. Such an understanding, they argue will assist humanity minimize trade-offs between biodiversity conservation and sustainable agriculture in order to feed the population. For them, wild fruits and vegetables are a critical source of micronutrients in many rural areas and small holder communities. As a result, it become imperative to consider the direct and indirect benefits of fruit trees to food security and nutrition in all the endeavours to address as well as enhance local and global interventions in alleviating hunger and improving the nutrition of the communities living in the forested areas (Sunderland, Powell, Ickowitz, Foli, Pinedo-Vasquez, Nasi and Padoch, 2013 ).

### **The Nutritional Value of the Moringa Tree**

This tree which has now become recognised as indigenous to Africa in general and Zimbabwe in particular is a source of diverse food. It now can be found growing naturally in the forests in Zimbabwe, especially in areas like Binga. However, many communities across the regions of the nation have also planted the tree and are now benefiting from both the nutritional and medicinal value of the tree. The edible parts of the tree

Include: the leaves, pods, and roots. The Tonga communities in Binga consume the leaves as vegetables. The green bean-like pods are tasty and highly nutritious. According to Stone et al (2011), the pods provide amino acids, minerals and possess the highest levels of vitamin C that can ever be found in any tropical vegetable. The leaves are also nutritious; they are taken as vegetables. They contain very high levels of vitamin A, and C as well as calcium as compared to most vegetable plants that are available on the markets in the nation. According to some of the informants from Binga, the seeds in their immature stage can be boiled and taken as peas or even fried to taste like peanuts. They also argued that the roots and shoot tips of this tree are also a source of food. Again, Stone et al (2011) reinforces that these roots and shoot tips have high protein content, a characteristic that makes the tree a very crucial and possible alternative in the face of the fight against food in-security, hunger and starvation in Zimbabwe.

### **Conclusion**

The chapter has explored some of the difference food crops that are perceived or believed to be indigenous to the Zimbabwean communities. It has discussed the various strengths of the food crops in the face of an ever changing climate and insistently unreliable rainfall patterns. The strengths of the crops discussed have revealed that they can effectively and efficiently reduce the impact of drought and food insecurity in the event that responsible authorities encourage and put in place measures to promote their production. The indigenous fruit trees and other food substitutes also have to be considered in the search for a solution to food insecurity to ensure that policies that promote the preservation indigenous, domestication or even commercialization of Zimbabwean wild food substitutes are put in place.

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# 4

## **Incorporating Oral Literature's Concept of Gender Relations as an Alternative Solution to the Gender Equality Debate**

*Enna Sukutai Gudhlanga & Chipo Chirimuuta*

### **Introduction**

Women in traditional African societies played prominent roles in both the public and private spheres with certain degrees of success. They were active agents of development and this was not faithfully recorded by current research on gender relations in pre-colonial, colonial and post-colonial Africa. Such has endeavoured to portray the African woman as a secondary and inferior citizen who did not have a positive and prominent role to play in the development of her community. Hafkin and Bay (1976) have observed that women in traditional African societies were active agents of development and codified customary law. It is the aim of this study to investigate whether traditional African women were really active agents of development in their societies and in the same vein if they wielded power than what was later acknowledged in codified customary law. The role and position of women will be discussed through an analysis of selected oral literature genres. The study is grounded in African culture, and therefore, it necessarily focuses on the unique experiences, struggles, needs, and desires of African women (Hudson-Weems, 2007). Before discussing women in traditional African societies it is necessary to understand the theory of Africana Womanism.

## Theoretical framework

The study is informed by the Africana Womanism theory which was propounded by Hudson Weems (2004). It is a theory which has come out of the rich legacy of African womanhood, and is an authentic paradigm with its own unique agenda true to the prioritisation of race, class, and gender (Hudson-Weems, 2011). Hudson-Weems (2004: 82) also succinctly defines the Africana womanism paradigm as “neither an outgrowth nor an addendum to feminism, Africana Womanism is not Black feminism, or Walker’s womanism that some Africana women have come to embrace. Africana womanism is a theory created and designed for all women of African descent. It is grounded in African culture, and therefore, it necessarily focuses on the unique experiences, struggles, needs, and desires of African women. The primary goal of Africana women then is to create their own criteria for assessing their realities, both in thought and in action (Hudson-Weems, 2004: 82). The theory demonstrates a strong position that black women should not pattern their liberation after the Eurocentric feminism but after the historic and triumphant women of African descent (Hudson-Weems, 2004: 4).

The theory states that Africana women are “self-namers, self-definers, family-centered, in concert with men in the struggle, genuine sisters, strong, whole, authentic, flexible role players, male compatible, respected, recognised, adaptable, respectful of elders, spiritual, ambitious, mothering and nurturing” (Hudson-Weems, 1993, 2004: x. All these attributes of the theory are an ample demonstration that women of African descent, Shona and Ndebele women included, are not passive participants but are strong and interact together with men as active agents of development in both the private and public spheres (Gudhlanga & Makaudze, 2012a). The theory also argues that Africana women fight against the tripartite enemy of race, class and sex. Indeed, to define African women as weak, voiceless and oppressed is to grossly misrepresent them and by extension, miss the point (Gudhlanga & Makaudze, 2012a). This theory will help to define and bring to the fore the role and position of women in traditional Shona and Ndebele societies. After giving the theoretical framework it is imperative to briefly discuss the methodology adopted by the study.

## **Methodology**

The investigation adopted a qualitative research methodology in analyzing selected traditional Shona and Ndebele oral literature to ascertain the position of women in traditional African societies. It is necessary for scholars of gender to begin to engage oral literature with a view of to decipher women's voices, role and position in society. Oral literature including songs, folktales, proverbs, legends, myths and riddles among others are a rich embodiment of African wisdom and ideologies (Ndlovu-Gatsheni, 2005). Oral literature is a reflection of the traditional African society since literature can never be dissociated from the environment from which it emerges. Therefore a clear understanding of the traditional African society's treatment of women, their roles and position in society can clearly be found in the literature of a people. This necessitated the content analysis of selected genres of oral literature of the Shona and Ndebele societies.

Oral literature was chosen because as alluded to earlier on "literary expression, in whatever form in which it exists, draws its materials from the experiences of its creators, giving us what Boas termed an 'autobiography of a tribe'" (Olarinmoye, 2013). Content analysis of selected oral literature would therefore enable us to see if there is any evidence within it which adequately illustrates the passivity or active participation of Shona and Ndebele women in development and their role in both the private and public spheres of their societies. This would demonstrate either inferiority or superiority of women in traditional African societies and would be used to inform current gender debates on the continent.

## **Conceptualizing Gender in African Societies**

Gender in this paper is defined as a social construct as opposed to sex which is biological. Gender relations are constituted in terms of the relations of power and dominance that structure the life chances of men and women (Ostergaard, 1992: 6). Upon the biological differences between men and women, society imposes different social roles based on sex differences. These socially constructed male-female relations are not obviously harmonious; they may be ones of opposition and conflict. They take different forms under different circumstances (Gudhlanga, 2010, 2011b). According to Ostergaard (1996: 2) gender relations often take

the form of male dominance and female subordination in many societies. She conceptualizes gender as conflicting relations between men and women (Ostergaard, 1992). However, the present study does not focus on this conflicting relationship proffered by Ostergaard but intends to examine gender relations in Shona and Ndebele societies as reflected in the respective oral literature.

The Shona and Ndebele people had flexible gender constructions as opposed to rigid ones found in western societies. Among the Shona and the Ndebele people of Zimbabwe “daughters could become sons and consequently male; and where daughters and women in general could be husbands and consequently male” (Furusa, 2006: 3). Among the Shona and the Ndebele all people on one’s mother’s side including males are responsible for mothering someone. Furusa (2006: 3) highlights these flexible gender relations when he states that “my mother’s sisters, brothers and all the male and female children of her brothers are my mothers. Similarly all my father’s brothers and sisters are responsible for fathering me.” Also when one is married into a family all her husband’s relatives whether male or female are her husbands, and also when one marries into a family all his wife’s relations brothers and sisters are all his wives. The Shona and Ndebele worldview was therefore organised around the concept of hukama- which according to Furusa (2006: 3) involves some “complex and harmonious relationships and experiences that cross familial biological boundaries.”

This crossing of familial biological boundaries is not typical to Shona and Ndebele societies only but is also characteristic of other African societies. Amadiume (1987) has also observed such flexible biological boundaries among the Ibo of Nigeria. It is colonialism that brought rigid categories based on biological sex on the continent (Amadiume, 1987: 15). Colonialism through its series of laws bracketed the African woman in general and Zimbabwean woman in particular into “restricted roles of wife and mother. Her performance space was the home, with her major staging area as the kitchen. She had restricted access to colonial education and when she was lucky to get an opportunity, she was channeled into academic programmes that fitted the western gender ideology – teaching and nursing- traditionally reserved for women in the west (Seidman, 1984: 22). Gaidzanwa (1994) has also observed that the new colonial laws redefined women as housewives, thereby removing them from the public sphere and confining them to the kitchen, the domestic space. Colonialism

stripped African women of the rights they formerly enjoyed such that in Zimbabwe throughout the colonial period Shona and Ndebele women had the same status of a child, for their whole lives, irrespective of their education, finances or marital status (Barnes, 1999).

Gudhlanga (2010) has also observed that colonialism stripped women of the rights and power they previously enjoyed in pre-colonial society. Patriarchal leadership was misconstrued by the colonial government to mean patriarchal dominance (Gudhlanga, 2010). From the mid-1910s the colonial government increasingly sought to legitimise customs that would justify female subordination. This made it more difficult for African women to manipulate the colonial legal system to their advantage (Schmidt, 1990 : 626). The state introduced codified customary law in which women wielded no power at all. All these laws and historical processes contributed in a great way in reducing the powers and rights that women previously enjoyed.

The gender relations were then made rigid, traditional customary law was flexible to extenuating circumstances while codified customary law which was heavily engraved with Victorian values was rigid and did not consider extenuating circumstances. The new gender relations had strict roles assigned for men and women respectively. The crossing of familial biological boundaries characteristic of traditional Shona and Ndebele societies was no longer possible. So understanding the gender relations typical of traditional Shona and Ndebele societies would be made possible by content analysis of oral literature, which is a type of literature which has emerged from these societies and is a mirror of the values and traditions of those societies.

### **The Relationship between Oral Literature and Society**

Literature can never be dissociated from the environment from which it emerges. The society in which the author grows up and in which he works to a very large extent, influences his or her consciousness (Gudhlanga, 2011a). One cannot understand a work of art without understanding its connection with the entire life from which it emerges (Bukharin, 1977: 186). Zhadnov (cited in Bukharin, 1977) reiterates this idea when he asserts that writers derive their material for their works of art, subject matter, images, artistic languages, from the life experiences of their societies. Wild (1992) also

concur with the fact that the author's social background shapes his / her total creative output. Thus literary expression in whatever form in which it exists draws material from the experience of its creators. Oral literature therefore is reflective of a collective consciousness of its society.

The Shona and Ndebele people have a rich and complex folklore which mirrors their traditional society. It is imperative to analyse this rich literature and decipher women's role as active agents or non participants of the socio-historical processes of their communities. Traditional oral literature of the Shona and Ndebele people portrays male-female relations in their societies because it is a reflection of the philosophy of life as lived and celebrated in these particular societies which is embedded in this oral folklore.

Oral literature has been selected for the purpose of this study because it has a rich and complex folklore system which includes riddles, folktales, legends, proverbs, praise songs, lullabies and poetry among others. Folklore in African literature provides a rich source of cultural history and socialization, transmitting and reinforcing messages associated with cultural values (Weinger, Fonjong, Fonchingong & Allen (2006). Oral literature "of a people enables us to observe and behold, as though through telescopic eyes, such people's patterns of beliefs, of their customs. In this way a people's philosophy is revealed by way of their folkloric wisdom. The eyes of folklore characters make one discern how people react to social pressures in their environment (Senkoro, 2005: 1). Even the gender relations and attitudes are embedded in a society's oral literature (Ndungo, 1998). Haring (1994) has observed that in Africa gender speaks loudly as a persistent and visible cultural resource in folk models of difference. It is from folklore that the experience of particular groups of women in Africa is visible. Gender roles therefore reflected in oral literature will be useful in bringing to the fore the position of women in traditional Shona and Ndebele societies. After conceptualising gender and the role of oral literature in African societies it is therefore imperative for us to analyse the selected genres of oral literature's portrayal of the position of women in traditional Shona and Ndebele societies.

## **Women Leaders in Shona and Ndebele Legends**

A legend is a genre of folktale which chronicles the achievements of historical figures of respective traditions. Shona and Ndebele oral literature has a lot of legends which chronicle the deeds of heroes and heroines in their societies. Chief among the Shona tradition is the legend of the heroine Nehanda who is believed to have been the daughter of Nyatsimba Mutota who was given a district of herself to rule in the 1500s. She has been described as a brilliant ruler who ruled her people very well (Musiyiwa, 2008). There is also another legend of Nehanda who emerged in the 1880s whose personal name was Charwe and lived in Mazowe valley. This later Nehanda was a spirit medium of the legendary Nehanda and she was female and popularly called Mbuya Nehanda. She emerged during a time when the Shona and the Ndebele had just been colonised by the British and disposed of their land and cattle. She led the Shona (dominant ethnic group in Zimbabwe comprising of about 80% of the population) in the 1896-7 uprising against the white settlers. She mobilised and sustained the uprising and was responsible for the death of Henry Pollard, the Native Commissioner of Mazowe area at the outbreak of the uprising (Ranger 1967: 209, Gudhlanga, 2010).

Nehanda was a very influential and respected political leader such that when her people defeated their enemies, they took the war booty to her so that she could distribute it to them. She also controlled the ammunition of the Shona people and the settlers acknowledged her powerful status to an extent that the Chief Native Commissioner quoted by Ranger (1967: 210) wrote concerning her, "Among other things obtained from Nehanda's kraal have been numerous rifles and 140 pounds in gold. I know that she still has concealed some 700 pounds". Possession of ammunition and gold amply demonstrates that she was a powerful and wealthy leader. Nehanda participated in the first Chimurenga (1896-1897). She was later arrested by the settlers and sentenced to death by hanging in April 1898. She inspired freedom fighters in the 2nd Chimurenga, which finally ushered in independence (Gudhlanga, 2010).

Nehanda was in the forefront of the Shona revolt against colonialists. Oral tradition presents her as a gallant, defiant and brave fighter, who played a significant role in the history of the liberation of Zimbabwe (Gudhlanga, 2010). Through the legend of Nehanda, Shona oral tradition presents women as active agents of development who participated alongside

with men in influencing the development of their communities. These women had power and were not passive recipients of any ideas that were developed in their societies for they influenced development. Through the legend of Nehanda Shona women had power and could actively participate in the public sphere, they were not confined to the domestic sphere as later happened after colonialism and codified customary law which was heavily engraved with Victorian values and relegated women to the fringes of the society. Apart from Nehanda the Shona also have among their oral tradition the legend of Modjadji who lived in the Monomotapa Kingdom around 1400 at the peak of its first phase of civilisation which built the Great Zimbabwe monuments. The Monomotapa Kingdom produced one of the respected woman leaders in Southern Africa, Modjadji, The Rain Queen (Makwenda, 2009). In 1800 Modjadji left Great Zimbabwe under controversial and mysterious circumstances and headed southwards to present day South Africa. There are a lot of stories surrounding Modjadji's departure from Great Zimbabwe (Gudhlanga, 2011b). Some historians believe the story which states that she left because she fought with her brothers as her father wanted her to take up the crown and to prove that she was chosen to rule she decided to demonstrate by starting her own Queendom. She founded a people known as the Balobedi who have been ruled by matrilineal line of queens (Makwenda, 2009).

The fifth Queen Modjadji died in 2005 and has not yet been replaced. Shona legends are awash with powerful women like Modjadji who founded kingdoms just like men. This demonstrates that women in Shona traditional society were not passive recipients of development but directed activities in the public sphere as well. Such powerful women should be taught in the current history and gender studies in schools to inspire both the girl and the girl child of our present day communities. Understanding the critical position that women had in Shona traditional society might help alleviate the conflicting gender debates when it comes to the position of women in present day societies.

Oral tradition also has legends of women chiefs among them Manyika who led female warriors in wars against their rivals (Schmidt, 1992). History also states that some of the best combat regiments during the Monomotapa period were comprised of only women, mainly young and unmarried (Kriger, 1992: 192). Also the Manyika have legends of women who were sometimes appointed as rulers over some territories (Cheater, 1986). Bazley (1999) notes the existence of headwomen among the Jindwi

and Bocha in eastern Mashonaland. Being accorded the chance to lead is a manifestation of women's capabilities and that they were not marginalised but worked together with men for the betterment of the whole society.

On his part, Schmidt (1992) observed in her research among the Shawasha and Chihota people (Shona ethnic group) that there are legends of women with skills such as hunting and fighting, talents normally attributed to men. Among the Shawasha there was one daughter of the Shawasha who stayed with weapons and whenever there was a war even if she was cooking she would leave everything to get her spear and axe and lead the army to war (Schmidt, 1992). Among the Chihota people elephant hunting was led by women who were renowned elephant hunters. The roles of women in "male domains" diminished with the onslaught of colonialism (Ranger, 1981; Murphree, 1969). Thus women's role and position in Shona traditional society cut across all domains of work that were later prescribed as male during colonial time. Women's participation in the public sphere and in occupations that are now prescribed as male is therefore not new to African women as literature attests (Gudhlanga, 2010, 2013).

Among the Ndebele there is also the legend of Lozikheyi who was Lobengula, the Ndebele chief's wife. In 1893 when the Ndebele Kingdom under King Lobengula was disturbed; and Lobengula was attacked and overpowered by Cecil John Rhodes' soldiers and driven north of Zimbabwe the Ndebele Kingdom remained with no leader. Lobengula disappeared and was never found, it is believed he died there and up to now he has no grave (Makwenda, 2009 cited in Gudhlanga, 2011b). Lobengula's disappearance created a large commotion in the Ndebele state as his soldiers wept and demanded to know where their king was so that they could follow him. During this time Lobengula's wife took over the reins of power and led the Ndebele nation. "She is said to have been one of the best political strategists in the history of Zimbabwean politics.

Marieke Clarke pursuing some studies on Lozikeyi wrote, "During the 1896 revolt she made sure the military was well equipped. While she was organising the attack on the white soldiers with her military, everything was kept secret-there was no leak whatsoever. This meant that when they attacked the whites they were taken completely by surprise. The 1896 Revolt was militarily far more serious than the 1893 War, and would have defeated the British South Africa Company forces had imperial troops not intervened. In the war of the 1970s, when the time was ripe and military

skills honed, she inspired her people to lay down the pen and pick up the guns again” (Clarke, 2006 cited in Makwenda, 2009). Queen Lozikeyi, like Mbuya Nehanda is an icon of the Zimbabwean people. ZIPRA soldiers invoked her spirit for guidance during the liberation struggle (Gudhlanga, 2011b). There were songs composed in her honour and in praise of her leadership qualities, but these stories cannot be found just like her story has not been told. Makwenda (2009) learnt of Lozikeyi at Oxford in London. Shona and Ndebele legends are full of powerful women leaders who participated in the public sphere in politics as exemplified by Lozikeyi, Modjadji and Nehanda. Powerful women political leaders were also found among the different legends of various ethnic groups in Africa. Among the Xhosa people of South Africa was Unongqauze, who was an important prophetess and leader in the 19th century. She warned the Xhosa people of the hardships that would follow under colonial rule (Gudhlanga, 2013). Still in South Africa, the Nguni people also have a legend of a female leader and warrior, Nyamazana, who actually drove Changamire Chirisamhuru out of his capital and possibly killed him (Bhebhe, 2004; Omer-Cooper, 1966). Chirisamhuru was the last king of the powerful Rozvi Empire but he gave in and fled from Nyamezana, a female warrior who proved more powerful (Gudhlanga, 2011b, 2013).

Queen Nzinga, a 16th century leader in Angola was described by the by the Portuguese as the “Amazon Queen” who led an army of female warriors (Rogers 1972: 247). Further north before Islam, there are legends of famous queens such as Nerfetiti and Hatshopsut who held very high positions ruled Egypt (Jayawardena 1986: 14). Dodo (2013) cites powerful legendary queen like Amina whom is believed to have been strong fighter who successfully fought her neighbours and managed to build cities, received taxes from other chiefs and introduced cola nut in Niger. Traditional African society was awash with female legends who influenced the day-to-day running of the state (Gudhlanga, 2011b, 2013).

Through the legends of Nehanda, Lozikheyi, Modjadji and Manyika female warriors and chiefs the girl-child is inspired by such women of good social standing who were powerful and participated in the public sphere. Through such women the girl child and even the boy-child as well will learn from a tender age that women are not inferior to men and do not need to fight for equality for they had powerful positions in their societies. In many cultures

women have been considered non-achievers, inferior to men and incapable of taking challenging responsibilities in their societies (Musiyiwa, 2008). However young girls and boys who hear the legendary stories of these powerful women in Shona and Ndebele traditional societies are motivated to succeed and to have confidence in women in their societies. Such stories should be tapped to address the current gender debate in our society.

Examples of legends cited above demonstrate that pre-colonial African women in general and Shona and Ndebele women in particular wielded more power than what was later acknowledged in customary law (Batezat, 1988). The concept of equality was not part of the traditional African women's perception of social relations. Hafkin and Bay (1976: 3) observe this and argue that pre-colonial African women did not see themselves as an under privileged class which had to fight with men in order to seek social equality because they enjoyed more freedom and power in a complementary gender system in which they participated as active agents of development. Even though women had power in the African traditional society, this is not supposed to be taken in a romantic sense since it was a patriarchal society; they had different ways of navigating role relationships in their communities (Gudhlanga, 2010, 2013).

### **Resilient Women in Folktales**

Folktales are also a popular branch of folklore which children get acquainted to at a very early stage in life. They are narrated during the evenings and when people have harvested their produce from the fields. These folktales play a very significant role in socialisation, they teach the children about their customs, beliefs and cultural values. Of significance is the fact that the narrator of folktales among the Shona and Ndebele cultures are women, this means that women are given a very important role of socialising children into the traditions of their cultures (Gudhlanga & Makaudze, 2012b). If traditional society looked down upon women it would have never given them such an important responsibility in life of socialising the young ones who are actually the future leaders of their respective societies.

Also of importance are some of the themes that recurred in these folktales. Among the Shona and the Ndebele there are quite a number of folktales that portray women as more responsible members of society as compared to

men. In the Shona folktale *gore renzara* (The Year of Drought) (Ngano Vol. 2) Women are portrayed as very responsible members of the community. In this folktale during a year of drought which struck the whole chiefdom, there was a couple who had two children. The man went to hunt and slaughtered a very big antelope which he dried in the bush and was very selfish not to share his exploits with his wife and children. When the meat had completely dried he wound it around his waist and covered with his clothes. The wife had to go out daily to look for wild mushroom to feed the family. When the wife prepared the mushroom and fed the family the husband refused to eat the mushroom he would tell his wife that he was going to just cut a piece of flesh from his waist and then roast it and eat. He did not want to finish the children's food (mushroom). The wife became suspicious and one day she devised a plan of seeing what her husband was eating, she brewed some beer and gave it to her husband who got drunk and slept. Whilst he was asleep she took all the dried meat which was tied around her husband's waist. That is when she realised that her husband had been cheating her all along; he was feeding himself on the game meat he had hunted whilst the family was barely surviving on wild mushroom that the woman fetched. She exposed her husband who asked for forgiveness from the family. She then used the meat and the mushrooms she was gathering to feed her family.

Also the folktale *Baba vosvuta dota* (Father who feeds on ashes) (Ngano Vol. 2) again demonstrates the selfishness of a man during a year of drought. This man managed to get honey from the bush which he put in a clay pot, closed it and dug and hid it underground. So he was in the habit of telling his family that he fed on ashes since the pot was buried where the family disposed away ashes. He had a straw which was dipped into the clay pot and he refused all the little food that the wife had gathered and he fed on his honey, drank some water and would be satisfied. He would ask his children to sing “*Baba vosvute dota*” (Father is feeding on ashes) when he was eating his honey. Again the wife was suspicious and dug the clay pot during her husband’s absence and discovered that her husband was feeding on honey while the family was starving. The wife exposed her husband on his return who then asked for forgiveness.

These two folktales and many others demonstrate that women are very responsible members of the family who can fend for the family in very difficult times even when the husbands seem to be selfish. The cited folktales portray women as breadwinners and men as self and egocentric beings who only think of themselves in times of difficulty. In both folktales women have shown great bravery, intelligence and wisdom in the execution of their responsibilities. They have actually surpassed men in looking after the family during very difficult times like drought which have always been a challenge in societies that primarily depend on agriculture like the Shona. In traditional Shona and Ndebele societies women are portrayed

as breadwinners, it is colonialism which has removed this responsibility on them and condemned them to the periphery of society where they did not have opportunities and access to get a better education and work and be able to look after their families. Women in folktales are therefore not passive but positively contribute toward the wellbeing of their families and societies.

### **The Significance of Women in Riddles**

African culture is also quite gender sensitive. Women are never secluded, but just like their male counterparts, are acknowledged, respected and listened to (Makaudze & Gudhlanga, 2011). There are so many riddles to picture not only the existence of women, but their role and significance too. Makaudze and Gudhlanga (2011: 308) cite the following riddles to demonstrate the significance of women in Shona culture:

1. Mai ndebvu baba ndebvu-mbudzi (Mother has beard, father has beard – goats)
2. Mai vekwedu kubika havabviri-nyuchi (Our mother is a very good cook - bee)
3. Mai vangu vadzokazve-bvudzi (My mother is back again – hair)
4. Vasikana vanotamba jezi mugomba-maputi (Girls who dance to jazz in the pit-popcorn)
5. Chembere yekwedu inokweva masanzu nemuswe-tsono (An old lady in our area who pulls twigs with her tail - needle)

Makaudze & Gudhlanga (2011: 308) argue that the continuous “reference to women either as mothers, grandmothers, girls, aunts or wives shows that Shona society is quite aware of, and quite appreciative of the significance of women in society. The words “vekwedu” or “kekwedu” are not in any way discriminatory but associative. Children, whether male or female are taught and made to love the existence, influence and indispensability of women.” They further argue that there are reasons as to why Shona society cultivates such a philosophy among its young citizens. It is because they want to stress the importance of women in their societies. Without women the institution of family would not succeed. Women are highly respected for their roles as mothers of the clan and society as a whole. They guarantee society of a future. As such, abuse of a woman is treated with the greatest contempt among the Shona. Such deification of the female being is thus cultivated at tender ages (Makaudze & Gudhlanga, 2011).

## Women in Proverbs

Women are also respected through proverbs. The Shona and Ndebele have a lot of proverbs that demonstrate the importance of the female folk in African culture. The proverb “Nhamo inhamo zvayo amai havaroodzwi” (One cannot receive bride price for a mother to cover up for the family’s poverty). This proverb was derived from the custom that when a family was in dire poverty they could marry one of their children to a wealthy family and get grain and other food stuffs to feed the family. So this proverb demonstrates that no matter how poor a family is it cannot marry its mother and receive some food in exchange. Even when one loses a mother they are so distraught because the most precious possession would have been lost. Even among the Yoruba of Nigeria if one loses a mother they would have lost the most precious possession of their lives.

The foregoing demonstrates that the female folk were respected in Shona society. Also the proverb “Nhumbu mukadzi mukuru hairevi chayadya” (Pregnancy is a mature woman who does not say what she has eaten/caused the pregnancy). This proverb also exonerates women who have been said to be unable to keep secrets and just gossiping all the time. Women as mothers in both Gikuyu and Swahili proverbs are portrayed positively in their roles as rearers, teachers and role models of their children. The Swahili have the proverb, *asiyefunzwa na mama yake hufunzwa na ulimwengu* (whoever has not been counselled by his mother, will be taught lessons by the world). This proverb demonstrates the indispensability of women as far as giving children counsel is concerned. Indeed, the image of a mother borders around idolisation (Ndungo, 1998).

Women are presented as special and precious people in African culture. This demonstrates that African women are not inferior to men “but when cautioned, corrected or praised according to cultural or customary prescriptions, it is then wrongly believed that the African’s place for the woman is negative, oppressive and placatory in all senses” (Olarinmoye, 2013: 140). It is non-participants of a culture who pass such negative comments of a culture which they do not fully understand. This why p’Bitek (1966) writing in the Ugandan context argue that it is only the participant of a culture who are qualified to pass judgement on it.

## **Recommendations**

The content analysis of selected oral literature has demonstrated that women in traditional Shona and Ndebele societies were active agents of development. It is therefore recommended that present debates on gender issues in Africa be guided by the pre-colonial gender relations portrayed in oral literature. Also schools and tertiary institutions should be encouraged to tap into oral literature in their Gender Studies courses. This would go a long way in bringing to the fore the role and position of women found in such literature. Women's voices have been silenced by colonialism and studying and researching oral literature would bring out the voices of the other half of the population, the female gender.

## **Conclusion**

It has been clearly demonstrated from sampled Shona and Ndebele oral literature that women have always been part of the traditional leadership and governance of pre-colonial societies. They have also been in the forefront of socializing the young into the traditions of their people. Women have also demonstrated great bravery, intelligence and wisdom in the execution of their duties. They have also in pre-colonial times have had appropriate positions as portrayed in folklore and these have to be maintained or developed so that the dictates of democracy and the current gender debates are satisfied. Africa would benefit immensely if she taps the best out of the traditional roles of women into modern systems of governance. The current gender conflicts that seem to embroil current gender debates are as a result of the misrepresented image of the African woman and her role in pre-colonial society. There is need to research widely on the values and principles that guided pre-colonial societies that are embedded in oral literature. The continent would benefit immensely if it draws from the positive aspects of the role and position of women as portrayed in folklore. It is therefore prudent for all present communities to tap into the traditions of our fathers which could greatly help in the development of our continent and include women as active agents of development and not to relegate them to the fringes of the society as dictated by colonialism and its various laws.

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# 5

## Gender Mainstreaming Instruments in Kenya and Malawi Divergence and Convergence

*Ezekiel Mbitha Mwendwa and Gillian Louisa kaliwa*

### **The Concept and Necessity of Gender Mainstreaming**

According to UNESCO (2003), mainstreaming is a process rather than a goal that consists in bringing what can be seen as marginal into the core business and main decision-making process of an organization. Gender mainstreaming can therefore be seen as a process of ensuring justice in the distribution of benefits, access to and control of resources, responsibilities, power, opportunities and services between men and women. On its part, the United Nations (1997) looks at gender mainstreaming as;

*“Process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated”.*

It, therefore, ensures women and men, girls and boys have equal chance and access to and control over resources, opportunities and benefits at all levels. Gender mainstreaming involves integrating a gender perspective into design, implementation, monitoring and evaluation of development policies, plans, programs, projects and legislation at all levels. Gender mainstreaming is in simple terms taking into consideration the concerns, needs, views, opinions and aspirations of both men and women in any decision making and implementation endeavor.

In the Malawian context, gender relations are patriarchal even in communities with a matrilineal system. They reflect and perpetuate a hierarchy where women are subordinate to men. This subordination is

reflected in inequality and differences between women and men within the family and community as well as in all social, economic, cultural and political interactions and relationships at local as well as national levels. Patriarchal social structures and institutions are strengthened and sustained by value systems and cultural rules which spread the notion of women's inferiority. The result is that women experience exclusion and marginalization from social, economic and political processes<sup>1</sup>. Since these structures are entrenched in society, achieving gender equality requires transformation of the structures and systems which lie at the root of women's subordination. In response, Malawi has embraced gender mainstreaming as a key strategy for attaining gender equality.

On her part, Kenya has taken bold steps towards gender mainstreaming by institutionalizing it not only in the supreme law of the land, the Constitution of Kenya 2010, but also enacting legislation and policies to the same effect (Republic of Kenya, 2010; 2011). The foregoing notwithstanding, gender equity remain more or less peripheral as informed by the apparent resistance from patriarchy. As such, there is much more that need to be done towards gender mainstreaming given that women remain grossly underrepresented in major decision-making organs including the National Assembly, Senate and senior management in public institutions. The foregoing scenario for the Kenyan case is partly explained by wobbly political will and commitment and hence lending credence to the assertion that gender mainstreaming in Kenya particularly as far as women representation is concerned has historically been tokenism.

Countries have made many international agreements and conventions that have been domesticated in individual countries in form of policies, guidelines and legislation. These aim at narrowing gender gaps and hence mainstreaming gender is part of the fulfillment of international and legislative obligations towards gender equity. Gender mainstreaming ensures that issues analysis and policy formulation are informed by a consideration of gender needs, experiences, differences and inequalities. This is more important given that ignoring one gender amount to getting half of the benefits of development. Gender mainstreaming is therefore a strategy for attaining a more equitable distribution of material, cultural, political and other benefits an inclusive and cohesive society.

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1. UN/GoM (1993), Situation Analysis of Poverty in Malawi

It is widely acknowledged that women and men are not at the same pedestal socially, economically and politically and hence women disadvantaged in more ways than men. Gender mainstreaming is therefore necessary in such a case to give each person (men and women, boys and girls) an opportunity to move towards self-actualization in terms of meeting their needs and concerns. In addition, it acts as a way of minimizing gender-based discrimination and hence enhances inclusion in society. More important, when all are treated equally, this contributes to equal opportunities, obligations and rights of both men and women, which is important for minimizing gender-based stereotypes.

### **International Instruments and Framework for Gender Mainstreaming**

Gender mainstreaming in Kenya and Malawi like in many other countries is informed by international instruments and agreements that the two countries are signatory. Indeed, the commitment to the achievement of gender equality in the two countries can be traced to the 1948 UN Charter and the Universal Declaration on Human Rights (UN, 1948). At Article 16 (1), this charter states;

*“Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution”.*

As such and as provided for by the UNUDHR, rights and freedoms shall not be limited by a person’s gender and establishes that all human beings are born free and equal in dignity and rights.

On the part, the Millennium Development Goals (MDGs) (UN, 2000a) are yet another attempt at the international level to promote gender mainstreaming ideals. Specifically, MDG 3 is about promoting gender equity and the empowerment of women, with target 3a aiming at eliminating gender disparities in primary and secondary schools preferably by 2005 and at all levels by 2015. In addition, the MDG aims to increase the share of women in wage employment in the non-agricultural sector while at the same time increasing the proportion of seats held by women in national parliament among member states.

The International Labor Organization (ILO) Gender Mainstreaming Guide of 2010 (ILO, 2010) aims to enable labor practitioners including employees, employers and trade unions to among others understand why gender equality should be pursued at all levels in the labor market and be aware of the barriers to women's participation in non-agricultural labor. Flowing from the awareness, strategies should be identified and implemented to address gender concerns in matters of labor. The foregoing is informed by the fact that women have remained grossly underrepresented in major white collar engagements.

The UN Security Council Resolution 1325 of 2000 (UN, 200b) requires actors involved in negotiating and implementing peace initiatives to put on gender lenses including special needs of women/men and girls/boys during repatriation and resettlement, rehabilitation, reintegration and post-conflict reconstruction. In addition, measures that support local women/men's peace initiatives and indigenous processes for conflict resolution and implementation of peace agreements must be given consideration while at the same time putting in place measures to ensure the protection of and respect for human rights of all people across gender divide prior to, during and after conflict.

The African Union Gender Policy of 2009 (AU, 2009) obligates member states to put measures in their official practices that ensure equal economic independence and opportunity, participation and access to resources, participation in peace and security matters and representation in governance structures. Other obligations for signatory member states include a commitment to the eradication of all forms of gender-based discrimination and violence, gender stereotyping and the promotion of gender issues in policies, programmes, budgets and accountability frameworks.

Whereas the foregoing institutional frameworks are elaborate enough, the list is not exhaustive given that other regional bodies such as the East African Community (EAC) and the Common Market for Eastern and Southern Africa (COMESA) have gender mainstreaming policies that are specific to member states. Of particular importance is that Kenya and Malawi are both member states of COMESA and hence bound by the

COMESA Gender Policy (COMESA, 2002). While the foregoing instruments are generic and make reference to member states, it is prudent to look at country specific tools that have domesticated the foregoing international instruments in the two countries. This is based on the reasoning that the international instruments have informed the formulation of country-specific tools as a demonstration of government commitment to the ideals of the international agreements and conventions.

### **Gender Mainstreaming Tools in Kenya**

The institutional framework for gender mainstreaming in Kenya comprises of the Constitution of Kenya, 2010, Acts of parliament, policies and guidelines that have been put in place to ensure gender matters in development discourse and practice. For example, the Constitution of Kenya at Article 27 (3&8), women and men are presumed to have equal treatment and opportunities in political, economic and socio-cultural spheres. The Article emphasizes that no gender should form more than two-thirds of any elective or appointive bodies within the public service of Kenya. In addition, Article 45 (3) of the Constitution of Kenya provides for equal rights to parties to a marriage at the time of the marriage, during the marriage and at the dissolution of the marriage and thus echoing the provisions of the UDHR of 1948. Moreover, Article 97 (1b) provides for the election of 47 women, one from each County as Members of the National Assembly, which in essence is seen as positive discriminative legislation in line with MDG 3, Target 3a of increasing seat held by women in National Assembly.

There are also several acts of Parliament that provide for gender mainstreaming in public affairs in Kenya. For example, the Constituencies Development Act (CDF), 2003 (Rev. 2012) provides for gender representation in decision-making at the constituency<sup>2</sup> level in the constitution of CDF committees. On its part, the Sexual Offences Act of 2006 treats both men and women as equally vulnerable to sexual offences and therefore equally in need of protection. The Environmental Management and Coordination Act (EMCA) of 2009 on its part provides for Environmental Impact Assessment and Audit of any development project. One of the issues to be put into

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2. One of the 290 jurisdictions in Kenya represented by a Member of Parliament (MP) in the National Assembly

consideration during the assessment is mainstreaming of gender-related impacts of environmental action. Above all, the National Gender and Equity Act of 2011 establishes National Gender and Equity Commission to among others ensure compliance with Article 27 of the Constitution of Kenya.

The Kenya Vision 2030 is the newest development blueprint in the country that is expected to see it transform into a middle income nation with high quality of life in the year 2030 (Mwenzwa & Misati, 2014). The vision is anchored on three pillars namely the social, political and economic. The Social Pillar envisions a just and cohesive society that enjoys equitable social development and proposes to mainstream gender in all aspects of society by making changes in four key areas of opportunity, empowerment, capabilities and vulnerability (Republic of Kenya, 2007 ; 2008). It is observed that the ideal of cohesion envisioned in the blueprint cannot be achieved amid gender-based discrimination and hence equality of opportunity and resources by gender must of necessity be enhanced.

In furtherance of the need for gender mainstreaming and in conformity with international agreements, commitments and convention, the Government of Kenya developed the Gender Policy (Republic of Kenya, 2011). The policy hinges on several principles including the fact that human rights are universal to both genders and that gender fairness and justice should always guide interventions. As such, it incorporates as the practice equity in the treatment of men and women and equality of opportunity and access to resources. Specifically, it recognizes the specificity of women and men needs in order to ensure social development, while remaining committed to change discriminatory laws, policies. Altogether, the foregoing among other provisions forms the institutional framework that informs gender mainstreaming in Kenya.

### **Gender Mainstreaming Tools in Malawi**

An analysis of the social and economic situation of Malawi shows that there are persistent gender inequalities, gender based violence, underrepresentation and discrimination against women<sup>3</sup>. Women are disadvantaged in every sector of development and to address the foregoing and move towards

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3. Republic of Malawi, 2011

gender equality, the Government of Malawi has ratified key international legal instruments that promote gender equality. These include the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the African Union Women's Protocol, the SADC Protocol on Gender and Development, the Beijing Declaration and the Beijing Platform for Action among others. The national constitution captures the spirit of these international conventions and protocols and hence upholds equality between men and women and prohibits gender based discrimination <sup>4</sup>.

In the early 1990's, the Government of Malawi through the Ministry of Gender introduced Women in Development (WID) Strategy and Plan of Action (1992-1998). It aimed to address the ministry's priorities in the delivery of its women in development services and projects. It outlined a 12 point WID plan for the ministry and highlighted activities that the ministry could initiate in order to achieve the objectives. Of course, the initiatives were to be implemented from a multi-sectoral perspective across all ministries and government department where applicable.

Around the same time, the Poverty Alleviation Programme (PAP) was adopted as a strategy for national development. The PAP framework recognised gender as a cross-cutting issue in poverty alleviation. It thus provided guidelines for ensuring that all sectors took account of gender perspectives in policy formulation, decision making, development planning and programming. The next major attempt at gender mainstreaming was through the National Platform for Action of 1997 following the 4th World Conference on Women held in Beijing, China, in 1995. It called for the integration of gender perspectives in all policies and programmes and focused on strategic objectives and actions to address poverty alleviation and empowerment, the girl child, violence against women and peace. It provided a guide and a frame of reference to all stakeholders in the advancement of women.

The National Platform for Action therefore linked with the Poverty Alleviation Framework in guiding gender mainstreaming and ensuring affirmative action in supporting institutions that promoted gender equality. Many significant achievements were made at this point, but gender inequalities persisted leading to the development of a National Gender Policy in 2000 as an integral part of the nation's development objectives on growth and poverty reduction. The goal of the policy was to mainstream gender in the national development process to enhance the participation

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4. Gender Equality bill

of women, men, boys and girls for sustainable and equitable development. It was designed to be a guiding framework for the implementation of gender mainstreaming activities in the country until 2005 when it expired.

As a result, various women empowerment and gender mainstreaming programmes were implemented within the following thematic areas: education and training, poverty eradication and empowerment, reproductive health, governance and human rights, natural resources and environmental management, and food and nutritional security. Notable improvements towards gender mainstreaming can be attributed to the launch of the policy. Of particular interest, several organizations created gender units as part of their institutional structures and some institutions have developed their own institutional gender policies and plans. But, at the end of its lifespan, gender inequalities, low representation of women in decision making positions, low education attainment among females compared to males, gender based violence and discrimination against women and the girl child still persisted (Republic of Malawi, 2011) <sup>5</sup>.

It has been recognized that in order to facilitate gender mainstreaming across different sectors, there is a critical need to strengthen capacity and understanding the principles behind a mainstreaming approach, and the necessary tools to bring this out. The National Gender Programme (NGP), therefore, attempted to institutionalize the concepts of gender mainstreaming across all relevant stakeholders to build gender responsive institutions (Republic of Malawi, 2004). It was an implementation framework for the first gender policy and therefore served as a guiding tool for mainstreaming gender at all levels in the planning, and implementation of development programs in Malawi from 2004 to 2009. It offered a strategy of gender mainstreaming through the development process to bring about gender equality and the empowerment of women. The NGP also emphasized capacity building and hence strengthened gender focal points and strategies with skills and tools for gender analysis and mainstreaming to enable them to effectively support their respective sectors in its implementation (Republic of Malawi, 2004).

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5. Republic of Malawi (2011) National Gender Policy p1

In 2011 a revised National Gender Policy was introduced, which retained many aspects of the 2000-2005 policy including the aim of mainstream gender in the national development process in order to enhance participation of women, men, girls and boys for attainment of sustainable and equitable development<sup>6</sup>. In addition, it also attempted to address a number of emerging issues and challenges that the implementation of the first policy failed to adequately address. In addition, legislation, strategies and instruments have also been developed to promote gender equality and the empowerment of women. These include the Prevention of Domestic Violence Act 5 of 2006, the National Response to Gender Based Violence Strategy (2008-2013) and the Gender Equality Bill of 2012. Moreover, there has also been a campaign to achieve equal representation of men and women in parliament. All in all, the government and its development partners require that programmes should adopt a mainstreaming strategy and gender mainstreaming guidelines and tools are provided.

The Ministry of Gender, Children and Social Welfare is the designated national machinery for providing oversight coordination of all gender issues and the gender policy and programme (Moser, Liwewe, Moser, & Ngwira, 2004)<sup>7</sup>. Gender units have been established in key government ministries and public organizations and gender focal point persons are appointed in all government ministries and departments. Gender is integrated into other important policies such as agriculture, education, environment, health and HIV and AIDS policies. However, despite many decades of efforts to achieve gender equality and women's empowerment, the country has not attained much of what was initially envisaged.

The National Gender Policy (Republic of Malawi, 2011) states that the country still experiences persistent gender inequalities, gender based violence, under representation of women in decision making positions, low education attainment for women and girls compared to men and boys, and discrimination against women (Republic of Malawi, 2011). The figures below show the extent of the problem. Malawi Gender Status Index is at 0.639; women constitute only 16.2% in the executive, 12.9% in the judiciary and 22.3% in the legislature; while in the city, municipality and district councils women in decision making positions constitutes

6. Republic of Malawi (2011) National Gender Policy p. iv

7. DFID Gender Audit in Malawi

46%, 15% and 3.6% respectively. According to Malawi Population and Housing Census of 2008, 36% of the people older than 5 years were illiterate of which 41% were females and 31% males. Similarly, gender based violence proportionately affects more women and girls than men and boys. For instance 64.1% girls compared to 35.9% boys experience bullying in school and 27.3% girls compared 10.2% boys are sexually abused. About 72.3% women are physically abused by their spouse/partner in the home. While in the work place 50% women compared to 35.3% men experience economic abuse and 50% women compared to 11.8% men experience sexual abuse. (Republic of Malawi, 2011).

There appears to be little impact on gender equality on the ground judging by the inequalities that still persist. As a result, the Government of Malawi has viewed gender inequality as a major cause of poverty first and foremost and therefore pursued gender mainstreaming as a means to poverty reduction. This has diminished the significance of gender equality as a human rights issue and an important development goal on its own. Gender issues are subsumed under poverty and are therefore ignored even lost (Moser, Liwewe, Moser, & Ngwira, 2004)<sup>8</sup>. This approach has a very narrow view of gender inequality and women empowerment, which tends to leave out other groups of women and girls who may not fit in the categories of poor or vulnerable.

Another challenge is resistance to the issue of gender equality resulting from attitudes to gender relations in Malawi and Kenya (Republic of Kenya, 2011; Moser, Liwewe, Moser, & Ngwira, 2004). This is noted in the emphasis on and interpretation of gender as simply female mainstreaming as opposed to taking care of both men and women needs. In this case, the concept of gender is not only misunderstood and misinterpreted by policy makers and implementers alike but also stereotyped and at worst stigmatized particularly by the dominant patriarchal systems in both countries. Indeed, equality in many cases is taken as culture-destructive and hence abhorred and its promoters labeled as rebels (Mwenzwa, 2011). Extensive gender analyses by local researchers have shown that resistance to change is a product of Malawi's dominant patriarchal culture. This culture determines social and gender relations to the disadvantage of women, engenders culture and tradition that deny women control or

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8. DFIDM

capabilities<sup>9</sup>. It influences gender roles and relations in families and communities as well as in all institutions that govern women's and men's lives at local and national levels (Moser, Liwewe, Moser, & Ngwira, 2004)<sup>10</sup>. The government and civil society activists are well aware of the root causes of discrimination against women but lack the commitment and political will to address the issue. Even with the right laws and programmes in place, the lack of commitment and will to implement and enforce them will negatively affect the effectiveness of gender mainstreaming attempts. The ministry of gender requires adequate support and political authority to carry out its oversight and coordination responsibility. Without commitment from government and donors, it will not be able to challenge resistance to change.

Gender mainstreaming policies, programmes and strategies should be based on a human rights approach to equality, emphasizing the desirability of gender equality as a social goal worth achieving for its own sake and not as a means to another goal. To reduce the likelihood of gender mainstreaming becoming invisible, gender equality and empowerment indicators should be clearly defined and gender should be mainstreamed into programme budgets and plans for monitoring and evaluation. There is also need to enhance the capacities of those responsible for implementing gender mainstreaming by offering gender training and more relevant tools and techniques. This will ensure that they are more effective in carrying out their responsibilities.

### **Galvanizing Gender Mainstreaming in Kenya and Malawi**

That there are concerted efforts in both countries to mainstream gender in compliance with international agreements, conventions as well as national legislation and policy direction cannot be gainsaid. Nonetheless, there is much that needs to be put in place to warrant a celebration regarding gender mainstreaming in the two countries. A possible starting point perhaps is to ask: What can the two countries learn from each other and from other countries? The foregoing question calls for benchmarking to document

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9. Semu, Ngwira and Kamchedzera (2004)

10. DFIDM p6

best practices that can be adopted from the two countries and other jurisdictions to enhance gender mainstreaming.

It has been demonstrated that there are elaborate structures in each of the two countries that have been established to mainstream gender in the running of public affairs. That notwithstanding, it is wrong to lose sight of the fact that structures in the form of laws, policies and international agreements cannot be left to work on their own. More effort therefore needs to be invested in monitoring and evaluating gender mainstreaming activities while at the same time documenting the lessons learned for future feedback. It would seem that in the two countries, what is actually gender mainstreaming is tantamount to tokenism to window-dress the gender-based ills that bedevil the society. While it would appear that while the governments of both countries are theoretically committed to the ideals of gender mainstreaming, it would as well appear this theory is yet to walk in the same path with practice. Drawing from the foregoing observation, there is the danger and great risk of reducing gender mainstreaming discourse into mere rhetoric and paper work devoid of tangible deliverables. An avenue to bridge such a gaping gap is the capacity building through the training of specific personnel that is expected to be gender champions in intervening on gender issues across sectors. Many governments including that of Kenya and Malawi hide behind resource shortfalls real or otherwise when challenged on matters of implementing public policy. Where this is the genuine case, there is need for public-private partnership to marshal the much needed resources for gender mainstreaming bearing in mind that it is a long-term strategy.

In addition, the approaches adopted by gender activists to move the society towards gender mainstreaming are also to blame for lull in this important undertaking. For example, while feminism has played an important role to sensitize the society on the need for gender equity, its approach which is largely conflict falls short of expectations. For example, instead of constructively engaging patriarchy, feminists have not only waged a war on one another but also patriarchy and hence stereotyped as being anti-men. The foregoing explains the resistance that has been mounted by patriarchy despite many years of gender mainstreaming efforts the world over. Government ministries, departments and other institutions in both countries have developed instruments to mainstream gender in their respective sectors. However, for many this has been accomplished as a

statutory requirement as opposed to real policy commitment. Indeed, a look at various sectoral gender policies reveals what may be termed as cut and paste in the digital era. A paradigm shift needs to be introduced that ensures practical commitment to gender mainstreaming particularly in public service activities.

The importance of information in matters of public policy such as gender mainstreaming cannot be belabored. As such, it is important that institutions that are charged with data collection on civic matters keep abreast with the goings-on on matters gender including formulation, implementation and evaluation of policies and activities. In the absence of gender disaggregated data that does not only reflect reality, but also up-to-date, policy makers and implementers alike will be in the dark, a recipe for reducing gender mainstreaming work to academic rhetoric and political gimmick.

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# 6

## **Feminism and the Empowerment of the African Woman**

### **A Case of Lesotho**

*Palesa Moseitse & Tankie Khalanyane*

### **Introduction**

The 1960s saw the intensification of women's movements in the western world which had started in the 19th century, where women were asserting their inclusion into the governance issues of their countries. Women were claiming equality in rights as men under the liberal ideals of democracy and equality of citizens. They were highly influenced by the French Revolution of 1789 where the French Republicans guillotined the king for not embracing and espousing liberal democratic ideals of equality, fraternity and brotherhood. The Western women were also influenced by the Civil Rights Movements in America where Afro-Americans were fighting for recognition and inclusion as free citizens with inalienable rights like the rest of the citizens of the country. Having achieved universal suffrage in their respective countries in the West, the proponents of women's movements, especially feminists became eager to widen their movement and include all women across the globe.

This chapter therefore argues that Western feminism cannot empower an African woman and in particular a Mosotho woman because due to its universalizing tendencies like any other modernity projects, feminism ignores the specific context in which women live, it does not address pointedly the problems faced by Basotho women and it uses Western lens only in analyzing women's issues. In order to address the central argument of this chapter, it deals with the concept of power and empowerment and the various strands of feminism. Finally, the role of women in Africa and in particular Lesotho is articulated and arguments on why feminism cannot empower women in Lesotho.

## **The Concept of Power**

Power discourse has been used by different schools of thought and realms as a structure of domination and legitimation from time immemorial (Karlberg 2005, Isaac 2001, Foucault, 1980). Feminist writers for example, see power in relation to patriarchy which they see as a dominant factor that imbalances power (Miller in Moseitse 1998). This is a position which Coetzee (2001) supports by indicating that dissimulation, hypocrisy, deception and pretence are used to attain power in a patriarchal structure. On his part, Karlberg (2005) explores power as form of domination which seems to have pervaded the western social and political theory. It is worth noting that power is recognizable in four forms namely, power over, power with, power to and power within as shown in table 1.

## **The Concept of Empowerment**

Empowerment is a slippery concept which is difficult to define yet it is used in a multi-disciplinary manner-economic empowerment, political empowerment, human and social empowerment and cultural empowerment. Consequential to its fluidity there is no one unitary definition of the concept amongst scholars (Murphy-Graham, 2008). In fact the definitions of the concept are as many as its users and it is given a variety of meanings in different contexts. Debates are raging on the way the concept has been used and abused and synonymized with participation. However, what becomes apparent is that the concept has the undertones of power because crudely, to empower literally means that the party that is being empowered is in the state of powerlessness and needs to acquire socially acceptable power. Empowerment is usually associated with radical change in an attempt to transform social organizations. For example, Luttrell, Quiroz, Scrutton & Bird (2009) trace the concept to the Brazilian Paul Freire and his popular education philosophy where issues such as literacy programs were encouraged to transform societal imbalances with regard to education. Some scholars view empowerment in terms of ability to take responsibility to shape one's life, while others think of it in line with gaining of skill, knowledge and ability to take action that informs decision-making to affect self and others

**Table 6. 1: Forms of power**

Types of power	Implications	Possible pointers
Power over	Its negative, Discriminative, Uses force, Abusive, Dominating, Controlling Perpetuates injustice and inequality and poverty Oppressive, coercive etc.	Patriarchal and social hierarchies
Power with	Building collective strength, finding common ground, mutual support, solidity, collaborative, etc	Social mobilization, coalitions and collaborations, organizations aimed at empowering the marginalized etc.
Power to	Capacitate, organizational, changing existing hierarchies, ability to shape and enforce change mutually	Consultative, collaborative, division of roles, participatory in decision-making
Power within	Ability to change, self-acceptance, willingness, implement changes	Confidence, awareness, widened aspirations, transformation, ability to make informed choices.

**Source:** Adapted from Mayoux, (2003), Rowlands, (1997), Alsop & Norton (2006), Veneklasen & Miller (2002) and Lutterll, Quiroz, Scrutton & Bird (2009).

Others in their definition of empowerment further include ability to use and foster power and ability to coerce (Rowlands, 1997). Feminist discourse associate empowerment with Women in Development approach which advocated for inclusion of women in development and politics. This approach is widely used disregarding the dynamics of diverse social structure of diverse societies-it takes women as though were one homogenous group.

The power relations between the parties are skewed and as such, potent in the concept is the notion of interdependence between parties. The notion of us/them is insinuated as well-not like us therefore let's make them to be like us-empowerment. Despite the absence of consensus on the definition of the concept, points of convergence amongst the scholars are on the components of empowerment; being option, choice, control and power. Ibrahim & Alkire (2007) have a lot more components which are agency, autonomy, self-direction, self-determination, liberation, participation, mobilization and self-confidence.

So, how do scholars define empowerment? Singharoy (2002) is of the opinion that empowerment means the dynamics of sharing, distribution and redistribution of power so as to attain legitimacy. Singharoy's definition raises important issues that are pertinent for this paper. First, the notion of sharing, distributing and redistributing power means that one group in the society is powerful while the other groups are less powerful, disadvantaged and to some extent marginalized. Second, to salvage its legitimacy the powerful group then redistributes power by sharing with the powerless groups-empowerment. However, the definition does not bring to the fore whether the distribution of power is done voluntarily by the powerful group or due to some pressure. Despite this the definition does highlight that empowerment is not an end in itself but a process and therefore dynamic.

Murphy-Graham (2008) uses the definition he has adopted from Kabeer (1999) as a process by which those who have been denied the ability to make strategic life choices acquire such an ability' and enhancement of capacity for self-determination. Equally important to note is that the definition highlights the dynamism of empowerment by pointing out that it is a process, so as such it is dynamic instead of being static. The definition also underscores acquisition of ability to make choices meaning there was a time when such choice could not be made, the state of powerlessness. Empowerment also brings ability to make own decisions on issues affecting

a group, self-determination. In this paper empowerment is defined and used to mean a collective struggle against oppressive social relations and that the concept should be understood in relation to cultural diversity and geographical differences and in a time-space distancing.

The definition is based on how Graig and Mayo (1995) and Oxfam (1995) define empowerment. Graig and Mayo (1995) define empowerment as “collective community, and ultimately class conscientization, to critically understand reality in order to use power which even the powerless to possess, so as to challenge the powerful and to ultimately transform reality through conscious political struggles”. In a similar version Oxfam (1995) define empowerment as involving “challenging the forms of oppression which compel millions of people to play a part in their society on terms that are inequitable, or ways which deny their human rights”. These are the political meanings of the concept from which our meaning of empowerment is derived. These meanings have been found to be relevant to the argument because issues of women differ across time, space and socio-cultural orientations.

### **Feminism and its Strands**

The etymology and development of the word has its origins as far back as 1871, where it was used in a French medical text to describe a cessation in development of the sexual organs characteristic in male patients, who were by then perceived as suffering from ‘feminization’ of their bodies (Freedman, 2009). Its current use is relatively new because it was in use well before women questioned their inferior status in the society, and demanded change in their social position and began their movements.

Feminism is a fluid term and, therefore, it cannot be defined in any brevity and precision. Definitions of the term are as diverse as the feminist theory itself because there is no consensus among the proponents of the movement on what it is. Winkler (2005) notes this by observing that the definition of feminism is always changing, never static, never unitary, always subject to the specific understandings of a theorist. Hooks (2000) bemoans this problem by indicating that a central problem within feminist discourse has been their inability to either arrive at a consensus about what feminism is or accept definition (s) that could serve as points of unification. Freedman (2009) adds that the task of defining feminism is made difficult because

many of the different strands of feminism seem to be not divergent but sometimes forcefully opposed.

Despite its fluidity and non-existence of a unified definition the term refers to a struggle to end sexist oppression and its aim is not to benefit any specific group of women, any particular race or class of women nor does it privilege women over men (Hooks, 2000). Lorber (2010) defines it as a movement to end sexism, sexist exploitation and oppression by empowering women. It is also defined as a response to a belief that women have been oppressed and unjustly treated (Grimshaw, 1986). Ropers-Huilman & Winters (2011) say that feminism has its focus on injustices as they have historically developed and currently exist in our society. As pointed out earlier in this section that consensus about what feminism is, is a problem amongst the feminists, the four definitions clearly shows the divergence that exists. The definitions by Hooks (2000) and Ropers-Huilman & Winters (2011) seem to be inclusive and do not give any privilege to any social grouping, while the last two by Lorber (2010) and Grimshaw (1986) specify the oppressed group that has to be liberated as women.

Feminism has evolved in appearance of a series of strong feminists movements which feminists call “feminism waves” (Lorber, 2010; Tong, 2009; Freedman, 2009; Sarikakis, 2009; Mann & Huffman, 2005) being namely; the first, second and third waves. The first feminism wave as a movement started in the 18th century with the work of Liberal feminists as a response to women’s lives and experiences. This wave was pre-occupied mainly but not exclusively but to a larger extent with equality of men and women which was influenced by industrialization and the liberal politics of the time (Krolokke & Sorensen, 2006). The ideals espoused by liberal politics were liberty, justice, rationality, freedom, fraternity and equality. Therefore, women felt that if human beings are rational beings that have freedoms then these ideals should also be passed to them; hence the rhetoric of equal access and opportunities for both sexes.

The second wave began in the late 1960s to 1970s when in most countries women had won universal suffrage. This wave became radical in that oppressed groups such as blacks and third world women pressed for their empowerment and differential rights. Later, in the mid-1990s emerged the third wave which was concerned mainly with issues of difference, deconstruction and de-centering (Mann & Huffman, 2005). The main

strands of the third wave feminists are; postcolonial/global, post-socialist, post-structuralist, post-modern and the girl issues. This wave has made feminism then to be known as an umbrella term for all the networks worldwide whose basic goal was achievement of equality between women and men.

Feminist theory is a group of perspectives that are concerned with explaining the relative position of women in society and place gender at the centre of analysis, suggesting that it is a primary organizing characteristic in society (Ropers-Huilmand & Winters, 2011). In addition, the term refers to a multitude of types of works, produced by a movement of activists and scholars in a variety of disciplines (Cox, 2009). Therefore, it is important to understand from the onset that there is no unitary or single feminist theory because there are many perspectives that have developed rapidly and that are undergoing continuing critique and proliferation making up the feminist theory (Beddoes & Borrego, 2011, Lorber, 2010; Freedman, 2009; Hamilton, 2006). Some of these perspectives are often forcefully in opposition to one another.

Diverse as they are, the basic tenets that unite or tie together these various perspectives are their quest for gender equality between men and women and strive for the empowerment of women so as to free themselves from the shackles of patriarchy. Cox (2009) opines that while there is diversity among the perspectives, each perspective can become a feminist theory if it satisfies three elements, first that gender is central to the focus of the theory, second gender relations are considered to be problematic and last, gender relations in society are considered changeable. This view is shared by Grosz (2010) in her analysis of the origins of the feminist theory by pointing out that;

*Feminist theory began as an analysis of the ways in which knowledge discriminated against women and helped to develop and perpetuate harms done to women, both conceptually and materially; it emerged through a recognition of the inadequacy of existing models to explain women's positions in the past and their potential for change in the present and future. Its primary focus has always been empirical and concrete, theorizing about how and why events, practices, knowledges, texts are forms of expression of patriarchal power relations (Grosz, 2010: 49).*

The different perspectives of feminist theory are categorized as Liberal, Marxist, Radical, Socialist, Psychoanalytic, Existentialist, postmodern, Multicultural and Global, Standpoint and Ecofeminism. They are further categorized by Lorber (2010) as Gender reform feminism (which includes Liberal, Marxist, Socialist and Postcolonial), Gender resistance feminism (radical, lesbian, psychoanalytical and standpoint) and Gender rebellion feminism (multiracial/multiethnic, feminist studies of men social construction and postmodern) The main tenets of each cluster of perspectives, its weakness, and why it may not be relevant to this study will be dealt with. Due to the multiplicity of these perspectives Lorber's (2010) categorization will be used instead of dealing with each and every perspective on its own. This is not meant to downplay the complexities of feminist theories but it is for convenience because feminist theories are a tangled and forbidding web (Freedman, 2009).

The foregoing assertion is also epitomized by Reynolds (2002) that there is a multiplicity of feminisms which different researchers and scholars work with and within and those are not necessarily encompassing. On the other hand, Tong (2009) cautions that feminist thought resists categorization into tidy schools of thought, but it is old enough to have a history complete with a set of labels including liberal, radical, Marxist/socialist psychoanalytic, care-focused Marxist, multicultural/global/colonial, eco-feminist, and postmodern/third wave. They signal to the public that feminism is not a monolithic ideology and that all feminists do not think alike. The labels also help mark the range of different approaches, perspectives, and frameworks a variety of feminists have used to shape both their explanations for women's oppression and their proposed solutions for its elimination.

### **Gender Reform Feminisms**

The feminist theories in this cluster evolved out of the "first wave of feminism" of the nineteenth and the early 20th century (Lorber, 2010). The main theories are Liberal, Marxist, Socialist, postcolonial and Asian. Lorber (2010) claims that they locate gender inequality in the structure of the gendered social order. Thus a reformed gendered social order would eradicate gender inequalities between women and men. Therefore, the common goal of this cluster is to achieve gender balance between women and men in all spheres of life as well as gender mainstreaming. The essence is that women should have equal power, prestige and economic resources as men and must be

recognized as beings by the system. The perspective also claims that the conventional ideas about women and men, their bodies, sexualities, psyches and behavior which perpetuate gender inequality emanate from the social structures not outcomes of personal attributes (Lindsey, 2010; Lorber, 2010). The social structures have relegated women to low paid work and have devaluated the work they do, therefore, it is these imbalances that have to be redressed.

The shortcomings of this particular perspective are that the theory is bent towards reform of the status quo instead of its obliteration. It does not become clear how gender balancing and mainstreaming would get rid of gendered social order which many feminist scholars see as the main oppressor of women (Lorber, 2010). Equality with men means that men are the yardstick of what is human, therefore gender reform feminists are elevating the status of men in the society far higher than it is. In addition, it does not become clear whether women have to be the same as men in order for them to be equal because this perspective seems to glorify masculinity virtues. Legislation alone cannot bring change to the status quo, in fact laws are made but enforcement is a different matter altogether. The theory universalizes and homogenizes about all women as oppressed and oppression as the same for all women yet women are different in terms of race, ethnicity, sexuality, regionalism and nationality and across time (Hamilton, 2006). Gender reform feminism undermines the power of human agency; it portrays women as helpless agents which are incapable of changing the patriarchal structures which oppress them. Therefore, its explanatory power falls short in explaining who oppressed women are, who oppresses them and why.

### **Gender Resistance Feminisms**

Theories within this cluster evolved from what feminist scholars call the "second wave" which emerged in the 1980s. The group was heavily influenced by the civil rights and anti-Vietnam War (Winkler, 2005) movements of the time. Consequently, the cluster saw itself as revolutionaries rather than reformers as gender reform feminisms were perceived to be (Tong, 2009). The main perspectives here are radical, lesbian, psychoanalytic and standpoint feminisms. Their central argument is that the gendered social order cannot be made equal through gender balance and mainstreaming as gender reform feminist claim, since men's dominance is overwhelming

(Lorber, 2010; Holmes, 2007; Tong, 2009; Krollokter & Sorensen, 2006). In addition, they argue that gender equality ends up with women becoming men and women experiences coming to the forefront. They further contest that male domination or patriarchy causes women to be subordinates and men to control their lives; Karuiki (2006: 65) asserts that; the view that patriarchy is the basis of women's oppression is solidly rooted in modern radical feminism. Patriarchy refers to the male control of culture, religion, language and knowledge while ignoring or devaluing women's experiences and knowledge. It is this subordination that women have to turn upside down through consciousness-raising and their voices.

This wave came up with a radical stance compared to the first one and coined an expression that 'the personal is political' and all women are 'sisters'-meaning that all the issues which were thought to be personal such as abortion, battery, unemployment, and illness are actually political and that all women are sisters therefore they have to unite against oppression by men. Tong (2009) summarizes their stance thus;

1. That women were historically the first oppressed group.
2. That women's oppression is the most widespread, existing in virtually every known society.
3. That women's oppression is the hardest form of oppression to eradicate and cannot be removed by other social changes such as the abolition of class society.
4. That women's oppression causes the most suffering to its victims, qualitatively as well as quantitatively, although the suffering may often go unrecognized because of the sexist prejudices of both the oppressor and the victims.
5. That women's oppression provides a conceptual model for understanding all other forms of oppression.

Despite their radical stance, gender resistance feminists do not escape criticism from different quarters. The first criticism leveled against them is that, they are bogged down in the politics of victimization of women instead of embracing women's power (Coleman, 2009). This means that women are seen as helpless in the face of patriarchal structures which they cannot

change and as such they are victims of patriarchy. Second, they are criticized for not being able to settle the dichotomy of women being the same as men and on the other hand being different-sameness and difference. The second wave has ignored differences between women such as plurality of their identities, cultures, and sexualities. Instead they have overstated their commonalities and over generalized their oppression-that is, the exclusionary nature of feminist thought (second wave) and its claim to speak for all women (Hamilton, 2006). Thompson (2002) says for this reason they are often referred to as “hegemonic feminism” because this feminism was white-led, marginalized activism and the world views of women of color, focused mainly on the US and treated sexism as the ultimate oppression. It de-emphasized class and race analysis, generally seeing equality with men as the goal, and had individual rights-based, rather than justice-based vision for social change. In a nutshell the theorists within this wave see women as helpless victims of gendered social order, and down plays human agency; that is, through covert or overt and subtle ways women are always doing something to better their position in any society.

### **Gender Rebellion Feminisms**

Emergent in the 1990s this third wave looked at gender in a more holistic way than the first two. According to Lorber (2010) the third wave feminisms include multiracial/multi-ethnic, feminist studies of men, social construction, and postmodern. The third wave was motivated by the need to develop a feminist theory and politics that honor contradictory experiences and deconstruct categorical thinking (Krolokker & Sorensen, 2006), therefore, it focused on the multiple sources of gender inequality such as race, ethnicity, culture, class, religion, profession, marital status and age related issues, the intersectionality of gender. They are mindful of not being trapped into oppressive static categories, and they call for acceptance of a chaotic world, while at the same time embracing ambiguity and forming new alliances (Krolokker & Sorensen, 2006; Page, 2006; Lindsey, 2010). While Tong (2009) posits that gender rebellion feminists push feminist thought in the direction of both recognizing women’s diversity and acknowledging the challenges it presents, since not all women think and act alike ; nor do all women value the same things or aim for the same goals. In short, women are different from each other despite

all being women. Therefore, gender rebellion feminists in cognizance of this diversity in women do practice transversal politics of gender.

The third wave was also influenced by the new global world order that emerged after the demise of communism, threats of religious fundamentalism, new information and biotechnologies. In addition, they also brought in men's issues into the agenda because of the feeling that some men also suffer because of gender inequality. Krolokker (2006) sums up the gender rebellion feminists by pointing out that this wave is diverse and chaotic though consequently not one but many. The common denominator is the will to redefine feminism by bridging together an interest in traditional and even stereotypically feminine issues, while remaining critical of both narratives of true femaleness, victimization and liberation.

In brief, the third wave feminism or gender rebellion feminisms are a continuation of the first and second feminist waves but also breaks away from them by bringing in multiracialism, ethnicity, feminist studies of men and postmodernism. It is an inclusive perspective which espouses multiplicity of cultures, identities, sexes, sexualities, races, ages and classes. It embraces ambiguity rather than certainty, engage in multiple positions, and practice a strategy of inclusion and exploration (Krolokker & Sorensen, 2006). However, the weaknesses of this cluster are that it is still a modernist project that tends to bring up grand narratives as it tries to particularize and to be inclusive.

### **The Role of Women in Africa**

The role of women in Africa, and specifically in Lesotho was initially not centered in the domestic realm only. This idea is also expressed by Drew (1995) when indicating that several pre-colonial African societies had systems and structures that accommodated women. In African culture a woman is an element of beauty, life giver, and so on. Queens, queen mothers, rain queens and others held reasonably important positions in the societal set up. These structures were eroded during the colonial era when new structures were introduced which shifted the role of women solely to the domestic realm. The notion of domesticity ideology was one of the ideals brought by the colonial masters who perceived women as mere appendages of men and they did not have a right to work while their

husbands were working and providing for the family. According to Olson (1990: 634) domestic ideology is: The conventional belief that Women's place is in the home or behind the typewriter informs women about their "appropriate" family and labor market roles. This familiar social norm or "domestic ideology" defines the rules that govern the relationship between women and their families: a) women should marry; b) women should bear and rear children; c) women should be economically dependent upon male breadwinner. Likewise, the domestic ideology defines women's relationship to labor market: a) women are secondary members of the labor market with marginal attachment; b) women do not really have to work, but they work to earn "pin money", c) if women have to work, they work to supplement the family income.

The domesticity ideology was embraced and perpetuated by institutions such as the church and religion, government, schools which were mainly patriarchal, and many other social institutions. It is believed that these structures were overhauled by colonial encounter (Drew; 1995). In Lesotho, for example King Moshoeshe I married women from neighboring tribes as a peace-making strategy (Thompson, 1976). In his quest of using women to keep peace, King Moshoeshe I used Senate, his grand-daughter from his son Letsie I as a political strategy to forge link between him and Makhabane to solve a family dispute as Makhabane appeared to have been unruly and ungovernable (Machobane, 2000 ; Sanders, 1975).

In traditional religion also women were portrayed as the 'origins of mankind' examples can be drawn from Togo, Kenya, Nigeria and Rwanda (Mbiti, 2013). Women's role further extended to political decision-making as seen in the roles of prophetess Mantsopa who served as an advisor to Moshoeshe I, Queen 'Mamohato who was constantly entrusted to take charge of Thaba - Bosiu while Moshoeshe travelled and chieftainess 'Manthatisi who led her people Batlokoa at the time of lifaqane (political turmoil). Traditional Africa also acknowledged the magnitude of the responsibility especially with regard to their sex role and independent roles of contributing in the socio-economy of their families. Women in many African myths discovered fire, foodstuffs and even how to prepare their new discoveries. Another example can be drawn from Southern African women during colonialism where men left their homes to go and work in the mines of South Africa leaving women and children behind with a full understanding that women will keep the home fires burning. And they did. This is highlighted by the Sesotho proverb "mosali o tsoara thipa ka bohaleng" meaning taking a bull by its horns or directly translated as women holds knife by the blade.

Feminist advocates have for a long time tried to impose their feminist theories to many African governments including Lesotho under the pretext of women empowerment. This is against the charters, protocols and declarations such as the African Charter on Human and People's Rights that stipulates that virtues, historical tradition and values of African civilizations should inspire nations as adaptation is taking their place (African Charter on Human and People's Rights, 1981). It is the opinion in this work that none of these theories can solve the "unequal status" of women in Lesotho because; feminism or any other form of ideology has limitations that will not and cannot empower African women let alone a Mosotho woman. As a concept, ideology is complicated and a single accurate definition seems elusive. For the purpose of this work the usage of ideology will be understood to mean the way in which 'relations of domination' between social groups are structured by means of various strategies (cf. Visagie, 1998: 3).

Boudon, cited in Schoeman (2004: 10) explains the concept ideology in terms of the following features which seem to be common in all ideologies, which in our opinion are empowering to women in Lesotho;

1. Ideologies have an explicit nature in their formulation-quest for women empowerment,
2. Their wish to rally people in a particular positive or normative direction-conventions, protocols, policies attempting to change the world's order,
3. Their desire to be distinct from belief systems past and present-ignorance that African women play different but equally important roles in society,
4. Intolerant nature of their precepts-the idea that women should be given preferential treatment,
5. Adherence they demand - conformity to women's movements e. g. Women and Law Southern in Africa, Federation of Women Lawyers (FIDA) and
6. Their association with institutions responsible for reinforcing and putting into effect the belief system in question-Foreign Aid/ Development partners.

## Basotho Women and Gender Equality

Basotho, like many other African societies are a patriarchal society. With globalization and the wave of feminisms and gender equality, Basotho women do not appear to want to claim what the west call 'equality'. To a Mosotho woman, men are heads of families and this should not be contested. Examples can be drawn from decision-making arenas such as politics where men are still given the leading role. In the Lesotho 2012 General Elections in a democratic dispensation, all the political parties' leadership was male. The Lesotho Cabinet currently has only ten percent representation of women yet statistically women make over 51% of the total population (Lesotho Bureau of Statistics, 2013). This is amidst the fact that gender equality tools have been domesticated and legislated and efforts to mainstream gender have been. Gender and feminism therefore predominantly remain a foreign discourse embraced at an official level. This is due to hegemonic pressures from international donors but muted or trivialized in interactions with local stakeholders in recognition of deep-seated animosity to Western hegemony in a country that jealously guards against the perceived foreign perversion of its cultural identity.

To highlight this, one can also draw examples from the initiatives or movement of Basotho women to reclaim economic independence that they once possessed such as Litutla tsa Ramainoane, Lingoetsi tsa nkhono Kholu, Thakaneng, Ifo Lapeng and many others. The main aim of these movements is to go back to the basics and the foundations of being a Mosotho woman which are marked by traits such as resilience, modesty and feistiness among others. In these movements an effort is being made to socialize Basotho girls and women about their social responsibilities, familial responsibilities and expectations. They are further being re-orientated on their traditional roles which include productive and reproductive roles and which do not only characterize women as prolific breeders but also competent mothers (Eprecht, 1992).

In these movements also, traditional Basotho women clothing (seshoeshoe) is the dress code which seems to empower women whose livelihoods depend on dress-making as women are now competing on the best designed and best seshoeshoe dressed woman. The implication of these is that Basotho women do not need feminism to empower themselves

economically nor do they need international impostors to become. It is our opinion that feminism like patriarchy is an ideology. Patriarchy on the one hand emphasizes the superiority of men, while feminism on the other hand absolutizes gender equality. This is done disregarding the fact that issues of women and their experiences differ due to diversity of cultures, geography and social backgrounds. It is often wrongly assumed and generalized that women's experiences are similar despite their geographical differences. If it was Lesotho being highly ranked in international standards of women empowerment, there could long have been a woman prime minister and with the support of their physical numbers, the majority of leadership positions could have been occupied by women.

### **Conclusion**

The focus of this chapter has been to counter feminism as an empowerment strategy to a Mosotho woman. This is because it divorces them from their reality as they know it and attempts to transcend them into western caricatures lost in translation of their own lives. It has further shown that empowerment as a concept depends on approach to relations of power to avoid imposing and prescribing foreign concepts to unwilling 'victims'. Such a top-down approach to people's experiences falls short of expectations and it of therefore uncalled for in the first place. Moreover, women are not homogenous as to be prescribed the same medicine when their ailments are worlds apart by race, color, socialization, belief, experiences, time and space. The Basotho women experience and reality of life living in rural Lesotho therefore can neither be equated to that of a white America woman living in New York City nor do their needs walk together. Consequently, to prescribe behavior, needs and aspirations to a Basotho woman based on a white woman living in Western Europe or North America is hope pegged on impossibilities and at worst an insult to the former.

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# 7

## Engaging the African Youth in the Peace and Development Discourse

*David Mbutia*

### Introduction

At every lapse of time, the custodianship heritage is passed to the youth in the process of generational succession. The behavior culture passed on as part of an inheritance informs and shapes the interactions of a succeeding generation with the environment. The interactions are either peaceful or full of conflicts. Unfortunately, there has been a lot of wars and conflict in human history which has immensely contributed to devastating impacts such as destruction of habitats and the ozone layer. In Africa, this situation is exacerbated by socioeconomic factors including political instability, poor governance, war, poverty and social inequality among others. The intricate manner in which the environmental and the socio - economic factors interact in the continent has led to unprecedented rate of environmental degradation and the related implications of poverty due to lack of sustainability in development.

To this end, a lot of ills have been perpetuated on the globe by the human race. The impacts thereof are evident in all parts of the world. The diversity and the severity of these impacts vary from one place to another including environmental degradation, habitat extermination to species extinction. In Africa, this situation is exacerbated by socioeconomic factors including political instability, poor governance, war, poverty and social inequality among others. The intricate manner in which the environmental and the socio economic factors interact in the continent has led to a vicious cycle of socioeconomic disharmony and unprecedented rate of environmental degradation.

The dream of prosperity and stability that the founding fathers of the African Nations had for the continent are far from being achieved to date. With a good number of the African nations having celebrated their independence Golden Jubilee, most of them are still contending with diseases, ignorance and excruciating poverty among their citizens. Ikejiaku (2009) refers to this absolute poverty as 'poverty qua poverty'. Indeed, the

last three decades have seen Africa's stability and progress face greater challenges than ever before (Ibid). Very little economic growth has taken place in the continent despite receiving a lot of development aid, as well as the world wide advancement in technology and modern trade that other continents especially Asia have taken advantage of to propel their economic development (Schaefer, 2005). Instead a lot of human energy in Africa has been spent in conflict, setting the stage for poverty and misery of her inhabitants.

### **Genesis of Poverty in Abundance**

According to statistics, Africa has a large population of 600 million which is more than twice that of the United States of America (Ikejiaku, 2009). Moreover the growth rate of the population is exponential with statistics showing that it grew from 386 million in 1980 to 689 million in 2002; which is an increase of 80% (Report of the Commission for Africa, 2005). Whereas it could be argued that this increase in population definitely impacts on the continent's resources, it should be appreciated that this population is generally young with 44% of it being under 15 years old and active and hence should be perceived as an asset rather than a liability to the continent (RCA, 2005).

On the other hand, Africa's size and natural resources exceed those of the United States, China and Europe combined. Yet historically, Sub Saharan Africa's GDP has been the lowest with its average real per capita growth being estimated at 11% (Ikejiaku, 2009). According to the World Bank (2005), nearly 50% of the 719 million people in this region live under US \$ 1 per day and are not able to meet their basic needs of food, clothing, shelter and health. This makes it the poorest continent in the world.

This situation of "poverty in abundance" in Africa has resulted from the failure by the national leadership to utilize the continents natural resources for national well- being and prosperity. Instead of using national wealth in creating sustainable jobs that would empower the youth, the majority of African leaders have misused the youth in their political agenda while embezzling the national wealth in greed and corruption (Wrong, 2005). In most cases this wealth is hidden in accounts overseas (Ibid). This leaves the youth idling, disoriented, hungry impoverished and socially alienated. The lack of meaningful engagement and deprivation of basic needs and positive inspiration leads young people to engage in destructive activities and sub-culture of robbery, violence, crime, civil unrest, prostitution and other social and moral vices as a way of bringing attention to their plight or as a way of earning livelihood (Nwankwo, 1995). The youth's entrapment in these vices compounds the continent's poverty and development problems by reducing the manpower directed towards creative and development engagement, thus making it a vicious cycle.

When the youth find themselves in the abyss of despair as discussed above, they become readily available for hire and manipulation at the slightest monetary or ideological motivation. Their desperate situation thus forms a catalyst ingredient in the recipe of conflict within the ever hovering clouds of ethnic strife, civil wars, regional disputes and armed confrontations. The youth become an asset to the masterminds of these politically, ethnically or otherwise fuelled conflicts that have perpetually bedeviled the African continent. The conflict and insecurity has destabilized peace and badly frustrated any attempt to attain and maintain it. This has cost the continent her progress and dignity because without peace no reasonable progress can be made in any societal facet.

The societal loss resulting from conflict in Africa is usually overwhelmingly much (Wanyande, 1997). The loss can be thought in terms of loss of human life and property, destruction of social and physical infrastructure, collapse of states and their governance, the injuries, trauma and dehumanizing experiences of the survivors, the excesses spilled out onto the environment, the time and resources expended during the conflict and its aftermath in the never-fully-successful healing process. During conflicts, national meager resources are committed to the securing of military armaments at the expense of societal welfare and development. These are the same resources that should be used to create jobs and sustainable livelihoods for the youth who are instead exploited to perpetrate the conflicts.

There is dire and urgent need to address the issue of peace and development in Africa now than never before for her economic growth to emulate those of successful economies (Marke, 2007). In so doing, there is great need to engage the African youth in the continent's peace and development discourse owing to their involvement in conflict. This paper looks at the challenges and opportunities of doing this.

### **Where do the youth stand?**

Burton (1970) uses the human needs theory to explain that people's deprivation of basic biological needs as well as growth and development related psychological needs lead to reactions that bring conflict in developing countries. Others including Laune Nathan (2002) and Richard Sandbrook (1982) agree that indispensability of these needs is the reason why any attempt to suppress them quickly leads to resentment which quickly graduates into conflict. This deprivation and distributive justice is indeed the origins of the current unprecedented magnitude of conflicts that make Africa to be "the continent to be truly inhabitable in contemporary world." according to Ali Mazrui (Cited in Fapohunda, 2002). The rampant corruption by especially political leaders who are in charge of government coffers sets the stage for these conflicts by depriving the citizenry the wealth meant to

ameliorate their welfare. The youth's role in the conflict ecosystem is that of perpetrating agents acting in the interest of power hungry and greedy political leaders and mercenaries.

### **What are the opportunities?**

The opportunity to turn round the equation of Conflict, Peace and Development in the African continent largely lies with the youth. The secret lies in disentangling the youth from the hands of their puppeteers in the times of conflict (the political gluttons and mercenaries), and giving them the opportunity to positively influence their destiny and that of their continent. An attempt to achieve this goal presents real opportunities and a myriad of challenges as discussed by Machel (2001). This chapter gives a preview of these Challenges and opportunities.

The first opportunity in working with the youth of Africa in any course lies in their sheer numbers. This fact has been used by the authors of conflicts for a long time to the detriment of the continent's peace, development and economy. A big challenge however presents itself in terms of obtaining sustainable commitment to the peace agenda among the youth in the continent. Sommers (2006, 9) observes that "there are huge numbers of youth directly affected by war and relatively few programmatic responses that are widely known, evaluated and available." There is usually massive influx of youth to urban centers at the onset of conflicts in Africa (Peters et al. 2003); Sommers (2001b, 2003a). The continued deprivation of these youth in their new slum and shanty subculture without basic biological needs and psychological needs leaves them least empowered towards personal development and concern for the enhancement of societal progression and welfare. This lack of engagement threatens to strengthen their feelings as ignorable castaways (Sommers, 2006).

In order to break this vicious cycle, there is need to engage the youth beyond the levels of passive warfare victims, active peace threats, and resilient survivors. This entails viewing the youth in conflict and post conflict regions as key social and economic resources (Argenti, 2002; Ebata et al. 2005, Newman 2005). Such an engagement will increase the chances of the youths' acting more reflectively and give the youth genuine hope and trust which would yield internal value for peace and respect for the common good and social harmony. Such an atmosphere would create self-will to advance oneself in a bid to enhance one's voluntary contribution to a better world for all. To achieve such an operating atmosphere would require well established and sustainable institutions to administer equitable distribution of justice, resources and opportunities. Irobi (2005) indicates that corrupt political institutions together with insecurity and poverty are the precursors to the volatile state of Sub-Saharan Africa.

Education should be at the heart of the continuous engagement of the youth in the pro-peace and development agenda. The core objective of this education should be to illuminate in the minds of the African youth the resources and opportunities there are in Africa for all her people. The education should also tangibly show the diversity of, and the means by which these resources can be optimally tapped without hurting the society and the environment. Lowicki (2002) has emphasized the need to involve young people in actively exploiting the resources that provide them safety in the midst of war. The education must endeavor to not just equip the youth with skills and knowledge, but also to develop their multifarious talents. A lot of talents among the youth in Africa lie untapped, unexposed and therefore unutilized. There is therefore need for talent enhancement education through talent academies and mentorship programmes which have been lacking (Sommers, 2001a). Above all pro - peace education should be an integral part of this education with the aim of moulding the character of an individual in terms of virtues and attitudes. The need to continually review the education system so as to keep it relevant to the changing needs of the society remains inadequately attended to in the face of perpetual volatility (Specht et al. 2003).

### **What are the Challenges?**

As a challenge, it is worth noting that a lot of bad education of African youth has been happening in the shadows of conflict. This has come in various forms including ideological indoctrination, recruitment, militarization and radicalization. Sommers (2001) shares how recruitment into militias of large numbers of young men was reportedly happening right within a refugee camp in Tanzania in July 1994. On the same note, Peters, Richards and Vlassenroot (2003: 14), with reference to Schafer (2001) give examples of young people in Malawi, Mozambique and other countries choosing soldiering as a way of being part of a movement and earning survival in a less arduous way. Cumulatively, the continent has ended up with a collage network of armed fighters and militias in its different regions. These dangerous youth combatants remain at the disposal of the authors of the conflicts, making living in such regions precarious and peace as just a mirage. On the other hand are a lot of destitute citizens consisting of children deprived of parental care, families without breadwinners, and others without means of livelihood as a result of displacement and property loss. Yet, these are just some of the devastating effects of war and conflicts (UNDP, 2002). Ironically, a lot of resources are being invested in this ill socialization process. The worrying fact is that in some cases the money being used for the armament of the youth militia is from the national treasuries. Disarmament, de-radicalization, rehabilitation, and re-assimilation of the youth militants remains an expensive affair as it requires more resources than those used in the ill - socialization process. What is even more expensive is the irreversible disintegration of the social fabric

and the paralysis of socioeconomic productivity within the affected communities.

With the disintegration of the community's social fabric, the second degree level of impacts of conflict occur. They include increased juvenile delinquency and rampant crime among children and youth due to inadequate or complete lack of parental care and guidance. Others become exposed to prostitution and child labour as they take up the role of breadwinners and protectors of their siblings. Yet, others get recruited as soldiers within the militant groups that got them into their predicament in the first place (Nwankwo, 1995). The precarious living exposes the youth and indeed, the entire communities further to HIV/AIDS and other risks. All this leads to low life expectancy. The instability and deterioration of life standards in Africa causes a lot of both legal and illegal emigration of able bodied skilled, semiskilled and highly specialized manpower from the continent in search of peace, and livelihood. Unfortunately there are drones of these emigrants who lose their lives all together in their attempt to escape from poverty and war.

### **Is there hope?**

The resilience, ingenuity and creativity exhibited by African youth whenever an opportunity arises indicates that there is hope for Africa and her youth beyond the bleak picture painted by the embroilment of conflicts. African youths have excelled in different talents and fields of human accomplishment both at local and international levels. Be it in sports, theatre, academics or technology, the African youth have shown that they have what it takes to take charge of their destiny given the opportunity. This resilience holds even for child soldiers who after being rehabilitated and reaccepted in their families and communities become productive, caring and responsible adults (Boothby et al, 2005).

The uptake of Information Communication Technology (ICT) in Africa to date is nowhere near realizing its full potential. Yet there are inexhaustible opportunities for the African youth in the virtual world. To begin with, ICT has a lot of opportunities for lifelong learning for all. The content of the education here ranges from edutainment, to popular literature to academic and scientific journals. The opportunity of interacting with people from local as well as the international community offers one a chance to reevaluate the premium of peace as a universal requisite for societal progression and development. ICT has been used very effectively as a tool for Agribusiness and micro enterprises. This has offered employment to a lot of youth and has a lot of potential yet to be exploited. ICT has also been used to offer platforms for peace and reconciliation through peace education, exhibitions, research and publications. However,

technology has also been used negatively by perpetrators of war and crime to spread anti-peace messages and agenda. Everything put into consideration though; the benefits of embracing ICT for Africa outweigh the drawbacks. To realize the full potential and benefits of ICT, African nations will have to develop the requisite infrastructure including electricity. At the moment the penetration of electricity is still minimal with the power being constantly interrupted and almost not existent in some parts (Marke, 2007).

In order to realize the enormous potential of the African youth, there is need for visionary leadership and good governance. The African youth have a great role in putting this leadership in place. As the largest proportion of eligible voters, they need to recognize and embrace the power that lies in their cumulative if not collective decision making as voters. They must cherish and not unwisely trade off their democratic power to influence the leadership of their nations.

The African youth must also take up the challenge of offering leadership themselves at local, national and regional levels in all spheres of life. This should be motivated by the desire to serve their communities with justice and fairness. The cognizance that we are all “leaders of today” and that there are always opportunities waiting for us to show our leadership both in words and indeed needs to be the agenda for next immediate revolution in Africa, which I will call “the pro peace enlightenment” which has been long overdue. This would ensure that leaders are voted in not on the platform of political corruption or ethnic alignment but on their capacity to deliver visionary leadership.

### **Conclusion**

In conclusion, my point is that the African youth have been misused in perpetrating conflict which only serves the interests of corrupt political leaders and mercenaries in the continent. This totally undermines the continent’s peace, stability and societal progress. As a result, citizens suffer in abject poverty that completely deprives them of their dignity and hope for the future. However, there is hope that lies within the resilience, ingenuity and creativity of the African youth. There is need for good leadership that will instill the vision of a prosperous Africa in the minds of the youth and engage their energy towards building the continent. The African youth have to play an active role in delivering this leadership and their desired Africa, their heritage.

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# 8

## **Learning from the Seedbed Tapping Traditional Wildlife and Forestry Conservation Practices in Chipinge District, Zimbabwe.**

*Enna Sukutai Gudhlanga & Chipo Chirimuuta*

### **Introduction**

It has been observed that globally there has been destruction of vegetation cover and simultaneous depletion of wildlife and Africa is no exception including Zimbabwe. However there is also ample evidence that before her contact with Europe, Africa was awash with vegetation and wildlife. The indigenous inhabitants of Africa had various ways of taking care of their environment and everything that was found in it. Even some communities in Africa that adhere to the traditional wildlife and tree conservation and management practices still boast of a lot of vegetation and wildlife in their forests.

Africans in general and Zimbabweans in particular cherish a life of living in harmony with nature in general and the environment in particular. The African's dislike for cruelty to other living creatures and wanton destruction of vegetation cover is reflected through their cultural beliefs and practices (Masaka & Chemhuru, 2011). However, Africa's contact with western culture through colonialism and modern western practices which regarded these indigenous cultural beliefs and practices as backward, superstitious and an impediment to rapid economic growth (Masaka & Chemhuru, 2011). Kasere (2010) argues that colonialists dealt a blow to the environmentally-friendly culture which governed the day-to-day running of indigenous communities. He further states that "through the use of force, white settlers appropriated large tracks of high potential land and forced the majority of Africans into African reserves (Kasere, 2010). Colonialism, therefore, was a blow to the environmentally-friendly ways of environmental management.

The fact that Africa had her own ways of environmentally-friendly management practices has necessitated the present research which intends to dig deeper into the traditions of the African people which might be of use to avert impending desertification and wildlife depletion. It is therefore against this background that this study roots for embracing of traditional ways of preserving forestry and wildlife that could be tapped for managing natural resources sustainably. The present study focuses on Chipinge District, Zimbabwe and tries to salvage

the rich indigenous knowledge and held communities adopt natural resource management practices that have a human face. The study is informed by the afrocentricity theory which calls for all phenomena to be viewed from the African ways of doing things and not to be unduly influenced by foreign thinking.

### **Theoretical framework**

The study is guided by the theory of afrocentricity which encourages that African phenomena should be looked at using African lenses including works of art, education, farming methods and environmental conservation practices. The theory emphasizes that the African way of life as well as all endeavors at responding to problems on the continent should be approached and given meaning from the standpoint of African people. Its main thrust is the placing of African people's interests at the centre. Asante (1998) describes Afrocentricity as the indispensable perspective of the centrality of Africa and black studies. It means literally placing African ideals at the centre of any analysis that involves African culture and behavior. Afrocentricity is a theory which means Afro-centeredness in asserting that Africans should be given their intellectual pride of place as the originators of civilization. It is, therefore, in some sense a paradigm, a framework, and a dynamic theoretical framework which recognizes the importance of African people in charting their own destiny without relying on the west in dealing with the various challenges that the continent faces. This theory is therefore very useful in the present study which intends to dig deeper into the traditions of the African people in as far as environmental conservation is concerned. Instead of heavily relying on the west for solutions to the problems that befall the continent every time and again, afrocentricity theory gives affirmation to the African people's way of life and that, unlike western theorists who have presented Africa as barbaric and uncivilized, there are rich practices that could be tapped to assist in its development today. This theory is used to understand the indigenous ways of forestry and wildlife conservation methods used in Chipinge District, Zimbabwe.

### **Methodology**

The study adopted a qualitative methodology and a case study design to generate data to address the questions which guided the study. The study purposively sampled 20 sages in Chipinge District, Zimbabwe. For collecting data interviews with purposively sampled elders from the district were carried out using semi-structured interviews. This interview was selected for its potential to guide the interviewers and ensure flexibility that it allowed the whole data collection process. The collected data was

analyzed through the Critical Narrative Analysis (Barone, 1992) approach after which general trends that emerged were noted. This technique allowed the researchers to explore the cultural practices and beliefs of the local populace, which led to unearthing of various practices in both wildlife and forest management. These could be harnessed in the conservation and preservation of wildlife and forestry in Zimbabwe in particular and Africa in general.

## Conceptualizing Indigenous Knowledge Systems

As stated earlier the study is informed by afrocentricity and indigenous ways of doing things and therefore it is important to understand with precision indigenous knowledge systems. The term is fluid regarding its definition as presented by various scholars. Indigenous knowledge is an important natural resource that can facilitate the development process in cost-effective, participatory and sustainable ways (Vanek, 1989 cited in Berkes, 1993; Vansen & Erbaugh, 1987 cited in Berkes, 1993). On his part, Warren (1991) says that indigenous knowledge is local knowledge that is unique to a given culture and it contrasts with the international knowledge system generated by universities, research institutions and private firms. It is the basis for local-level decision-making in agriculture, health care, food preparation, education and natural resources management among other activities. Such knowledge is passed down from generation to generation, in many societies by word of mouth. "Indigenous knowledge has value not only for the culture in which it evolves, but also for scientists and planners striving to improve conditions in rural localities" (Warren, 1991: 1). Dene Cultural Institute 1995 (cited in Stevenson, 1996: 281) defines traditional environmental knowledge as:

*A body of knowledge and beliefs transmitted through oral tradition and first hand observation. It includes a system of classification, a set of empirical observations about the local environment, and a system of self-management that governs resource use. Ecological aspects are closely tied to social and spiritual aspects of the knowledge system. The quantity and quality of Traditional Environmental Knowledge varies among community members, depending upon gender, age, social status, intellectual capability and profession (hunter, spiritual leader, healer etc.). With its roots firmly in the past Traditional Environmental Knowledge is both cumulative and dynamic, building upon the experience of earlier generations and adapting to the new technological and socio-economic changes of the present.*

Most of these definitions concur that this knowledge is transmitted orally from generation to generation, is not a preserve of the few and is deeply embedded in the cultural beliefs and practices of a particular community for the purpose of survival and living in harmony with nature. It is learnt during a life time and realizes the interconnectedness of the trees, soil and water (Hiebert and Van Reese, 1998: 3). Above all this knowledge is holistic and spiritually grounded. The present study heavily borrows from this understanding of traditional knowledge and takes it to interchangeably mean indigenous knowledge systems. It is the purpose of this study to investigate how the people of Chipinge District use their indigenous forestry and wildlife conservation knowledge in preserving their environment.

### **Culture and Environmental Management in Chipinge District, Zimbabwe**

Chipinge District, Zimbabwe lies in the eastern part of the country bordering Chimanimani District and the two share some climatic and topographical features. Chipinge District like Chimanimani District has agro-ecological region 1, which experiences high rainfall and low temperature. These areas include Chikore, Jersey, Chirinda and Tamandai. It also has areas that fall in agro-ecological region 5 which has low rainfall and high temperatures including Chibuwe, Manzvire, Matezwa, Chisumbanje, Cheche and Vheneka among others. The District was selected because it houses the Chirinda forest which has been conserved through the observance of traditional indigenous beliefs and environmental management practices. Chirinda forest has been a success story in Zimbabwe of how traditional methods of conservation that are deeply rooted in African Traditional Religion and culture can be harnessed in the management of the environment. The local populace is aware that in other areas, wildlife and vegetation cover is being depleted at an alarming rate. They are also aware that Chirinda forest has been preserved due to the traditional beliefs and practices that deter people from acting otherwise. Environmental management among Chipinge dwellers is heavily intertwined with their religious and cultural beliefs and practices. They, like all the Shona ethnic group of Zimbabwe believe in Mwari, the ultimate being who is approached through the intermediary of ancestors. Beach (1994: 148) agrees with the Chipinge people's portrayal of Mwari in Shona religion. He says that this High God was a superior being responsible for lightening and rain. He was generally approached through ancestral spirits. As Portuguese noted, this was like Catholics approaching their God through saints (Beach 1994: 148). The ancestors are believed to be the owners of land and every natural resource therein. The people of Chipinge are, therefore, users of the land but do not own it, it is owned by the ancestors; the people of Chipinge like all other Shona people just hold the land and look after the forests on behalf of the ancestors.

Daneel (2001) has observed this important role of the ancestors and states that “traditional African ecology like everything else in Shona society is inseparably linked with traditional religion. Environmental protection is sanctioned by the creator God and the ancestors of the land” (Daneel, 2001: 90). To further authenticate that the ordinary human beings do not own the land and all that is within it among the Shona people, Taringa (2006: 194) opines that “among the Shona the real owners of the land and all that is on it is the tutelary spirit, Mwari and the various territorial ancestor spirits. So the environment belongs to the spirits, it is sanctified by the ancestors whose remains are buried in it. So it is the spirits who look after their property.”

Chipinge residents believe that if they go against the will of the ancestors they would anger them and hence the ancestors would bring some misfortune to their communities. These misfortunes include drought, pestilence, epidemics among others (Taringa, 2006). This religious belief impedes the African people, and the people of Chipinge among them to temper with the environment which includes forestry and wildlife. Tangwa (2006: 389 cited in Ikeke, 2013) argues that the African outlook is eco-bio-communitarianism which implies “recognition and acceptance of interdependence and peaceful co-existence between earth, plants, animals and humans. The earth therefore is for all to belong without forcing the other species into extinction. This therefore, guides the African worldview and the people of Chipinge in particular. It is actually akin to the western sustainable development philosophy, but the former is embedded in cultural beliefs and practices.

A number of local scholars have studied the role of traditional beliefs and practices in managing the environment. Mangena (2010) and Taringa (2006) discuss how totems among the Shona people of Zimbabwe have helped conserve wildlife. Masaka and Chemhuru (2010; 2011) have demonstrated the role of taboos in environmental management among the Shona. Tatira (2000) has also highlighted the role of zviera (taboos) in inculcating good behavior in children and among them, a conscious awareness of protecting wildlife. All these scholars focus on taboos and left out some other aspects of Shona cultural beliefs that help to preserve the environment and specifically wildlife and forestry management. In addition, Ngara and Mangizvo (2013) demonstrate how indigenous knowledge systems are harnessed in the Shangwe community of Gokwe, Zimbabwe to conserve of natural resources. This study borrows heavily from the concept of using indigenous knowledge systems proffered by Ngara and Mangizvo (2013) and goes further to investigate how some of the cultural beliefs and practices that were not discussed by these two scholars can be used in natural resource management in Chipinge District,

Zimbabwe. Whilst Ngara and Mangizvo focused on the preservation of sacred hills, the present study focuses on how traditional forestry and wildlife conservation methods could be tapped to promote appropriate environmental conservation methods.

### **Indigenous Wildlife Conservation Methods**

Data collected from the purposively sampled sages in Chipinge District shows that there are traditional wildlife conservation methods, which some people still observe today and that can be tapped for wildlife conservation. This traditional knowledge is still available among the elderly members of the community who are the store houses of the African people's traditions. It only needs a generation that is proud of its identity and culture to approach these elderly people and draw from them the wealth of traditions and experience that can be used in environmental management. The recurrent themes from the collected data regarding wildlife conservation and management include the following:

#### **Taboos**

Almost every informant highlighted that all animals belonged to the territorial spirits and hence could not be killed at will. There are certain taboos among the people of Chipinge District and all the Shona people that certain animals cannot be killed even if they seem to be useless animals. They stated that one could not kill a frog for they will have pimples all over their face; could not kill a crocodile for rivers or streams would dry up; could not kill a baboon for there will be no rain. This acted as a deterrent feature among the people of Chipinge District who learnt to live in harmony with nature. Tatira (2000) gives a number of taboos among the Shona that demonstrate that any animal even the seemingly useless one were to be spared. He gives the following examples of taboos:

1. Ukauraya datya mvura haizonayi (If you kill a frog there would be drought)
2. Ukauraya mutsunyatsunya mombe dzinoita maronda paminyatso (If you kill a praying mantis cows will crack their teats)
3. Ukauraya kiti inopfuka (If you kill a cat its spirit will torment you)

These taboos were and still designed to protect the environment on which society depends (Soedjatmoko, 1986). If one thinks of the repercussions of

Killing a frog, cat and even a praying mantis they would not do that. This vividly demonstrates that African traditional cultural practices and beliefs protected the whole ecosystem not necessarily big animals only. This demonstrates that the Shona people are a developed society which knows how to conserve its environment without the enforcement of external laws.

### **Totems (mitupo)**

Many informants concurred that in traditional African societies every clan had a totem, an animal which is revered by that particular clan. That clan is not supposed to kill or eat its totemic animal. Most of these totems are animals, reptiles and even insects. In addition, almost every informant agreed that the institution of totems is still relevant to this present day among the people of Chipinge and even among other people of African descent across the continent. To emphasize the practice of totems one informant said, my child, in this part of the world we have mitupo (totems). The practice of mitupo means that if one has an animal which they revere as a totem they are not supposed to kill or even eat that animal. Some people's names here are from their totemic animal for example the Mapungwana people do not eat a zebra, the Sibandas also do not kill a lion, the Mlambos do not eat fish and the Simangos do not kill monkeys, the Dhlakamas do not kill baboons while the Dhlwayos do not eat ishwa. This then ensures that animals are not just killed without order as happens to people who do not have totems. Failure to abide by the rule of totems, eating one's totem would result in one losing all their teeth. In our culture we take this very seriously and do not slaughter totemic animals. One can eat any other animal except their totem. Pongweni (1996) reiterates that eating totemic animal has disastrous effects such as loss of teeth or leprosy. Also Chemhuru and Masaka have observed the importance of totems among the Shona. They argue that the concept of totem is a wildlife conservation strategy (Chemhuru & Masaka, 2010). This is a strong cultural practice which is observed by the people of Chipinge which protects wild animals from extinction.

Gudhlanga and Makaudze also concur with this, for they argue that "in traditional Shona society the institution of mitupo deterred people from killing their totemic animal. This is because there was a bond between a certain group of people who make up a kinship unit and the species of wild animal or part of its body or a geographical feature. There was an imposition

of food taboos and people were not supposed to eat their totemic animal. For example, the Ndlovus would not kill an elephant, the Sokos a baboon or a monkey and the Mhumbas rhinoceros. In that way wild animals were preserved, they were not killed as much as in societies where there were no totems” (Gudhlanga & Makaudze, 2012: 74).

The idea of totems is not peculiar to the people of Chipinge only but to many ethnic groups of African descent on the continent. Irele-Abiola and Joyifo (2010) writing in the Nigerian context state that totemism is a system of thought and social practice which is based on a relationship posited between a clan and /or a person and an animal that is revered. The mutupo principle approximates the ideal mode of life which assures a sustainable future for all existence, it ensures that animals are not unjustifiably killed by humans (Mangena, 2013). The use of totems can be harnessed today as a very good way of conserving wild animals which can be prevented from extinction.

### **Traditional hunting methods**

Almost every informant concurred that the traditional hunting methods that were used ensured continuity of wildlife. Informants stated that when people went for hunting they had to ask for game meat from the ancestors first and not just getting into the bush to kill animals as they pleased. When asking for meat from the ancestors it was for a good reason like looking for meat to supplement the family’s vegetarian diet. Informant after informant emphasized that the game meat that was traditionally hunted was not for resale, it was only for family consumption. In addition, they stated that they did not take hunting as a sport as happens today where people hunt to get trophies but it was for the purpose of feeding the family. Over and above expectant animals were not killed, and even nursing animals were spared, as well as young ones of animals were not hunted. This practice ensured continuity of the wildlife that was found in their forests. Moreover, they did not poison animals in large numbers as happens today but used bows and arrows and only got the game meat that was enough for family consumption.

Even when it came to fishing, small fish were spared and nets were not used as happens today. Instead they used a strong stick which was sharpened on one end and then they would go to the river or stream and visibly check

into the river for big fish which they would pierce using the sharpened stick. This meant that small fish were spared to ensure continued supply of such wildlife and fish. In addition, when it came to taking birds from a nest in the forest, informants also insisted that birds were not sprayed with poisonous chemicals as happens today and killed in very large numbers on wheat farms in Chipangayi. Instead people were encouraged to just take the adult birds and leave the younger ones in the nest instead of taking everything or killing both the young birds and the adult ones as happens today when chemicals are used to spray and kill birds. This demonstrates that the traditional hunting methods ensured continuity, and not taking to plunder not thinking of future generations.

Failure to comply with these laws was believed would result in the wrath of the mhondoro or lion spirit upon the social deviants. The mhondoro spirit is revered among the Shona, it is believed to have dominion over a larger area and angering this spirit would bring disastrous effects on the culprit (Bourdillon, 1987). Thus Taringa (2006: 144) states, "Fear of reprisal from the mhondoro and the consequences upon violation of certain taboos provided certain checks and balances to those who might be tempted to act in a manner that negates sustainable use of the environment." The African traditional religious beliefs therefore, deterred people from wanton killing of wildlife since people believed in their religious practices they had to abide by these practices.

Reverence of territorial spirits that regulated the hunting of wildlife was not peculiar to the people of Chipinge and all the Shona people, but also practiced in Nigerian and Ghanaian societies. Jimoli et. al (2012) states the people of Cross River National Park in Nigeria have ten laws that guarded against the wanton killing of wild animals. They give examples of animals that were forbidden to be killed namely; python, civet cat, leopard and lion among others. Failure to comply would bring the wrath of the territorial spirits to would-be-offenders. Among the same community poisonous herbs and chemicals are forbidden in harvesting fish from streams and rivers. Also in Ghana among the people of Djange lagoon the use of a dragnet is forbidden in harvesting fish. When people comply with traditional laws like this it helps in the rejuvenation of fish in the Djange lagoon (Akindele, 2010 cited in Ikeke, 2013). Thus traditional religious practices deter people from unjustifiable harvesting of fish and killing of wildlife and the society today could benefit a lot from such practices. African societies therefore, have "positive traditional management practices that have been adapted

and passed down over countless generations in harmony with the short and long term carrying capacities of the local ecosystems” (Lalonde, 2010)

All the above cultural beliefs and practices ensured that the people of Chipinge District lived in harmony with nature. They did not wantonly kill wild animals for the sake of enjoyment and for resale but were guided by their religious and cultural beliefs which forbade such practices to avoid wildlife extinction. As Africans enter into the next millennium they should increase an understanding of themselves and their environmental management methods which were user-friendly (Goduka, 2000). These traditional methods of wildlife conservation should be tapped into and used in the current society which is facing an impending danger of the extinction of some of these animals. Apart from conservation of wild animals informants also stated that there were also some traditional methods that protect trees and forests from destruction, which we now turn into.

### **Indigenous Forestry Conservation Methods**

Of importance also were the traditional methods of managing forest to ensure that they replenished themselves and were not completely removed. Ngara and Mangizvo (2013) argue that the “densely populated forests of Africa cannot only be attributed to natural growth and government policy to protect natural resources, it is the locals’ valuable understanding and indigenous knowledge that these hills serve as scared homes for their departed forefathers. In this scenario indigenous knowledge is viewed as playing a positive role in the preservation and reduction of soil erosion.” The indigenous beliefs and practices therefore contributed to most of these dense forests that still stand in most parts of Africa today. In Chipinge District informants made reference to the Chirinda forest in their locality which has stood the test of time, it is thick and densely populated with all various kinds of trees. Residents cannot just enter into this forest to fetch firewood or to hunt because it is the sacred abode of the mhondoro spirits and hence has to be protected.

Even the Zimbabwe Culture Fund has come to respect that Chirinda Forest. Since it is situated in agro-ecological region 1, it is ever raining and very green. What has sustained the Chirinda forest to this day is not necessarily the policing of government but the indigenous knowledge systems in the

form of cultural beliefs that the locals respect with respect to tempering with the forest. The cultural beliefs and practices protect forests without spending financial and human resources to deter people from entering the forest, people will not just enter that forest because they respect their traditional beliefs, and no person is hired to deter them. What a cost-effective way of managing forests! Data collected also highlighted the following forest management practices that are informed by traditional cultural and religious practices.

### **Harvesting of wild fruits**

Informants highlighted that the harvesting of wild fruits is also governed by religious and cultural practices. Since the land and everything that is in it belongs to the spirits they are supposed to harvest fruits according to the dictates of the mhondoro spirit. The district is awash with wild fruits which people can just come and harvest and feed their families. Informants stated that unripe wild fruits were not harvested, since this angered the mhondoro spirit. The people of Chipinge are only allowed to harvest ripe fruits, and also if a tree has many ripe fruits one is not supposed to take all them, but only according to his needs and leave the rest for other people and the spirits themselves.

In addition, no objects such as sticks or stones were allowed in the harvesting of the fruits, but one should only pick those fruits that would have fallen to the ground. No one is allowed to climb a fruit tree and start to shake it so that even unripe fruits would also fall down. Also people in Chipinge District harvest fruits for their family consumption and not for resale as happens in some parts of the country where wild fruits are being harvested for resale. If one angers the mhondoro spirit by harvesting wild fruits and even taking more than their family can consume the mhondoro spirit deals with those social deviants accordingly. For fear of reprisal from the mhondoro spirit residents reiterated that they respected their tradition and harvested fruits as required by the territorial spirits of the land. Masaka and Chemhuru (2011) concur that the Shona people are traditionally discouraged from harvesting fruits in abundance. The people of Chipinge are still guided by their religious and cultural traditions in dealing with nature.

In some areas where locals are no longer guided by their cultural and religious traditions they are faced with deforestation which is happening at an alarming rate. Mvududu and Matowanyika cited in Taringa (2006) argue that from a research they conducted in a different area of Zimbabwe, 77% of the sample felt that the introduction of Christianity and western ideas has been the cause of the breakdown of indigenous attitudes towards nature. The introduction of foreign religious ideas especially Christianity has made some of the indigenous people look down upon their African traditional religion and hence failure to comply with the dictates of that religion which encouraged harmonious co-existence with nature. This therefore demonstrates that indigenous cultural practices encouraged the protection of trees and prevented wanton destruction of fruit trees.

### **Collection of firewood**

Informants also reiterated that no tree is felled down for purposes of collecting firewood as happens in some communities today. They only fetch firewood from trees that would have dried up, they only collect the dry branches of trees and not cut down a tree which is still green and has a future. Taking off dry branches ensures continuity as it acts as way of pruning the tree. Also informants reiterated that collection of firewood is not a commercial enterprise but one can only collect firewood for subsistence purposes. Also not all trees are used as firewood, most fruit trees and some scarce species are not used as firewood. Masaka and Chemhuru (2011) stated that wild fruit trees are not used as firewood because doing so would compromise the livelihood of both human and other living creatures that depend on nature's providence. Also Duri and Mapara (2007) agree that wild fruit trees were not used as firewood; it was a way of protecting those wild fruit trees to continuously supply food, sugar and energy needed by human beings. The people of Chipinge still follow these dictates because to them forests are a communal heritage from the ancestors which the living hold in trust for the well-being of the entire community. Ngara and Mangizvo (2013) also state that among the Shangwe community of Gokwe, Zimbabwe; culturally people are not allowed to fell down trees such that some of the sacred forests grow into thick forests. Even among the people of Nigeria Ikeke cites a similar situation in which communities do not privately own forests; they are not at liberty to do what they

desire with the forests (Ikeke, 2013). These traditional cultural practices do only protect wild animals and prevent deforestation but they are a tool that combats soil erosion as well. “These religious and traditional beliefs, cultural mores and practices play a crucial role for the successful conservation of the environment and specific organisms especially in the developing countries” (Berkes et. al; 2000). It is prudent to harness such traditional practices in the management of forests today.

### **Collection of medicinal herbs from the forests**

Data collected also point to the fact that the collection of herbs from the forest is not a commercial enterprise. If one takes a root they are supposed to cover the remaining roots with soil so that the plant can regenerate and be used by future generations. Also informants emphasized that the people of Chipinge district would not debark a tree until it wilted for the purposes of collecting herbs. They ensure that if they collect barks from a tree or leaves they would leave it to regenerate. They also stated that herbs were not taken for commercial purposes as drug companies which harvest medicinal trees on a very large enterprise and do not think of growing those trees of future generations. The way medicinal elements from the forests are collected in Chipinge District ensures that the tree regenerates, and can be used by future generations. Social deviants who would not follow the prescribed ways of harvesting medicinal plants were believed to face the wrath of the mhondoro spirit.

### **Clearing forests for cultivation and human residence**

Informants also emphasized that the people of Chipinge District clear land for family cultivation and for simple human residence purposes. Large tracks of land are not cleared for commercial enterprises. This means that it is only a small portion of land that is cleared for subsistence farming and for building houses for the family which did not result in clearing large tracks of land as happens when land is cleared for commercial purposes. Also they highlighted that they use simple farming implements to clear the land which means that the big trees are left in the field. They also pointed to the traditional shifting cultivation in which the land was left to lie fallow for seven years so that it could regenerate and have forests again before it was used for farming. Ikeke (2013: 35) says concerning the Nigerian

Community, “Apart from clearing land for cultivation and human residence, the forest was generally preserved and protected from endangerment.” If these methods are harnessed they could assist in the conservation of the environment today.

### **Trees as abodes of the ancestors**

Informants stated that in their worldview trees are the abode of the ancestors, and hence should not be cut down. These trees are used in mukwerera, performing rain making rituals and are supposed to be revered, would grow into thickets and not tampered with. Nwosu (2010) says of the Nigerian community that it is forbidden traditionally to cut down certain trees in particular forests, farm or partake land. This is because these forests are regarded as sacred and hence should be left intact. He further states that communities could join hands and follow the ancient ways of their forefathers of preserving the environment through respecting the traditional cultural beliefs and taboos. “This is inescapable because the fullness of human existence on the face of the earth may not be achievable outside a cordial relationship with the natural environment (Nwosu, 2010 : 63). The people of Chipinge District have a rich cultural heritage which conserves the environment. This could assist present communities if these cultural traditions are harnessed in the protection of wildlife and forests.

### **Recommendations**

Since it has been seen that the people of Chipinge District have managed to conserve their environment with minimal resources, this is important and should be copied across the continent. Some of their practices can be harnessed into present day conservation management. Governments should promote the use of these indigenous practices in preserving the environment instead of employing techniques and strategies which worked in developed countries and unfortunately not suitable for Africa. “Governments and policy makers should make use of Africa’s wealth of experiential knowledge, norms, taboos and a range of cultural practices have sustained local ecosystems for centuries” (Ngara & Mangizvo, 2013). We therefore recommend that African governments should tap these practices that have been tested and succeeded in African localities, which are expected to lead to sustainable management of natural resources. These indigenous methods should be taught in all institutions of learning so that

People learn to respect their traditional ways of doing things to ensure continuity and sustenance of the natural resources for future generations. Government policy needs to encourage communities to continue observing their cultural beliefs and practices, especially those that were used to preserve sacred groves. Such cultural beliefs and practices should be taught in schools, from primary level right up to university. Universities and all institutions of learning should make an effort to promote indigenous knowledge systems especially the positive ones that promotes wildlife and forestry conservation.

It is now the responsibility of the Zimbabwean government in particular and other African governments in general to harness the preservation of natural resources which is deeply embedded in cultural beliefs and practices. These indigenous knowledge systems are the storehouses of sound natural resource management practices. African governments therefore, need to enforce these traditional laws for they achieve positive results in a very sustainable and cost-effective way. African government policy makers should not just adopt policies that worked positively in the west and implement them in the Third World to manage natural resources (Ngara & Mangizvo, 2013). Instead they should march in the forefront in championing the traditional methods of conserving and preserving the environment that have been clearly brought out by this study.

## Conclusion

It has been clearly demonstrated from the wildlife and conservation management used by people in Chipinge District that traditional conservation methods can still preserve the environment. Communities today could benefit immensely by embracing some of these practices which are cost-effective but are guided by traditional beliefs and practices. The reason why Communal Management for Indigenous Resources (CAMPFIRE) has succeeded in Zimbabwe was because it was based on traditional knowledge and wisdom which local people can easily embrace and make use of. It does not contradict the African wisdom about environmental management. The top-down approach of bringing foreign ideas to communities is usually shunned by the would-be recipients for they do not own the ideas. Moreover, the Environmental Management Agency (EMA) in Zimbabwe has registered great success in rural areas because most of these areas are still governed by traditional religious beliefs and practices-it is not EMA's real success in rural areas but the success of the traditions of our forefathers that are being followed in wildlife and conservation management in rural areas. It is therefore prudent for all present day communities to tap into the traditions of our fathers which could greatly help in the conservation of forests and wildlife and would consequently save our communities from the impending desertification and the extinction of wildlife.

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# 9

## **Participation in Environmental Conservation in Kenya Public Priorities, Government Efforts and Challenges**

*Michael A. Chesire*

### **Public Participation**

Participation refers to the process of equitable and active involvement of all stakeholders in activities geared towards collective as well as individual welfare. It involves taking an active role in the formulation of policies and strategies, their analysis, planning and implementation, monitoring and evaluation of their outcomes. Local participation permits growth of local capacity, which develops out of the establishment of a partnership between development agencies and the community. This way, the community gains experience necessary for sustainability of the project (Chitere, 1994).

Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process. Public participation is the process by which an organization consults with the interested or affected stakeholders including individuals, organizations, and government entities before making a decision. Public participation is two-way communication and collaborative problem solving with the goal of achieving better and more acceptable decisions.

Public participation therefore refers to an open, accountable process through which individuals and groups within selected communities can exchange views and influence decision-making. It is therefore seen as a democratic process of engaging people in thinking, deciding, planning, and playing an active part in the development and operation of services that affect their lives. The basic assumptions underlying participation include:

- I. Participation is a fundamental right of all people
- II. Decisions made on their behalf will often be better than those made for them by other people because people know what they need for their own lives.

III. Skills learnt through participation can be extended to other aspects of participants lives.

The important role played by environmental resources in the survival of communities and nation-states can neither be gainsaid nor ignored. Environmental resources provide raw materials to business which transforms such resources into finished products to satisfy human wants. The extraction of resources such as wood, water and minerals requires a minimum threshold of ethical practice in environmental conservation-managing environment in line with the tenets of sustainable development. This is only possible with extensive environmental awareness programmes in place provided by relevant agencies such as the National Environment Management Authority in Kenya.

After realizing that business sustainability can be enhanced through active participation in environmental programmes, many business enterprises began implementing the business greening concept. Through corporate social responsibility programmes, many businesses have participated in environmental conservation activities. In Kenya, participation has often been in the form of tree planting especially in the five water towers of Mt. Kenya Forest, Abardare Ranges, Mau Forest, Cherangani Hills and Mt. Elgon Forest (Republic of Kenya, 2007; 2008). Others include sponsorship of environmental programmes for example the Lewa marathon to conserve Lewa Conservancy and other areas, town cleaning, mainly during world environment days and town beautification particularly on roundabout and public resting grounds (Mugambi & Mwenzwa, 2013).

### **Development Planning and the Environment**

Development planning in Kenya is done at various levels and cuts across all the sectors of the economy. At the national level, development planning initially took a five year period and the plans were implemented by respective ministries. With devolution, county government currently prepare county integrated development plans with varying public priorities according to the needs, problems and resources of each county. The planning system in Kenya requires the participation of citizens either directly or through elected and/or appointed representatives. Such a process ensures that the views of the public are taken into account at the decision making stage. Participation of the public can be through a number

of ways including public gatherings, workshops and seminars, through written memoranda among others.

Given the long history of community problems spanning over decades right from independence, major challenges affecting citizens in Kenya especially those in rural areas include poverty, diseases, insufficient water, food insecurity, poor infrastructure including inaccessible/impassable roads, high drop-out rates due to school fees problems and landlessness among others. The foregoing problems have a compounding effect on one another and altogether have the tendency to escalate want and drive people in activities that are detrimental to the environment (Mwenzwa, 2013b).

The public have over time prioritized development projects which address these issues as they immediately impact on their lives. Funding for the projects is sought from government allocations such as constituencies' development fund, constituency bursary fund, road maintenance levy fund and other development funds from various government ministries.

However, with emerging challenges to national development including population pressure, global warming, crop failure, drought, famine, landslides and floods, the government began embarking on an assessment of the root causes of these challenges. Key among the causes of the challenges is environmental degradation. Practices responsible for the continued degradation of the environment and subsequently depletion of environmental resources include encroachment of sensitive ecological areas such as riverbanks, forest areas and wetlands among others. Crop production without using soil and water conservation structures, overgrazing/overstocking are also accused of leading to environmental degradation (Mwenzwa, 2013b).

### **Public Priority Sectors**

The government of Kenya has since independence prioritized the education sector to improve literacy levels and develop skills for industry among other reasons. Many education projects in Kenya have focused on expansion of infrastructure especially construction of schools and other education institutions such as polytechnics, vocational training institutes and universities to cater for students at various levels. This was occasioned by the realization that faster economic development could only be realized with the contribution

of a skilled manpower. The uptake of any innovation is also often influenced by the level of skills to be found in a population. This has culminated in the huge allocation of country resources to the education sector.

Second in prioritization to the education sector is the health sector. A healthy population always productively contributes to development. Indeed, when the health of people is negatively affected, development is compromised to a greater extent. As such, expenditure on health by any household would be immense both in time and cost, and to reduce this, the Government of Kenya has always prioritized the provision of preventive health services. Equally, health infrastructure has been given prominence, with the construction of dispensaries, health centers, hospitals, including referral hospitals.

Other sectors given preference by the Government of Kenya include security, agriculture (food security, mechanization of agriculture), roads, energy, industry, water, tourism and lately mining. This trend of prioritization is largely informed by economic considerations over long term benefits associated with the environment sector which even if it does not have immediate economic returns, ultimately contributes to the success of other sectors.

Planning blueprints in Kenya including Vision 2030 have specific projects for realization of a middle income country by year 2030. Infrastructural development projects such as the famous Thika Super Highway, the LAPSET project, the Economic Stimulus Package (ESP) programmes such as model polytechnics, fish ponds, cold storage rooms, model markets and milk cooling plants rank high in government financing.

Therefore, given the Government of Kenya prioritization, it is evident that the environment sector has always been left out in terms of resource allocation yet it supports other sectors of the economy. Industrial development and tourism for instance can only flourish with proper environmental resource management practices which are not well implemented partly because of resource limitations and official neglect.

## Government Efforts in Environmental Management

A major step towards realization of a healthy environment was seen in the 1980's with the establishment of the National Environment Secretariat in the Office of the President. The secretariat however, lacked representation at the lowest levels and therefore could not discharge its mandate effectively. Secondly, the establishment of the Permanent Presidential Commission on Soil and Water Conservation in the late nineties served to address environmental issues across the country right from the national level through to the divisional levels. Thirdly, the Government of Kenya established the National Environment Management Authority (NEMA) in 1999 to co-ordinate environment matters. This authority performs various functions which include planning, provision of guidelines on environmental standards, assessment of environmental resources and provision of advice to other government agencies on matters related to the environment enactment of legislations such as the Environmental Management and Coordination Act, 1999 ; Water Act, 2002 ; Forest Act, 2005 and observing World environment days such as the World Environment day, world water day, world wetlands day, world desertification day among others are other forms of Kenya's commitment to environmental conservation. The Kenya Forest Service for instance, through its extension component undertakes extensive community awareness campaigns on the requirement to have at least 10% of the total land area being under tree cover (Republic of Kenya, 2007; 2008). The public is educated on the importance of practicing agro- forestry to provide both domestic fuel and conserve the environment.

Farm forestry is also being encouraged as an economic venture. Kenya participates in environmental meetings. For example in 2002, she was represented at the world meeting in South Africa on Environment and Development; it also houses United Nations Environment Programme (UNEP), where it has a permanent representative. The National Environment Management Authority is responsible for the preparation of an annual state of environment report which indicates environmental resources availability and use all over the country. This report serves as a guide to environmental planning.

The requirement by NEMA that all major development projects must be subjected to environmental impact assessment (EIA) and an environmental audit (EA) for already existing projects serves as an indicator to the level of

Commitment the government has on environmental matters (Republic of Kenya, 1999). This endeavor seeks to reduce environmental degradation resulting from development projects. The EIA studies are conducted by experts approved by NEMA and once they submit their environmental impact statements to NEMA County or national office, a committee sits to examine the possible impacts of the proposed project on the environment and either approves the projects, recommends certain changes to the project or totally rejects the project.

Kenya's commitment to environmental conservation and management is seen in the inclusion in the constitution of a chapter on land and the environment. Chapter five of the constitution guarantees every citizen the right to a clean and healthy environment. The attainment of a clean environment however is dependent on how government institutions participate in ensuring the realization of the same. Other notable milestones in the efforts made by the government on environmental matters include the setting aside of some fund under the constituencies development fund (CDF) in every constituency for environmental conservation activities e. g. tree nursery establishment.

In addition, Kenya has also ratified a number of international conventions and treaties among them the Ramsar convention in which a number of lakes have been declared Ramsar sites for example lake Naivasha, Nakuru, Baringo and Bogoria, convention on international trade on endangered species which culminated in the banning of trade on elephant tusks, to address this, the Kenya Wildlife Service is currently undertaking aerial surveillance of poaching, convention on biological diversity.

The inclusion of environmental studies in the education syllabus at all levels from primary through the university level by the government of Kenya indicates its commitment to have a well conserved environment. Currently all students in all the education institutions are required to take a compulsory course in environmental studies so as to gain knowledge on how to participate in environmental conservation.

### **Environmental Management Challenges in Kenya**

Poverty in Kenya can be traced back to the period shortly after independence. In its development planning, the post-colonial government recognized poverty, diseases and illiteracy as the major challenges facing the country.

Consequently, in 1965, the government included in the Sessional Paper No. 10 of 1965 on African Socialism and its Application to Planning in Kenya, highlighted major strategies aimed at alleviating poverty (Cheshire, 2013, Barasa, 2013). These strategies included investment in industrial development, improving agricultural production and formation of co-operatives to market agricultural produce. Currently, those living below the poverty line in Kenya stands at approximately 46%, most of them found in rural and slum areas. The poor have been described as both agents and recipients of environmental degradation. The poor resort to absolute use of environmental resources to satisfy their basic needs without taking into account that future generations need to derive their livelihoods from the same resources. The world environment summit held in Brazil in 1992 identified poverty a major constraint to environmental conservation and urged nations of the world to come up with strategies of addressing poverty. In 1999, Kenya embarked on the preparation of poverty reduction strategy papers (PRSP) in all the districts to guide poverty reduction efforts. However, not much was attained using this strategy because stakeholders did not fulfill their mandate as far as resource disbursement was concerned.

Low budgetary allocation to the ministry concerned with environment matters implies that programmes aimed at disseminating environmental information to the public are constrained. The public often does not obtain timely information on environmental conservation except during world environment events such as World Environment day, World Wetlands day, World Water day, World desertification day etc. for instance in the CDF regulations, the environment sector is categorized under other sectors and allocated a maximum of only two percent of the total constituency allocation in a financial year which does not compare to sectors such as education, water, energy and roads.

Most rural and slum dwellers in Kenya depend on firewood and charcoal as their main sources of energy for cooking and lighting. Such dependence exerts a lot of pressure on forests and is responsible for the continued deforestation in the country. Major water towers such as Mount Kenya, Mau forest complex, Cherangany and Abadares are currently under threat of human destruction in search of forest products. Alternative sources of energy such as biogas, wind and solar power have not been adequately exploited especially in rural areas due to low levels of awareness of the benefits associated with the use of such sources. Investment in alternative

energy sources is still underway and no major results have been registered, though they are ideal in arid and semi-arid areas including regions where dairy farming is practiced.

Government agencies responsible for environmental management in Kenya are not devolved to the lowest levels of governance such as divisional and locational levels. The National Environment Management Authority (NEMA) and other environment related agencies including Kenya Forest Service, Kenya Wildlife Service, Water Resources Management Authority, the ministry responsible for mining and the Public Health department only have their staff deployed up to the county and sub-county levels making the task of dissemination of environmental conservation difficult.

Enforcement of environment policies in Kenya is weak. This can be attributed to a number of factors including political interferences, low budgetary allocations for enforcement of policies, court injunctions by entrepreneurs (operating - slaughter houses, flower farms, industries, factories) who are responsible for environmental degradation. Implementation of the 'polluter pays principle' for instance is hardly done yet this would yield positive results in reprimanding enterprises which are have continued to pollute the environment.

### **Implementation of the 7th Millennium Development Goal**

The seventh millennium development goal is that of ensuring environmental sustainability. This is a result of the realization that any development endeavor depends either directly or indirectly on environmental resources. The world's poor are especially depend on the environment to meet their subsistence needs. Similarly, industries derive their raw materials from the environment, hence the need to conserve the environment.

In Kenya, its development blue print, Kenya's Vision 2030 incorporates the seventh millennium development goal under the social pillar. Some of the major strides made by the government of Kenya in ensuring the attainment of this goal include improving the proportions of rural and urban populations with access to clean drinking water to 48% and 75% respectively in 2011 (KNBS); increasing the proportion of households

with access to improved sanitation to 22. 6% in 2008/09 (KDHS 2008/09) having increased from 19. 4% in 2003 (KDHS 2003) ; increasing the national forest cover to 6. 5% in 2013 from 4% in 2010 and increasing investment in green energy e. g. commissioning of Olkaria Geothermal plant in Naivasha. Other efforts include encouraging eco-tourism activities, establishing international partnerships on shared environmental resources e. g. Lake Victoria – LVEMP II and actively participating in environmental activities implemented by IGAD.

### **Recommendations**

Success in environment conservation matters is an all-inclusive exercise. This means that all stakeholders should be involved in the design and subsequent implementation of environmental management plans. All stakeholders should therefore endeavor to participate in environment planning forums whenever called upon by government agencies. Environmental conservation benefits are not immediate, likewise to the consequences. In this case therefore, investment in environmental conservation by the government need to be enhanced so that industry can continuously enjoy the flow of raw materials, create employment opportunities and contribute to environmental sustainability.

Industry remains a major contributor to environmental degradation, though contributes to economic growth. There is need for the formulation of policies by relevant government agencies to guard against environmental pollution by industry. This could be in the form of incentives, penalties and subsidies for use of efficient technology which is less polluting in production processes. The strengthening of environmental conservation institutions up to the lowest levels of governance also plays a significant role in environmental conservation. Committees such as WRUAs, FUAs, and DECs could be strengthened and facilitated to fully take part in environmental conservation activities in their areas of jurisdiction.

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# 10

## **Architectural Heritage Conservation in Rapidly Urbanizing Cities** *The Case of Dar es Salaam, Tanzania*

*Fabian Kigadye*

### **Introduction**

Like environmental conservation, conservation of historic towns has been effected by command and control policies and regulations that provide for the protection of designated sites and structures. Most countries have national legislation to “list” or designate cultural heritage resources<sup>1</sup>, though levels of protection vary greatly (Birabi, 2007). As the field has evolved, it has become clear that, although there may be some inherent value in such places, such approaches must be coupled with integrated strategies for managing the built environment as a whole and with participatory processes that engage communities and stakeholders in decision-making about their heritage. Thus, conservation of historic towns is not simply an end in and of itself, but rather a tool among many to steward cultural resources, to foster a sense of community and identity, to promote sustainability in building and construction, and to improve quality of life.

Though many years passed before the Rome Charter and its agenda of conserving monuments was followed by similar guidelines for urban areas in the 1970's. These were preceded by decades of urban destruction caused by both war and modernizations (Areskough and Persson, 1999: 60). The towns were rebuilt, or redesigned; it became apparent that; the town planning principle of the 20th century was quite different from the urban growth patterns. The protection of town therefore became a necessity and the urban environment was promoted from being the monument's context to a valuable milieu in its own right (Ibid). As Gazzola 1978 said that;

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1. Heritage conservation is the management of heritage through research, planning, preservation, maintenance, reuse, protection and/or selected development, to maintain sustainability, harmony, and the capacity to respond to the dynamics of the age to develop a better quality of life (ICOMOS Indonesia Charter for Heritage Conservation : 2003).

*'the assemblage of properties that referred to cultural history came to constitute the cultural heritage of a nation. This meant a shift from the criteria related to protection of things of remarkable interest (1931 Athens Charter) to criteria related to conservation of an assemblage of things including the single object, the urban environment, and the landscape, which together formed the testimony of culture, of a significant evolution, of an event. All this was with reference even to modest works that have acquired cultural significance over time' (Gazola 1978: 242 in Jokilehto 1999: 290)*

This same policy concept was clearly expressed in the general principle of the 1976 Recommendation of UNESCO concerning the Safeguarding and contemporary Role of Historic area: The recommendation stipulates that;

*Every historic area and its surroundings should be considered in their totality as a coherent whole, whose balance and specific nature depend on the fusion of the parts of which it is composed and which include human activities as much as the buildings, the spatial organization and the surroundings. All valid elements, including significance in relation to the whole must not be disregarded (art. 3)*

The ICOMOS Charter for the Conservation of Historic Town and Urban areas defines the components that create the characters of a historic town. The components consist of urban patterns such as lots and streets, and the relationship between buildings and green and open spaces. Moreover, individual buildings' size, scale, style, colors, decorations and construction materials, not only exterior but also interior, is important. In a wider context also the surrounding setting, and the functions of the town, constitute its essence. The largest difference between the principle of conserving monuments and areas seems clear; conserving monuments aims at preservation while conservation of urban areas aims at and adaptation to contemporary life (Areskough and Person 1999: 60)

In the world of rapid change, visible and tangible evidence of the past may also be valued for the sense of place and continuity it conveys. The presence of historic buildings is a testimony to the passage of time in a particular locality. Ashworth and Tunbridge (1990) quoting Lynch (1960) argues that:

*'place familiarity is valuable in maintaining the individual psychological stability and an over-abrupt change in the physical environment must be modified by conservational policies, so as that the excitement of the future should be anchored in the security of the past'*

The aesthetic appeal of an historic place my result from the combination or juxtaposition of many buildings rather than the individual merits of any particular building. Most cities are made up of buildings from a range of period in a variety of style and idioms. Thus, the past may be valued because of its juxtaposition with the present. In particular, the older building provides potent contracts to the interminable sterility and monotony of much of modernist architecture. Such diversity is usually viewed positively: Mumford (1938) in Tiesdell et al (1996: 13) said that:

*'by the diversity of its time structures, the city in the past escapes the tyranny of a single present, and the monotony of a future that consists in repeating only a beat heard in the past.'*

### **New Buildings in Historic Towns**

The issue of new building in historic town was recognized by the ICOMOS, the concern for historic cities were principally assumed by the International Committee on Historic Cities and Village (CIVVIH) who have since collaborated in a number of such declarations. As a result of meeting in Bruges in 1975, the principles governing the rehabilitation of historic town recognized that preservation necessitated the adaptation of historic town to the requirements of contemporary life, but this should be done without destroying its existing fabric, structure, or historical evidence. The principles also accepted the possibility of new building in historic setting; it declared that respect for authenticity implied the integration of modern architecture in old town.

This meant that importance is given to functional continuity as well as maintenance of historic fabric. Following the same lines of thought, the 1987 ICOMOS Charter for the conservation of Historic Towns and Urban areas declared (article 10) that; when it is necessary to construct new building or adopt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size. The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an

area. The European Charter for Architectural Heritage (1975) emphasized the need to guarantee a harmonious social balance in historic cities. The Charter also defined the concept of ‘integrated conservation’, and referring to new buildings, it declared:

*It should be noted that integrated conservation does not rule out the introduction of modern architecture into areas containing old buildings provided that the existing context, proportions, forms, sizes and scale are fully respected and traditional materials are used.*

The same concepts were promoted in the Convention for the Protection of the Architectural Heritage of Europe, Granada 1985, which emphasized that integrated conservation policies should: *include the protection of architectural heritage as an essential town and country planning objective and ensure that this requirements is taken into account at all stages both in the drawing up of development plans and in the procedures for authorizing work.*

However, in this context, the Management Guidelines for World Cultural Heritage Sites, published by ICCROM, emphasize that the primary objective of Conservation Planning is the conservation of existing historic fabric:

*The building of new structure should not be an excuse for demolishing old one. New construction may, however, be necessary to re-establish functional and architectural continuity, and in case where empty lots might be hazardous to or further decay surrounding buildings.*

It is possible to identify design criteria related to architectural requirements, but it is equally essential to consider the historical integrity of an historic settlement. This demand identification of the elements that together defines the fabric and infrastructure of a city, their mutual connections, and the relationship within the cultural landscape of which the settlement is part. The policies regarding the construction of new buildings should be based on the understanding of these complex relationships (Jukilehto, 1998).<sup>2</sup>

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2. Jokilehto 2008: A paper on “Organizations, Charters and World Movements-an Overview” in a book titled Context: New Building in Historic Setting: Warren. Et al 1998

According to David Throsby (2007)<sup>3</sup> an historic building is an asset that has financial value as capital (it could be sold off as real estate for commercial developments), and it also has financial value in terms of the flow of services it provides (estimated, for example by the rental value of the office space). These aspects of the buildings value could be called its economic value as a piece of purely physical capital. As such, this economic value could be provided by any building. But this is not just “ordinary” building; its distinguished feature is that it also has cultural value, delivering from the cultural significance which is essential to its qualification as cultural heritage. Like its economic value, the building’s cultural value is seen both in its worth as capital (the accumulated sense of cultural significance embodied in the building’s very fabric) and in terms of the flow of service it provides (its historic or aesthetic qualities that are enjoyed every day by workers, visitors and passer –by) (ibid). Reconciling conservation and development is a prerequisite for achieving improvement of the quality of life in environmentally and culturally sensitive places. By shifting the focus on perception and valuations, conservation becomes a dynamic process involving public participation, dialogue, and consensus, and ultimately better stewardship (Matero, 2011).<sup>4</sup>

### **Historical Overview of the City of Dar es Salaam**

Dar es Salaam is a coast city in the United Republic of Tanzania situated along the Indian Ocean. It covers an area of 1, 393 square kilometer with an estimated population of 4. 5 million people<sup>5</sup>. The city is located between latitudes 6. 36 degrees and 7. 0 degrees to the south of equator and longitudes 39. 0 and 33. 33 to the East of Greenwich. Dar es Salaam is one among many cities in the sub-Saharan Africa that are experiencing rapid urbanizations. Historically, the city is relatively a new city that emerges during the German and British colonization of Tanganyika<sup>2</sup>. The history

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3. Proceedings of the World Congress of the Organization of World Heritage Cities; Kazan, 19-23 June 2007 pg: 22

4. Being modern: The currency of Conservation. Quoted in John H. Stubbs and Emily Makas Architectural Conservation in Europe and America; National Experience and Practice. John Wiley & Sons, Hoboken New Jersey

5. 2012- National Population Census-National Bureau for Statistics

of Dar es Salaam commenced with its establishment in the 1860s and its growth through Arab, German and British colonial periods and the post-colonial period. Likewise, the architectural evolutions of the city centre stretches across: Arab, German British and post-colonial eras (Moshi, 2009: 27). The city is well endowed with buildings erected during the first fifty years<sup>6</sup> of its existence. The Swahili houses and colonial buildings have great to the beautiful architecture of Indians buildings and early post-independence structure, historical buildings have great potential of the citizens identification with their city, for cultural tourism and, not least, for the real estate market. The individuality and variety of its architecture are a major contribution to the beauty and unique character of the city.

When German took over Tanganyika in 1891, Dar es Salaam was just a small settlement with a population of about 4, 000 inhabitants (Sutton, 1970; Kombe, 1995: 10 and Lupala 2002: 31). In the same year, the Germans shifted the capital from Bagamoyo to Dar es Salaam. Due to increased trade and importance, that is the establishment of port facilities and administrative activities in the city, more migrants were attracted and the populations increased to 10, 000 inhabitants by the year 1894. Six years later, the population reached 20, 000. Population's growth slowed down over the war periods (World War I and II) and a steady increase was notable after the 1950s. A faster growth was noted after independence mainly because of the abandonment of the policies that inhibited Africans from migrating to towns. By 1968, the populations were increased to 69, 277. The populations of Dar es Salaam reached 782, 000 by 1978, While in 1992 estimated populations for the city was pegged at 1, 550, 000 inhabitants and in the year 2002 the city had estimated populations 2, 497, 940<sup>7</sup>.

Whilst the city spatial expansion has been growing at an average rate of 7. 2%, the annual average growth rates of populations for inter censal period has been also high. For example, the average annual growth rate between 1948 and 1957 has been established to be 7. 1%. This figure increased to 7. 8% between 1957 and 1967 and further to 9. 7 between 1967 to 1978 (Lupala, 2002: 31). The growth rate slowed down to 4. 8% between 1978 to 1988, but sharply rose to 9. 1 % as estimated between 1988 and 1995 (Strategic Plan, 1998: 13-14). Recent estimates show a

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6. The City was established by Sultan Majid in 1860s.

7. Populations and Housing Census : General Report, Dar es Salaam.

decreased rate to 3. 1% for the period between 1995 and 2001 (Lupala, 2001 and 2002 : 31). These fluctuating trends in growth rates illustrate an observation by Habitat that, while rural urban migration has been pointed out as one of the major factors of rapid urbanization in sub –Saharan cities, natural populations increase has also played a significant role especially in the decades of 1980s and 1990s (Habitat, 1996, Lupala, 2002 : 31). Based on the statistics above Kironde 2000 said that ;

*After 1948, and particularly since independence, direct control of direction of Dar es Salaam's development has been less easy on account of the sheer number of people being added to the city per annum, as well as the inappropriateness of the tools in hand to deal with this growth.*

The city has three Municipal Councils<sup>8</sup> namely, Ilala, Kinondoni and Temeke. These Municipalities forms three districts of Dar es Salaam Region. Dar-es-Salaam was declared a township in 1920 and in 1949 it was upgraded to municipality. When Tanganyika became independent in 1961, Dar-es-Salaam was elevated to a city status.



**Fig10. 1 (a)** St Joseph Church.  
Church



**Fig 10. 1 (b)** Azania Front, Lutheran

*These building depict the German gothic style building in Dar es Salaam of 19th century. Evidence of the Greco-Roman influence of architecture.*

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8. In 1999, three district of Dar es Salaam were named as municipality.

## Architectural Conservation Initiatives in Dar es Salaam

Conservation of built heritage in Dar es Salaam were initiated by the Department of Antiquities in the year 1973 when the Minister responsible for Antiquities appointed an ad-hoc committee to study and recommend on the desirability of conserving buildings of historical and architectural significance. Following the recommendation of the Committee the Minister submitted a paper to the Cabinet and the Cabinet did not agree to all the suggested areas and buildings and only selected a few building which were to be protected as monuments. By that time provisions for legal protection on the cultural heritage was based on the principle of listing and scheduling of individual structure or buildings which were deemed of historic or architectural significance as monuments. It was considered inadequate to offer the required legal protection to the whole area of the city. Changing the legal regime for the protection and preservation of cultural heritage resources was given priority in the implementation of the policy decision for the protection of historic centre. This was achieved in 1979, when the Antiquities (Amendment) Act was enacted by parliament. This among other things enabled the Minister responsible for "Antiquities", in consultation with the Minister responsible for "Lands" to declare *a conservation area or a site which in his opinion is a valuable national heritage for its aesthetic value or contains a homogenous group of Monuments or contains, structure or other forms of human settlement which in his opinion are valuable national heritage for their historic, architectural, social and cultural value.*

The battle to save the so-called Old Boma building<sup>9</sup> from demolition in 1979 was important in bringing public attention to the values of historic buildings in the city. On this occasion, the Division of Antiquities was supported by teachers, architects, and even those who had previously been responsible for the demolition of the former New Africa Hotel building. The Division of Antiquities, however, maintained that instead of protecting these buildings one by one, aerial protection should be provided in order to preserve them in their context. However, after long discussion with the central government, building owners and the city council in the year 1995, the Division of Antiquities managed to declare twenty six (26) historic buildings, five (5) Monuments and One (1) Architectural Conservation area.

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9. The Old Boma Building was constructed in 1860s during the Sultan Seyaid Majid occupation of Dar es Salaam

The listed historic buildings in the city are still intact and in use. These buildings were declared national monuments by government notice No. 498 of September 8th, 1995.



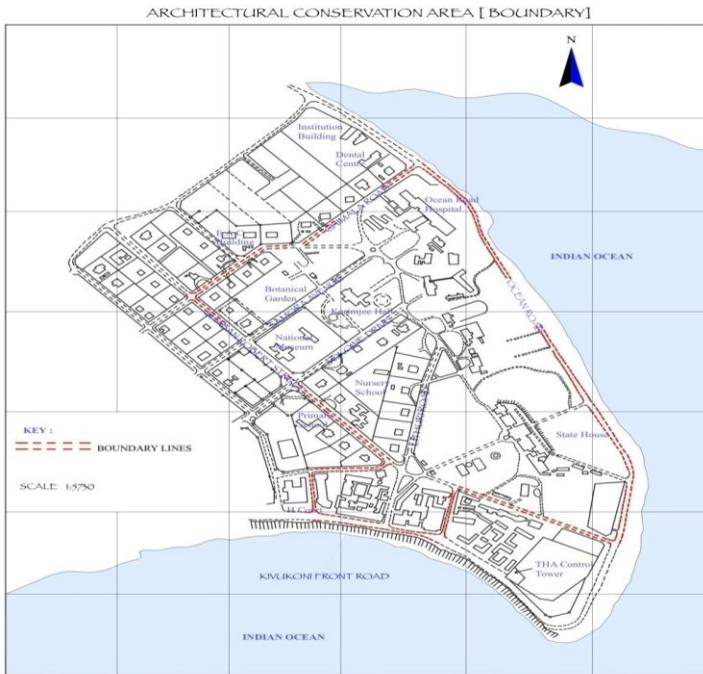
*Fig 10. 2: The Old Boma Building at Sokoine Drive*

### **The Architectural Conservation Area: The Case Study.**

The Architectural Conservation area of Dar es Salaam is a built heritage site from the late 19th century occupies the most prime site in the city centre within Ilala Municipality. It exhibits unique cultural and architectural landscape, this heritage values has survived for over 100 years. It was established by the German colonial administration as the administrative and political centre of Dar es Salaam and expanded and consolidated during the British colonial administration. It contains buildings and cultural landscape which is of great architectural, historical and aesthetic values early 19th and 20th century. The planning and designing of this area inform of a large botanical garden it is unique in the context of urban planning and design. It is an outstanding example of architectural ensemble and landscape which illustrates significant stage in the city development. It is because of its historical and architectural value, the Division of Antiquities in collaboration with the Ministry of Land and Housing Development declared this part of the city to be an Architectural Conservation Area with a Government Notice No. 498 of September 8th, 1995. The area concerned covers the area between Ocean Road, Chimara road, Shaaban Robert



*Fig 10.3: The Ocean Road Hospital in Conservation Area, German Built Structure*



*Map 10. 1: Architectural Conservation area Boundary*

Street, Sokoine Drive, Azikiwe Street and Kivukoni Front. The total size of the Conservation Areas is 0.4642 Square Kilometers<sup>10</sup>.

### **State of Conservation in the city**

This historic city centre is facing challenge on conservation of built heritage due to demolition of historic building and the area surrounding historic monuments because of the booming construction industry in the city centre. Ambitious rebuilding programs and upgrading of outdated infrastructures is conflicting with retention of a unique sense of place, as Vines (2005) observed, *“Demolition of traditional streetscapes removes a community’s to its own special past”* (Vines 2005: 1). This process is not reversible-once gone, the familiar and intimately scaled locales cannot be reinstated, and bland, modern, sanitized edifices obliterate the patina and unique qualities of the humble historic townscape.

Moreover, Matero (2011) said that; *unlike the case of natural resources, sustainability for the built environment differs in that, historic resources cannot be physically regenerated, only retained, modified or lost*. The continuing trend of demolition of historic building in Dar es Salaam, Moon (ibid) noted that; *“There appeared to be no coordination within the Antiquities Division, the authority responsible for heritage matters. In the city as a whole, in fact, the limited Antiquities legislation that existed was routinely ignored”*. Stressing on the issue of management of architectural conservation area Warren et al (1998: 75) stresses that: *“There is no point in designating an area for its special interest and then allowing its character to be damaged by destroying buildings or other features that make it special, or by allowing new development that is out of place, scale or context with the area”*.

The demolition of historic building is against 1972 UNESCO conventions for the protection of Natural and Cultural heritages. The symposium took place in Vienna Austria 2005 and came up with a *‘Memorandum on World Heritage and Contemporary Architecture-Managing the Historic Urban Landscape’* was an important outcome of the meeting. The memorandum stresses that:

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10. Source: URT 2004

*The central challenge of contemporary architecture in the historic urban landscape is to respond to development dynamics in order to facilitate socio-economic changes and growth, on the other hand, while simultaneously respecting the inherited townscape and its landscape setting on the other (UNESCO : 2007 : 95).*

The memorandum also stresses the importance of taking into careful consideration the urban context and continuity in planning new development, against 'iconic' architecture based on design models not related to the specific tradition of a place (ibid).

Therefore, the designation of Dar es Salaam City center as an Architectural Conservation Area by the mentioned regulations and allowing the developments we see is a complete contradiction and is a reflection of weakness of conservation practice carried out by the responsible authorities<sup>11</sup>.



**Fig. 10.4 (a) & (b)** *The Salamander building before and during demolition works – The public was against demolitions of this building.*

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11. Bernard Fielden 2004: 261 said that; “It is essential that consideration of the values in cultural property should be assessed objectively and fairly. There is always a danger that the conservation program will only reflect the bureaucratic objectives of the government department that is responsible”

## Regulatory Frameworks for Conservation of Architectural Heritage

The Antiquities Division is a government Institutions responsible for conservation of cultural heritage resources in the country. The Antiquities Act enacted by the independent government in 1964 and amended in 1979 to replace the Colonial *Monuments*<sup>12</sup> (Preservation) ordinance promulgated in 1937, is the basic legislation for the protection and preservation of the country cultural built heritage. Conservation of group of historic building was archived in 1979, when the Antiquities (Amendment) Act was enacted by parliament. This among other things enabled the Minister responsible for Antiquities, in consultation with the Minister responsible for Lands to declare;

*“Conservation area or a site which ; in his opinion is a valuable national heritage for its aesthetic value or contains a homogenous group of monuments or contains, structure or other forms of human settlement which in his opinion are valuable national heritage for their historic, architectural, social and cultural value”* (Antiquities Act Section 3 of 1979)

Declaration and management of Conservation area is also stipulated in the Urban Planning Act of 2007. The Act section 58 gives mandate to the Local Planning Authority to designated conservation areas. The Act says that;

*The planning authority<sup>13</sup> may compile a list of areas, buildings, or groups of buildings of special architectural or historic interest and may amend any list so compiled such areas may include-Buildings, Artifacts, Group of buildings, Areas of unique biodiversity and rare species of trees and special trees (Urban Planning Act 2007 : 328)*

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12. The issues of ‘national monuments’ is often loaded with political values, and can be conceived as a question of national pride, Such values can provoke reconstruction and stylistic restoration of desired features of monument, and the elimination and destruction of others contrary to political goals (Jukka Jokilehto 1999 : 308).

13. Planning Authority is defined by the Urban Planning No. 8 Act of 2007 section 7 as “Every city council, municipal council, town council and township authority shall each become a planning authority in respect of its area of jurisdiction”.

The Dar es Salaam Master Plan (DMP) of 1979 recognizes the importance of architectural conservation. The Master Plan stresses that;

*“These areas are of significant importance as the buildings and the general character of the area are excellent example of the city’s heritage. The existing structure should be retained and, where necessary improvements and restorations undertaken, new structures associated with the existing facilities will be permitted. They shall be limited to three storeys in height and maintaining the character of the existing structure and the surrounding area”.*

However, in terms of management of architectural conservation area, DMP of 1979 management policy article 1 (v) says that:

*“It shall be the policy of the city council to encourage the preservation of properties of historic, architectural or archeological interest. Guidance in this area should be obtained from the Director of Antiquities”*

### **Legal and Administrative Systems**

The legal and administrative system of cultural heritage in Tanzania is linked to the history of the country. The colonial period has left its marks on the legal systems, but even more on the concepts of protection and identification of cultural heritage. The architectural conservation areas under study portray colonialism built heritage. The existing legal and administrative system favors the concept of monumentalism and neglect other types of heritage such as historic landscapes or vernacular architecture and it takes very little or no cognizance of associated intangible and spiritual values. It is observed that, the Division of Antiquities has played a more active role compared to Local Government Authorities conservation of the built heritage, but lacked the capacity to link conservation to public policies to mitigate the impact of the economic development. It enlarged the scope of its policies to include built heritage conservation but restricted the action to the narrow track of preservation control on listed monuments. By doing so, it lost the possibility for the future alliance with the owners of heritage properties and local government authorities.

As pointed earlier, current administrative frameworks are derived from system imposed during the colonial period. The study reveals that, in the Western world most heritage conservation activities are the responsibility of municipal and county authorities; the central state plays only a supervisory role in policies enacted and follow-ups. But in Tanzania the administrations of heritage is vested in centralized national government administrations. Usually, centralized administration system makes it difficult for heritage management institutions to be responsible to the needs of the communities and stakeholders.

### **Conservation and Management Plan**

Presently, there is no any Conservation Plan or management plan for individual building or the architectural conservation area. The only document that exists for conservation and management of built heritage in Dar es Salaam is the Master Plan of 1979 and the Dar es Salaam Central Area Redevelopment Plan of 2002. The documents were prepared by the Ministry of Lands, Housing and Human Settlement Development (MLHSD) to be used by the Dar es Salaam City Council (DCC). The DMP (1979) recognizes the importance of conserving the built heritage. The Plan defined heritage area as “areas of significance as the buildings and the general character of the area are excellent example of the city’s heritage”. The Master Plan guide that; existing structure should be retained and, where necessary improvements and restorations undertaken. New structures associated with the existing facilities will be permitted but limited to three storeys in height and maintaining the characters of the existing structure and surrounding areas (DSMP 1979: 91).

Additionally, the plan did not zone the building or the conservation areas; therefore it was a general proposal. Tamla (1997: 123) expressed his concern that; the Master Plans include development conditions which are too general to ensure strict and systematic inventory of new developments. For example there are no dictated development conditions and guidelines. The Master Plan emphasize only about height and character in general but no information about facades, frontage, color, massing or walling materials. Moreover, this Plan is outdated, because it was supposed to be revised in every five years of operations, but since 1979 it have never been revised and it was supposed to operate for Twenty year only (from 1979-1999)<sup>14</sup>.

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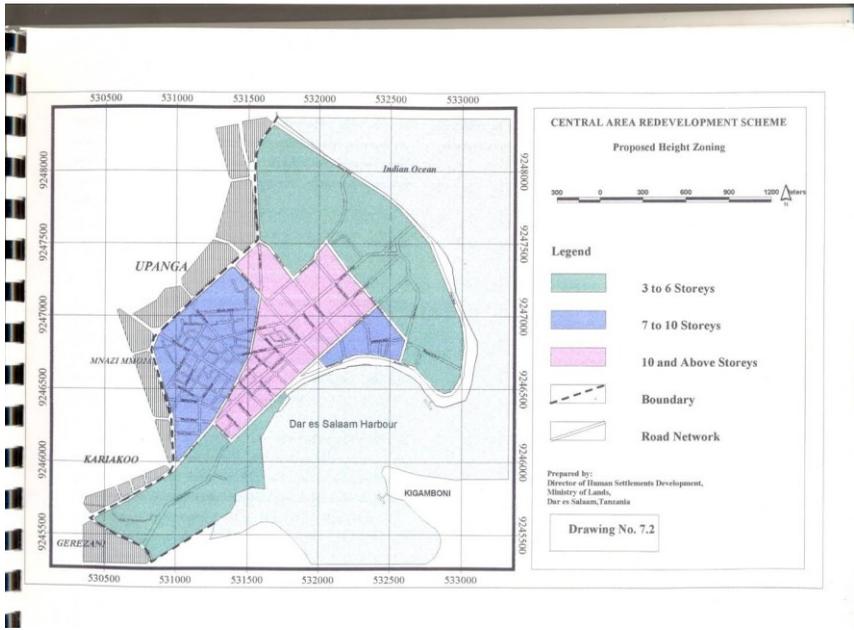
14. In 2010/2011 the government through the Ministry of Land, Housing and Human Settlement Development started to prepare a New Master Plan for the City. To date is not yet finished.

In order to cover the vacuum of absence of the Master Plan, the MLHSD in collaboration with the DCC prepared the Redevelopment Plan for Dar es Salaam Central Area in the year 2002. The plan which was for three years (2002-2005) was prepared because of the increasing pressure for the city centre business space that has gained momentum recently hence prompted preparation of the Redevelopment Plan. It was noted that, at present the development activities are taking place on piecemeal basis with high rise structures gradually replacing the single and double storey structures without regard to consequential infrastructure and service requirements. The Plan recognized the presence of architectural heritage and a need to preserve the rich history of Dar es Salaam city centre through conservation of buildings and other features of architectural and cultural significance. But surpassingly it zoned the area with historic building to be built with building height from 6 up to 10 or above ten. Within the architectural conservation area the plan zoned for building with height from 3 to 6 storeys. The existing historic building is of one (1) to two (2) storey's buildings.

In the interview with Ilala Municipal Town Planner it was said that, "First of all the Central Area Redevelopment Plan is outdated, because it was prepared to control development for three years and after three years it was supposed to revised". Currently, physical development taking place in the city is not guided with any document. Moreover, he said that: "conservation of historic building in the city centre is very difficult because every developer want to invest in the city centre because of the availability of social services and infrastructure as well as proximity to other services. Moreover he expressed the concerned that, local government is the implementing agency of the central government policies; he expressed his concern that, conservation of built heritage in urban areas is not yet a government priority. There is no any budget set for conservation activities at local government level, he went further by suggesting that, since conservation for built heritage is within the Ministry of Natural Resources and Tourism (MNRT)<sup>15</sup>, the Division of Antiquities (DoA) should give funds for conservation of heritage to LGA's as they are doing for forestry and wildlife.

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15. Ministry of Natural Resources and Tourism usually give LGA's funds for conservation of forestry and wildlife in their area of jurisdictions.



**Map 10.2.** Zoning of Building Height in the City

## Challenges

### *a) Lack of an appropriate Institutional Frameworks*

There is overlapping jurisdiction between the Division of Antiquities and the Ilala Municipal Council when dealing with any development within the conservation area. The Municipal Council expects their laws to carry more weight in the planning process than the Antiquities Act of 1964. For example during the interview with the City Planner said that, DCC is the overall in charge for managements and development in the city. Therefore, Antiquities Division should first ask the DCC and get approval for any Conservation Projects within the city<sup>1</sup>. At present, the only solution at hand is to encourage communication between the institutions, since until the laws are revised, they offer little conciliations.



**Fig10. 5 (a) & (b).** *Traditional single and Two storey Building*

*Traditional single and two storey building. Their qualities are at risk in areas of high redevelopment pressure. These photos illustrate the high demand for redevelopment within conservation area.*

#### *b) Public Awareness and Stakeholder Participation*

The public are not well informed on the legal, technical and professional requirements for the conservation of the buildings which they own. Besides that owners were confused on the role of the various government agencies especially that of the Division of Antiquities and DCC they did not understand their role and responsibilities in the conservation of the buildings which they own. However, some owners expressed their willingness, with proper education, sensitization and involvement to fully participate in the conservation process including financial contributions in rehabilitating their building according to the existing regulations. One good example is the field interview with the manager for the Southern Sun hotel; he said his hotel is located within the conservation area, being in conservation area they have a role to play in conservation. They are also financing the up keep of the botanical garden which is one of the key features of the Conservation area. Based on the above arguments, a conservation policy to be successful, it needs to involve all those responsible, from the policy formulators and the implementing agencies to the users. The in the interview with the Head of Conservation Section in Antiquities Division said that; the Division has a new policy which was approved in 2008 ; this policy has taken on board stakeholders and community involvement in conservation of the built heritage.

*c) Administrative Framework*

The legal and administrative regime for the management of the conservation and development of the Dar es Salaam Architectural Conservation area is in place. The Antiquities Act of 1964 as amended by the Antiquities Act of 1979 is the principal legal instrument for the protection and preservation of the historic centre. The Antiquities Division of the Ministry of Natural Resources and Tourism is the central government lead agency for the conservation of the built heritage. Ilala Municipal council is the overall planning and development authority in architectural conservation area. This legal and administrative regime is an opportunity not only for the conservation and development of the conservation area but in the implementation of the Plan. However, there are constraints and issues which need to be addressed and resolved:

*d) Boundaries*

The boundaries of the conservation area have not been surveyed, mapped with beacons and a Registered Plan deposited with the Commissioner for Lands. The Plan used as the basis for the declaration of the Conservation Area is not included in the Dar es Salaam Central Area Redevelopment Plan of 2002. The boundaries of the Conservation Area are not clearly marked and have been an issue of dispute.

*e) Institutional Ownership Problems*

The minister when deciding to declare an Area as a Conservation Area is legally required to do so in consultation with the Ministers responsible for Lands. The sense of these consultation requirements is to ensure the support and agreement of the Minister responsible for Lands and thus giving the area declared to be a conservation area a special status whose main land use is the conservation of heritage resources therein. The Architectural Conservation Area is legally managed and controlled by three institutions, the Minister responsible for Lands, Minister responsible for Cultural Heritage and the minister responsible for Local government authorities. Both have laws and regulations which safeguard the priorities of their institutions, but these institutions are always in conflict of interest due to the fact that each one tends to defend his/her interests in either development or management issues.

Conclusion

## Conclusion

Heritage management demands reconciling interests of the stakeholders. For affective management of the built heritage there is a need to address the competing interests of different stakeholders. It has been revealed that development and conservation are two faces of the same coin. There cannot be conservation without local development because it is an activity that needs the use of social resources that cannot generate financial benefits in the short term. The impact of development on the conservation of the urban built heritage is partially determined by the urban management process and institutional framework. However, there are impacts that are linked to structural development transformation that directly related to weakness on the style of urban governance and urban management in the Dar es Salaam.

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# 11

## **Natural Resources Management Approaches, Ethics and Development in Kenya**

*Michael A. Chesire*

### **Introduction**

The concept of natural resources is as old as mankind. Over the centuries, man has depended on these resources to meet basic needs as well as industrial ones. A natural resource is anything that is obtained from the environment without man's input. The definition of a natural resource is however, dependent on cultural beliefs and regions where such resources are found. Similarly, definition of resource use depends on community needs. The availability of natural resources is often determined by climatic conditions, though sometimes modern methods of crop and animal production may influence the same. Natural resources found in the earth's planet include perpetual, renewable and non-renewable. These resources are available in various quantities across the globe and have differing uses according to cultures and technological developments. While some resources are readily available for use, others require some prior processing before they can be beneficially utilized.

### **Classification of Environmental Resources**

First and foremost are perpetual resources that are virtually inexhaustible and therefore abundant in nature and even if used on a daily basis shall always be available. Such resources include solar energy, wind power, water, air etc. These are available across the globe in different quantities and qualities and are used for various purposes. In Kenya, development and subsequent utilization of solar and wind power as sources of alternative energy is gaining momentum. This is evident mainly in arid and semi-arid areas, such as the coastal region, parts of Rift Valley, Eastern and North Eastern Kenya. Various explanations can be given for this new trend, chief among them being the low operation and maintenance costs, the

degradation of water resources, and limitations of agencies responsible for energy production and transmission. Water remains an important resource everywhere in the world. In Kenya, major water sources include lakes, rivers, underground sources, springs and the Indian Ocean among others. However, the sector is not well developed to provide maximum benefits to the users given that it has not been given the development attention it deserves. Public and private companies including individuals are developing and using these natural resources.

Second, are non-renewable resources which exist in a fixed amount in various places in the earth's crust e. g. gold, copper, diatomite, coal, oil, aluminum among many others. They are exhaustible either because the rate of use is more than that of replenishment or because they are replaced slowly. Various explanations have been advanced to explain the rapid exploitation of such resources. The rising human population which currently stands at about seven billion people globally, while in Kenya is estimated at about 43 million people, coupled with changing human lifestyles tending towards consumerism, increased industrialization are all responsible for depletion of exhaustible resources. Kenya has few non-renewable resources which include; Fluorspar, found in Kerio Valley; Diatomite in Gilgil area; soda ash in Magadi, cement raw material in Mombasa and Kitengela some traces of Gold in Turkana and Western Kenya and coal in Kitui County among many more.

Last, are the renewable resources, which can be replaced after use and include vegetation and wildlife. The rate of their use however depends on the culture of the people and the environments in which they are found. Many of such resources are used to meet basic and industrial uses. In Kenya, particular attention has been focused on forests, wildlife as they contribute to environmental conservation and tourist attractions respectively. The conservation of the two is evident in the way state agencies; namely the Kenya Forest Service and the Kenya Wildlife Service conduct surveillance to protect such resources against activities such as unauthorized logging, removal of flora and fauna species or poaching. The gazettement of national parks, game reserves, marine parks, forests mangrove swamps are all indications of the efforts which the Government of Kenya has initiated to conserve the resources. Major fencing has been done in national parks and forest areas such as Abaredares, Mount Kenya and Nairobi National parks.

## Approaches to Resource Management

Many natural resources scholars including Omara Ojungu (1992) and Diamantes (2004) contend that resources are not readily available, but they only become resources when there is a human need. Resources are usually static, but will either expand or contract depending on man's needs and wants. Therefore, a resource is a tangible object which has a functional relationship with man and his capabilities. The environment is considered a repository resource since many resources are derived from it as anything from it is capable of satisfying human needs and wants. This means that any resource has a value attached; this however depends on the culture of a people. Traditionally, people would use scarecrows, metal bars to make noise, killing of animals to reduce their population; but this has changed in modern times to encompass regulated utilization of environmental resources.

In resource management studies, important concepts such as resource allocation and development are of relevance. By resource allocation is meant the spatial and temporal placing of resource uses (e. g. agriculture, soils, fisheries) in a pattern which reflects the goals, priorities and aspirations of a community. For example, under the communal grazing systems in Africa, areas of low agricultural potential are set aside for livestock grazing, other land uses such as construction of residential houses is prohibited. Practices such as hunting, apiculture and logging are however, accepted in such lands because they are compatible with livestock grazing. Resource allocation at all times should influence production, consumption and distribution of resources in a direction that is consistent with the local, national and regional development objectives. Trade-offs in resource allocation are acceptable, for instance in swamp reclamation, fishing is replaced by rice, fruit and vegetable production; in dam construction, agricultural land is lost for electrification, fishing and expansive irrigation.

On its part, resource development refers to the actual exploitation or use of a resource during the transformation of the neutral stuff into a commodity or service to serve human needs. It involves placing value, extracting and processing of a resource so that the outcome can be used to satisfy human needs. The value of a resource is however determined by the culture, economy and technology of a given society. Many resources are being developed for different purposes e. g. soils for crop production and making bricks, water for irrigation and generation of

hydro-electric power, while timber and vegetation in general may be used for wood, fuel, grazing and other uses.

Resource management is regarded as the process of decision making whereby resources are allocated over time and space according to the needs, aspirations and desires of man within the framework of his technological inventiveness, political and social institutions and legal and administrative frameworks. Resource management examines strategies and technologies for resource development in order to sustain economic growth without causing environmental damages. Examples include rotational cropping, agro-forestry, regulations on tree harvesting and controlled visits to national parks. The success of resource management depends on the judgment of and commitment of various actors. Resource management therefore remains an important component since all sectors of any nation are depend on resources for development, necessitating a thorough examination of the conditions and methods of resource utilization. There are various ways of resource management which we now turn into briefly.

### **Ecological Approach**

This approach refers to the allocation and management of resources on the basis of an understanding of the functional components of the physical and biological environment and the relationship amongst them. The ecological approach focuses on the relationship between the different organisms within ecology and the non-living component of the environment. In the application of this approach, terms such as the community are often used to demonstrate how different biological organisms survive within an ecosystem. Control of various organisms under this approach is usually done through the modification of the environment. The process of modification of the environment often leads to the replacement of one organism or species by another, succession.

Ecosystem development often leads to conflicts between man's strategies and nature. For example, agricultural production may result in soil erosion which eventually brings about siltation interfering with both terrestrial and aquatic life including human health. The ultimate point in the process of succession is a state of climax reached after all the changes in plant/animal species and ecosystem. The community produced becomes more stable as it shall have adjusted to all the modifications within its environment.

In such a community, there will be a steady supply of resources from one generation to another as stability will be attained. This stage also allows for species diversity.

In the ecological approach, resource allocation strategy involves the following:

I. Ecosystem inventory to determine community zones. Such inventories would include species types, numbers, levels of maturity, levels of use and the nature of interaction among various species in the communities.

II. Identification of natural processes that lead to stability and determination of the limiting factors for example volcanicity, rainfall, slope, water table, which are responsible for increase or decline in species numbers, migration, breeding patterns and extinction of certain species among other issues.

III. An evaluation of the functional significance of ecosystem components. Any meaningful evaluation takes into account the significance of the different levels of interaction between the living and non-living components of the environment. Various levels of the food chain are studied with a view to understanding how each level contributes to the stability of the ecosystem. A systems view of the ecosystem could also be used to understand the significance of each component of the ecosystem.

IV. Recommendations on the alternative uses of environment components based on the functional significance for example sensitive ecological areas, tree planting on sloppy areas instead of crop production.

In the ecological approach then, a community forms the management unit so that equilibrium is maintained and sustained yield is attained. The concept of sustained yield is based on the assumptions that: resources are scarce, resource use requires their steady flow and that there is no alternative resource from outside a community. Therefore the concept of a community's self-sufficiency is valued by this approach. This approach takes into account the concerns of the host community/local interests while at the same time emphasizing the need for development which does

not degrade the environment. In this case the approach can be applied to resource management only after conducting a study of a community's preferences/interests as far as resource use is concerned.

### **Economic Approach**

This approach is based on the premise that resources are scarce and therefore users have to make a choice and optimize their use. This means that to obtain a resource, a user must forego some other resource uses. The consideration to forego resource uses leads to a rational allocation of the resources which is possible in a free, competitive market economy. The objective of resource allocation in a free market economy is to achieve economic efficiency by minimizing production costs and maximizing monetary profits. According to this approach, the market value of a resource determines which resources are to be selected for use e. g. bricks, bush-stones, timber, metal bars, soils e. t. c (Gilpin, 2000). The achievement of economic efficiency is dependent on a number of assumptions viz:

1. Production factors are freely substitutable in achieving a desired level of output for example land for labor or infertile soils by fertilizer.
2. Demand can be identified and consumer preferences for different uses are known and can be compared, which can be determined by carrying out a study.
3. Benefits from resource uses can be quantified in monetary terms. Such benefits vary from community to another, depending on what they value most.
4. Resource use has no external effects on the physical environment and economic situation.

As much as the economic approach provides some general motivating factors for resource management, not all its assumptions are true. A major limitation to this approach lies in the fact that not all resources are similar to market goods e. g. aesthetic value is neither substitutable nor quantifiable in monetary terms. Similarly, visual beauty and historical monuments cannot be easily quantified in monetary terms. In Kenya, for instance, there are a number of monuments in major cities including Nairobi and Mombasa which foster national heritage and act as tourist attraction sites.

The economic approach to resource management has however been the driving force behind the development of many Third World countries especially with regard to the development of policies and regulations on natural resources use. Similarly, it has led to a rapid shift of a number of economies from subsistence to commercial exploitation of resources. Cost-benefit analysis is the most commonly employed tool in resource allocation under the economic approach. For the approach to be more relevant, environmental considerations should be captured in the pricing of commodities to take care of the environment, for instance crop prices should include cost of soil conservation, price of vehicles to include cost of cleaning the polluted air as a result of vehicular emissions. This can only be realized when there are guidelines on resource use and environmental externalities should therefore be undertaken in such processes.

### **Technological Approach**

The technological approach appreciates and utilizes technology in enhancing economic efficiency and reducing the risk of resource depletion. Rosenberg (1974) noted that technology plays a significant role not only in production but also in the reduction of waste from resource consumption activities. According to this approach, man should master nature by use of technology in the satisfaction of basic needs and wants. The approach is mainly used in developed countries where the focus is on the efficient production of goods through the use of instruments and institutions which are technologically sound and progressive. Emphasis on the use of new technological innovations is evident in the fields of dry land farming, (Mwenzwa, 2011), use of fertilizers, artificial insemination, hybrid seeds, deep sea fishing and surveillance of marine traffic among others. This view of the use of technology has however, shown an impression that developing countries have not fully utilized their resources for development due to the use of traditional or archaic technology. Food security in many developing countries has been enhanced by use of technological innovations such as irrigation and use of artificial insemination for better breeds.

Before the use of any technology for the exploitation of a natural resource there is a requirement for a feasibility study to ascertain the possible consequences of its application to the environment (Republic of Kenya, 1999). Therefore, this necessitates the carrying out of an environmental impact assessment and consequently making recommendations to a

developer on either the possibility or impossibility of a development endeavor being feasible. The Environmental Impact Assessment (EIA) exercise in Kenya is a requirement before approval of any major development project is done as provided for in the Environmental Management and Coordination Act of 1999 (Republic of Kenya, 1999).

Practical examples of the use of the technological approach in resource management include the use of helicopters in monitoring wildlife (as happens in Kenya where the Kenya Wildlife Service monitor elephants movement using helicopters), electric fencing of national parks to reduce poaching (also common in Kenya, like the Abadares and Mt. Kenya national parks), human-wildlife conflicts/domestic-wildlife conflicts (reported in many national parks such Nairobi, Tsavo East and West in Kenya), milking animals using electricity for maximum production- brought about by the concept of zero-grazing, use of hydropower for generation of electricity for example the Seven-Fork dams and Turkwel in Kenya, wind power for energy generation, rail, road, water transport, slope terracing, rehabilitation of derelict land, construction of dykes to reduce flooding (for example Budalangi area in Western Kenya) and its associated destructive consequences.

This approach has however, been criticized on the ground that it does not take into account the social factors in resource management for example the value system of the host community where the resource is being managed. In addition, the use of technology is associated with large scale development of resources with its resultant negative effects such pollution of the environment, e. g. road construction (generates a lot of dust, displaces animals and birds, destroys vegetation etc), mining (leaving excavated areas as breeding grounds for mosquitoes and also exposes human beings and animals to dangers of drowning especially if such excavations collect water). In conclusion, this approach is ideal for resource development and management as long as technical dilemmas such as pollution, incompatibility with local cultures and excessive resource extraction beyond the regenerative capacity are addressed.

## Ethnological Approach

The ethnological approach stipulates that public interest should be an integral part of resource management. Cultural differences according to this approach in part influences the way people perceive the use of resources within their environments. There are four main cultural themes which influence the use of resources including success, efficiency, progress and democracy. This approach focuses on three main issues as far as resource management is concerned:

I. Value attached to a resource by the host community-what a community perceives about a resource determines how it will utilize it for development. For example, in the lowlands of mountainous areas of Uganda, mountains are feared because they are believed to harbor some supernatural spirits. Therefore mountainous resources remain untapped for development.

II. Institutional arrangements-this refers to a composite of administrative structure, laws, politics, financial provisions, customs and behavior organized to deal with resource management issues. Institutional arrangements are important because all resource problems are fundamentally institutional in nature. Therefore the success or failure of resource management is dependent on how structured institutions are. Such institutions would include government agencies involved in resource management such as the Kenya Forest Service, Water Resources Management Authority in Kenya, while informal structures include the forest and water users associations amongst others.

III. Cultural consistency, which involves judgment of the degree of conflict or conformity of a resource management aspect with the politics, tradition or expected modes of behavior in a particular community. It calls for the development of resources on the basis of local community guidelines and priorities. In many developing countries, this takes the form of community based natural resource management (CBNRM). However, this approach has often brought about conflicts between the educated and the uneducated members of society with each pulling their direction. For example, the educated prefer the use electricity and biogas while the uneducated would have sanitary challenges in handling cow dung for biogas production (Berkes, 1989; Diamantes, 2004).

The ethnological approach therefore emphasizes on the need to assess the direction and magnitude of public attitudes and preferences as far as resource use is concerned. It calls for an in-depth identification of community issues including institutional arrangements before a resource is ultimately developed so as to reduce inconsistencies and conflicts which may arise between and amongst users. This partly calls for resource use planning with the active participation of all the users which can be achieved through social impact assessment to capture community inputs (Redclift & Woodgate, 2005). Mostly, Non-Governmental Organizations undertake such impact studies, therefore a government agency interested in using this approach for resource management would easily obtain such information from NGOs.

In summary, resource management is a decision making process in which optimal solutions regarding the manner, timing and allocation of resource use are sought within economic, social, political and institutional frameworks. Therefore the different approaches to resource management complement each other, where each cannot be used independently to adequately address the allocation of resources. All the approaches have different goals, but are expected to cumulatively achieve ecological stability, technical feasibility, cultural consistency and economic viability.

### **Environmental Ethics**

Ethics refer to a branch of philosophy which seeks to define fundamentally what is right and what is wrong, regardless of cultural differences. For example, most cultures have a reference to life and feel that all individuals have a right to live. It is therefore unethical to deprive an individual of life. Morals on the other hand reflect dominant feelings of a culture about ethical issues e. g. it is unethical to kill someone, but when a country declares war on another country, most people accept the killing of the enemy. Environmental ethics are founded on awareness that humanity is part of nature and that nature's many parts are interdependent. In any natural community, the wellbeing of the individual and of each of species is tied to the wellbeing of the whole (Systems approach). As such, in a world increasingly without environmental borders, nations, like individuals should have fundamental ethical responsibility. These are intended to respect nature and to care for the earth, protecting its life support systems, biodiversity, and beauty, caring for the needs of other countries and future generations (Brennan, 1995; Cutter, et al, 1991). There are three environmental ethics:

## **Development Ethic**

This ethic is based on action and assumes that the human race is and should be the master of nature and that the earth and its resources exist for our benefit and pleasure. This view is reinforced by the work ethic, which dictates that humans should be busy creating continual change and that things which are bigger, better and faster represent 'progress' which is in itself good. This philosophy is strengthened by the idea that 'if it can be done, it should be done', or that our actions and energies are best harnessed in creative work. The dream of upward mobility is embodied in this ethic. The applicability of this ethic is demonstrated in the various development projects which make use of environmental resources. Such activities as manufacturing and processing of natural resources evidently illustrate how human beings continuously harvest resources for development. However, in pursuit of development, little effort has been demonstrated by entrepreneurs in resource replenishment especially in sectors such as forestry, soil and wildlife. This has often led to challenges such as soil erosion especially in high potential areas, deforestation and extinction of certain animal and plant species. For example, in Kenya major mammals referred to as the 'big five' are currently endangered.

## **Preservation Ethic**

This ethic considers nature to be special in itself and its proponents differ in their attitudes towards the reasons for preserving nature. Some preservationists have an almost religious belief regarding nature. These individuals hold a reverence for life and respect the right of all creatures to live no matter what the social and economic costs. Preservationists also include those whose interest in nature is primarily aesthetic or recreational. They believe that nature is beautiful and refreshing and should always be available for picnics, hiking, camping, fishing or just for peace. There are also preservationists whose reasons are purely academic, they argue that the human nature/species depend upon and has much to learn from nature. The establishment of national and marine parks, animal and bird sanctuaries, snake parks, animal orphanages, game reserves, botanical gardens and animal zoos are all examples of how the human race has demonstrated the importance of preserving nature.

## **Conservation Ethic**

It recognizes the desirability of decent living standards but works towards a balance of resource use and resource availability. This ethic stresses a balance between total development and absolute preservation. It further emphasizes that rapid and uncontrolled growth in population and economics is self-defeating in the long-run. The goal of the conservation ethic is 'one people living together in one world indefinitely. Many governments of the world have put in place measures to practice this ethic through implementing the principles of sustainable development. Focus is laid on addressing the needs of the poor for they are both agents and suffer from environmental degradation. Most notable of the principles are the public trust doctrine, the precautionary, the intergenerational, the intra-generational and the polluter pays principle (Pimentel & Hens, 2010). Such principles in Kenya can be seen to have been implemented in the conservation of water bodies such as rivers and lakes against pollution from slaughter houses and flower farms. The National Environment Management Authority (NEMA) occasionally conducts analysis of pollution elements from factories and other processing bodies to establish pollution levels and institutes appropriate penalties. This is done through its standards and enforcement committee.

## **Resource Use for Development**

According to Desai and Potter (2008), the environment and development are inter-related and that while the basic aim of development is satisfaction of man's needs, the environment always provides an opportunity to users to satisfy those needs. Whereas these needs are universal, the availability of raw materials for their satisfaction varies from country to another. The extraction of the materials, their processing and subsequent utilization is dependent on a peoples' culture, level of development and their level of technology. Traditional societies for example would extract ripe wild fruits, harvest honey and drink raw water from rivers and streams. With the advent of technology, increase in human population and changing consumption patterns, there is an emergence of diseases and new ways of food preparation which has since compelled the traditional societies to adopt new ways of doing things. This has seen widespread consumption of processed foods, treatment of water before drinking and changes in the types of food consumed with preference to western food. The use of

technology is also evident in storage of perishable goods as opposed to traditional methods of food preservation such as salting.

Virtually every development endeavor whether in developing or developed countries derive its raw materials from the environment (Kane & Salmen, 2006). The energy sector especially in rural areas for instance entirely depend on wood as a source of fuel, which may be used as firewood or charcoal. In addition, energy sources such as electricity depend on water, though in most cases neighbor communities to hydroelectric power plants are rarely supplied with electricity. Transmission of electricity in many developing countries rely on wood poles which again places a lot of demand on trees as raw materials which requires afforestation and reforestation programmes to be implemented alongside farm forestry activities. Agriculture remains the main economic activity in rural areas and employs over 80% of the rural population in Kenya.

For a steady supply of food items, this sector requires a lot of development especially on new methods of production, provision of high yielding crop varieties and animal species including better methods of preservation. Meaningful development would be expected in any country if the cost of food is affordable, and food being available in adequate quantities and qualities everywhere. For realization of food security, the water sector ought to be well developed so that farmers move away from over-reliance on rain water which currently remains unreliable as a result of climate change, many competing users and destruction of water catchment areas. Irrigation provides a perfect solution to crop production, with adoption of techniques such as drip irrigation and greenhouse farming which has low water losses. By using this method for crop production, cases of total or partial crop failure will drastically reduce.

All the productive sectors of any economy rely on environmental resources as either inputs or to serve the absorptive function. Processing and manufacturing industries are heavy users of water in all their operations. In addition, they rely on the environment to provide raw materials for processing of end products, for instance, textile industries depend on cotton gin for production of fabrics. Equally, these industries produce various types and forms of waste products ranging from solid, liquid to gaseous. Waste water from industrial operations though treated, may not be up to levels which are safe for human consumption. Such water is discharged to the environment; either land or water which is then absorbed by the

environment. In many urban areas for instance, in towns, litter is strewn all over, especially plastic containers, plastic bags, bottles, cartons and food remains which find their ways in water bodies causing pollution and killing aquatic life. By extension, such pollution could be quite high as to cause downstream water untold suffering especially in treatment of waterborne diseases such as cholera, typhoid and also denying them sources of livelihood such as fishing, if such fish die from consumption of toxic water.

### **Challenges to Natural Resource Management**

Globally, the poor remain a challenge to natural resource management. Poor people are both agents of destruction of natural resources and sufferers of resource depletion (Sorlin & Sandberg, 1998). This is even worse for those in rural areas as they entirely depend on natural resources such as water, vegetation for subsistence needs. Common environmental problems in rural areas include soil erosion, deforestation, wildlife poaching, water pollution as a result of poor agricultural practices and poor waste disposal methods especially human waste.

The exodus of people from rural to urban areas creates pressure on available facilities in urban areas. Pull and push factors of migration are responsible for this state of affairs. Expansion of urban areas means that various ecological areas are converted to urban use to accommodate urban infrastructure. In the process, animal migratory routes, animal breeding areas are interfered with. The increase in human population in urban areas also leads to generation of a lot of waste products which the environment may not be able to absorb and which further destroys micro-organisms, and act as pollutants to plants and animals.

Coupled with urbanization is industrialization which remains one of the major challenges to natural resource management. Westernization of cultures has brought with it the need to process virtually every resource before consumption. Many industries are being established to process various raw materials into finished products. Given that land is a finite resource, and that urban areas are already congested, currently expansion of industries tends to move towards unoccupied lands which in most cases may be forest areas. Such developments cause loss of important animal and plant species which would be useful for ecological balance.

The rising human population especially in third world countries remains a key challenge to resource management. In Kenya for instance, the fertility rate stands at about 3.5% meaning that approximately one million children are born every year; this places a high demand on goods and services for satisfaction of various human needs. If the issue of population growth remains unchecked, the rate of resource degradation may increase and with time, certain resources may be depleted.

Changing lifestyles and consumerism which has been adopted from the West by third world countries are another set of challenges to resource management. Consumption patterns have changed as a result of the introduction of western culture in many third world countries. Poor planning for waste disposal generated adds to the problem of consumerism. Equally, weak implementation of waste disposal policies by agencies concerned is responsible for degradation of natural resources.

### **Recommendations**

Natural resource management is critical for the survival of mankind. Generations to come require various natural resources for the fulfillment of their needs and subsequent development. For this to be realized there is need for an all-inclusive natural resource management program. Stakeholders in resources management should be widened to include academics, the public, the business community, conservationists and incorporate contributions from indigenous knowledge systems.

Given the enormous mandate of governments in dealing with public issues, the role of resource management should be not be entirely a government responsibility, communities' capacities need to be built to be able to complement government efforts. This can be achieved through continuous trainings at the lowest levels in natural resource management. Establishment and subsequent strengthening of local institutions such as Community Based Natural Resources Management committees is instrumental in complimenting government efforts in resources management. Such efforts have been found to be successful in countries such as South Africa and Uganda; this could be replicated in other countries to enhance resource management.

Budgetary allocations to resource management in many countries remains a major challenge to resource management, this is in addition to weak implementation of natural resource management policies. There is need therefore to increase resources meant for natural resources management which includes monetary, equipment and personnel and ensuring that there is full implementation of policies irrespective of groups involved or politics behind resource degradation. Development and environmental resources management are inseparable. Any development activity should take into account resources management. The use of incentives and penalties could be used to encourage desirable activities and penalize undesirable activities which degrade environmental resources as such resources are required to satisfy the needs of both the present and future generations.

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# 12

## Role of Devolution in Enhancing Transparency and Accountability in Kenya<sup>1</sup>

*Joseph Misati Akuma*

### Introduction

Equity among human beings and their right to equal respect and dignity has been a key tenet of intellectual discourse since ancient times (Finley, 1983; Farrar, 2008). Early classical writers in the western world emphasized the notion that human beings deserve equal treatment in order to safeguard their dignity and respect as inherently equal beings (Smith, et. al, 2003; Meier, 1988). Inequity remains a major concern in Kenya with an estimated 56% of Kenyan households living below the poverty line (World Bank, 2008). At independence in 1963, Kenya inherited a highly unequal and inequitable society on various facets, key among them inequity in entitlement to political, civil and human rights<sup>2</sup>. The Kenyan government devised a policy paper, Sessional paper No. 10. of 1965 on African Socialism and its application to Planning in Kenya aimed at expediting the process of nation building<sup>3</sup> and addressing the disparities and inequities inherited from the colonial government. More recently, the Kenya vision 2030 which preceded the Economic Recovery Strategy for Employment and wealth creation (ERS 2003) aims at creating a cohesive, equitable and just society based on democratic principles and issue based politics grounded on the

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1. The earlier version of this chapter was presented at the 3rd Global Conference on Transparency research HEC Paris, October 24th - 26th, 2013. The financial support by the French Ministry of Foreign Affairs, Paris and Université de Pau et des Pays de l'Adour is acknowledged.

2. For a detailed discussion of the historical background to Kenya's regional inequalities, see: Bigsten, A (1980) Regional inequality and development: A case of Kenya. Gower Publishing, London.

3. According to Ochieng (1989), Nation building was understood to refer to elimination of poverty, disease and Ignorance and the emergence of a relatively egalitarian and participatory society.

Country's rich and diverse cultures<sup>4</sup>. The social equity component in the social pillar has as its objective among others to provide equal political liberties and entitlement to human rights for all. The political pillar aims at the realization of equality of participation in the making of major policy decisions by all citizens regardless of one's sex or age. It outlines nine (9) governance principles among them; Gender Equality and public participation in governance by providing wananchi<sup>5</sup> with the right to participate in all development policies through representatives chosen in free and fair elections (Republic of Kenya, 2007).

### **The concept of Devolution**

Devolution is the effective transfer of powers and responsibilities to local governments making them partially or wholly responsible for formulating, implementing, and financing policies (Daflon, 2012). It is a political arrangement in which power be it political, administrative or fiscal is distributed to the territorial units and often entails the creation of semi autonomous local level decision making centers, which are accountable to their constituents, rather than the central government (Misati& Ontita, 2011). According to Oloo (2006) devolution is characterized by granting of autonomy and facilitation of downward accountability. Devolution can also be seen as a form of decentralization in which the local governments (Counties) provide services to satisfy the needs of the constituents, while remaining subject to their control and direction. It involves the creation of several governments below the national level to accord citizens the Opportunity to manage their own resources more effectively and for political participation<sup>6</sup> (Ndulo, 2006; Barrett et. al, 2007). Cheema et. al, (1983) contend that devolution is a practice through which the authority to make and implement decisions in selected spheres of public policy is conferred to lower levels of government by law. It is characterized by independence from central authorities, separate or legal status and reciprocal governance.

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4. Among the primary forms of diversity in the Kenyan society are: Ethnicity, race, socio - economic status, religion and natural heritage.

5. Kiswahili word meaning the 'local Kenyan Public' or Citizen.

6. Kenya scores poorly in participation and human rights compared with Cape Verde, Mauritius, South Africa, Botswana and Seychelles (Mo Ibrahim Foundation, 2010).

In a devolved system of government, the powers and functions are shared between the national and the sub-National governments. The national government retains those powers which it considers it needs to: Protect the sovereignty of the country, manage its economic and political relations with the outside world and preserve its territorial integrity. On the other hand, those reserved for the sub- national units (Counties) involves : Managing the economy of the sub – national unit, Social Development including Health, Social services, local government and the legislation on the subjects devolved to the unit (Massoi et. al 2009). It is anticipated that the instituting of devolved governance in Kenya will go a long way in addressing the numerous governance malfunctions which the hitherto adopted centralized system has not been able to rectify over the decades (Mwendwa, 2010).

### **Evolution of devolved governance in Kenya**

Kenya's constitutional history dates back to the pre- colonial period, when the country was declared a British colony in 1920. At the time, the legislative council (LEGCO) was dominated by the European settler representatives with only two Indian and one unofficial Arab representative with no African representative<sup>7</sup>. It was only in 1944 that the first African representative to the LEGCO was nominated<sup>8</sup>. The Kenyan Africans intensified their demand for self-rule, resulting in the instuting of the Lyttledon and Lenox – Boyd constitutions ~~in 1954 and 1958~~ constitutions respectively (Maxon, 2013). However, as the Africans who constituted 97% of the population<sup>9</sup> were significantly underrepresented in the colony's legislative executive branches in the political governance structure there was the universal rejection of the arrangement by the Africans. With the holding of the first elections in 1957, a group of nationalist legislators who were

7. See, Smyke, R. J (1957) Problems of political representation in Kenya, unpublished M. A Thesis. Boston University, Boston.

8. For details see, Ogot, B. A (1995) "The decisive years 1956 – 1963" in Ogot, B. A and Ochieng, W. R (1995) Decolonization & independence in Kenya 1940 - 1993. Ohio University Press, Anthens.

9. Out of the country's population of 8, 636, 263, at the time, the white settler population numbered 55, 759 and the Asians and Arabs were 177, 000 and 34, 048 respectively. Source : Republic of Kenya:1962 Census Advance Report of Vol 1 & 2.

elected rejected multiracialism and as a result led to the overthrow of both constitutions. This resulted in an about – turn on the part of the British Government and in 1959, moved the country away from multi racialism, opening the way for the rapid movement to an independent country under the rule of African majority.

Kenya attained political independence in 1963 as a constitutionally devolved state with various jimbos<sup>10</sup> vested with the responsibility of collecting of taxes and provision and maintenance of basic social services (health and education) and minor roads (Misati and Ontita, 2011). Fused into this federal structure (Which resulted from a compromise between the unitarists and the federalists) was a well-functioning local government system that had the potential of facilitating popular participation by the people in their governance (Wallis, 1994)<sup>11</sup>. However, by December 1964 when the country became a republic, the major opposition party, KADU crossed the floor and joined the KANU government, effectively making the country a unitary state with a centralized powerful administrative structure<sup>12</sup> in the name of the provincial administration comprising Provincial Commissioners (PCs), District Commissioners (DCs), District Officers (DOs), Chiefs and Assistant Chiefs in charge of Provinces, Districts, Divisions, Locations and Sub – Locations respectively.

At the centre of governance and development was the state, with the assumption that the state was a neutral actor whose primary aim would be to promote the interests of its citizens<sup>13</sup>.

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10. The country was demarcated into 8 regions (Jimbo) and 41 Districts in 1962 immediately preceding independence by the then Regional Boundaries Commission. Source: Report of the Regional Boundaries Commission, 1962.

11. Leonard (1995) has observed that despite a powerful pull of new interests that created substantial pressures for a new institutional framework in Kenya, the new political leadership opted for continuity of old structures, out of the fear that it could be unable to keep the new country and government intact.

12. The dissolution of KADU was a critical moment, setting the stage for three decades of single party rule in Kenya.

13. Development was perceived to be unlikely to succeed in the absence of a strong centre with means and resources to mediate interregional, ethnic or group competition for scarce national resources.

However, as it could soon be realized, the centralized governance approach failed to achieve the objectives of national unity, socio - economic development and political stability<sup>14</sup>. The 1971 “Ndegwa Commission on Public Service structure and remuneration” report<sup>15</sup> recommended that the planning process be extended to the district and divisional levels. In the subsequent year, The ILO report recommended that the Kenyan government institute Integrated Development planning in order to accelerate balanced growth and reduce the huge regional inequalities that were attributable to past centralized development planning approaches. In the ensuing National Development Plan of 1974/78 Period, the recommendations from the two reports were incorporated hence the evolution of districts as foci for rural development administration, with the District Commissioners (DCs) becoming chairs to the District Development Committees (DDCs)<sup>16</sup>. One decade later, in 1983, the District Focus for Rural Development (DFRD) strategy was launched by then President Moi, effectively tasking DDCs with the responsibility of planning and implementing District-Specific projects and to encourage local participation in order to improve problem identification, resource mobilization and project design and implementation<sup>17</sup>.

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14. Although the country’s economy grew at an impressive growth rate of about 7 % per annum during the first decade of independence (1963 - 1973) the population was generally poor with high rates of income inequality, unemployment and poor access to educational and health services coupled with the ascendancy of politics of control and authoritarianism.

15. The commission of Inquiry was tasked to come up with a strategy to broaden the base of rural development by encouraging local initiatives that would complement the ministry’s role by problem identification, resource mobilization and project implementation at the grassroots level. For details, see Kenya Republic of (1971) Report of the Commission of Inquiry (Public Service Structure and Remuneration Commission) The D. N. Ndegwa, Commission Report. Nairobi: Government Printers.

16. It was hoped that by making the District (s) the focal point (s) for development, the government stood to achieve the goals of rural development: Uplifting the living standards of the rural inhabitants, Correct imbalances existing between different districts, reduce rural urban disparities in income differentials, social infrastructure and general standards of living. (Godia, 1984).

17. Detailed discussion of the origins, objectives and the problems of the strategy and its evolutionary adjustment are treated in Moi, T. D (1986) Kenya African Nationalism: Nyayo philosophy and principles. Macmillan, Nairobi.

To guide the implementation of the strategy, the Government published the “Blue Book” which outlined how the strategy was meant to work. The initiative was, however, found deficient on account of: Domination by civil service personnel, such as, the DCs, Use of centralized system of funds allocation and failure to deploy staff to the grassroots (Chitere and Monya, 1988).

With this mode being predominantly pervaded by the political class, politicians began to engage in politics of patronage to buy political support, resulting in a chain of patron – client relations stretching from the head of state as the grand patron down to grassroots level<sup>18</sup>. Resources meant for public development were subsequently diverted to buy political support<sup>19</sup>. One other consequence of the practice is that it encouraged corruption<sup>20</sup>, making it difficult to obtain government services without either offering *Kitu kidogo*<sup>21</sup> or seeking the intervention of a “powerful individual”, what became known as the politics of “whom you know” which entailed going through an intermediary in order to get served in a public institution. Due mainly to the destruction of government institutions and corruption, by the early 1990s the institutions were a pale shadow of what they were in the first two decades of independence with poverty deepening and close to 60 % of Kenyans living below poverty line (MPND, 2000).

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18. Moreso, unlike President Kenyatta who relied on the Provincial Administration per se to directly control from the office of the president to maintain control of the localities, with a 1982 constitutional amendment establishing a de jure single state in which only members of KANU could serve in parliament, Moi used the ruling party KANU to suppress opposition at grassroots - leading to political strife in the districts aimed at controlling the local party branch. This further stifled the District as a focal point which served as a focal point for development.

19. Political patronage whose networks became the main avenue for distributing development resources became relatively widespread in the mid 1980’s compared with the period before the inauguration of the DFRD strategy in 1983.

20. The presidential working party appointed by the newly elected second president of the republic of Kenya, Daniel Arap Moi to review statutory boards with regard to urgent financial, Administrative and operational problems found out that the chief problem was corruption and inefficient managers. (Grosh, 1991).

21. Literally translated as ‘Something small’ – The common practice in Kenya is that to obtain a service from government, one has to follow up, however, straight forward the matter is and the service is only forthcoming upon offer of a bribe by the beneficiary.

At the close of the last century a combination of pressure from the donor community and local civil society organizations compelled the government to introduce reforms with a view to democratize<sup>22</sup> governance and enhance productivity and economic growth (Rocaboy, et. al. 2012). In 2005 a new constitution was proposed by the attorney General (the Bomas draft followed by the Wako Bill) and rejected by popular referendum in November of that year. After the 2007 / 2008 Post - election Violence, a new constitution was proposed by the “committee of experts” and put to a referendum in 2010. The new constitution amongst whose most far reaching provisions was the devolution of governance to 47 Counties was passed with a majority of 66. 6 % of votes in favour<sup>23</sup>.

From the foregoing what has clearly emerged is that during the pre – independence period, the major grievance among Kenya’s populace was that of unequal representation of the various races in the country’s political process. Upon attainment of independence the focus quickly shifted to that of the fear by the smaller ethnic communities being dominated by the larger ones<sup>24</sup>, a matter that has persisted during the five decades of the nation’s self – rule<sup>25</sup> but gaining tremendous momentum as a twenty first century Kenyan discourse in the current decade.

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22. As Brennan et. al (2004) notes, democratization has been cited as one of the key drivers of Socio- economic and cultural transformation of the contemporary world.

23. The law was promulgated on August 27th, 2010, but it will be implemented gradually in line with transitional Procedures set out there - in. For details see: Republic of Kenya (2010) Kenya’s new constitution –Article 10 Chapter. 6.

24. KANU’s (dominated in its leadership by the majority Kikuyu and Luo tribe) policy statements towards land and the general question of economic planning and development tended not to be favoured by the migrant and the small African tribes which feared the emergence of a strong and centralized government. Henceforth, KADU decided to champion the need for minority protection by supporting the setting up of a Quasi – federal government which gave reasonable authority to regional governments: Kenya, Republic of (1973) Kenya: An official handbook. East African Publishing House. Nairobi.

25. The tribal issue has long been closely linked to the questions of decentralization and hinders the process (Thierry Madies, Chapter 6 Decentralization: A comparative and cross cutting analysis of the stakes. PP 265 - 286).

## **The New constitution, Devolution and Transparency & Accountability**

The 2010 Constitution significantly altered the configuration of the political landscape in Kenya by establishing new elective offices. At the national level, a Bi - Cameral legislature with a national assembly and senate were introduced. Similarly, a devolved system comprising 47 county governments headed by an elected governor, county assembly and county executive were created.

According to Article 174, Chapter 11 of Kenya's newly promulgated constitution; the main objective of devolved governance is to promote democratic and accountable exercise of power and enabling self-governance of the people towards their interrogation of the State (Kenya, Republic of, 2010). Among the governance values and principles provided in Article 10 (2) of the Constitution are "sharing and devolution of power", "democracy and participation of the people", "inclusiveness" and "transparency and accountability". Pursued to their logical conclusions, these provisions should ensure citizen participation, which however, invariably sits uncomfortably with the political elite<sup>26</sup> (Ndegwa, et. al (2012). Decentralization has been increasingly seen and adopted worldwide as a guarantee against discretionary use of power by central elites as well as a way to enhance the efficiency of social service provision<sup>27</sup> by allowing for a closer match between public policies and the desires and needs of local constituencies (World Bank, 2008). In Kenya devolution is viewed as a means of democratizing governance and enhancing public participation, accountability and equitable development (Juma, 2008). Ideally, devolution should bring about closer contact between leaders of devolved government units and local populations and access to information is likely to be easier and hence accountability. Additionally, the proximity enhances electoral accountability as local citizens are able to gauge the performance of local leaders.

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26. The fear of competitive politics has remained an underlying characteristic in the Kenyan political scene since Independence. Wanjala et al. (1996) *The anatomy of Corruption in Kenya*. Claripress, Nairobi.

27. For instance, Studies have shown that In Karnataka - India, decentralization improved government performance and limited corruption (Crook and 1998:22).

Local accountability will also be enhanced through the process of participation in lower levels of government, fostered through individuals and groups that monitor government bureaucracies.

### **Enhancing transparency and accountability**

The new Kenyan constitution introduces national rules and principles of governance<sup>28</sup> and as already pointed out outlines an adequate and enforceable code of ethics whose absence since independence created a public service bedeviled with the problem of corruption, poor governance, mismanagement of public resources and impunity amongst. Furthermore, within the context of Kenya's recent political crisis following the disputed 2007 presidential elections, devolution can be a normative process of de-ethnicizing<sup>29</sup> the state and hence minimizing ethnic tensions through the creation of various sites of power for communities hitherto excluded from the centre<sup>30</sup>. Additionally, devolution increases the citizens understanding and support of socio - economic activities by participating and thus influencing the course of political action and development agenda at the grassroots. Another important benefit resulting from devolution is its potential to enhance efficiency and effectiveness through the principle of subsidiarity and transparency in the management of resources. Through democratically elected and competent local leaders, devolution can lead to prudent and efficient management of local resources, particularly if there are local systems of monitoring and accountability<sup>31</sup>.

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28. These include: Sharing and devolution of power, rule of law, democracy, participation of all people irrespective of their socio – economic and political standing in society, equity, integrity and transparency and accountability.

29. Interview with Koigi wamwere, 12th June, 2013.

30. For details see: The Draft Sessional Paper on Devolved Government. Nairobi, 2011.

31. See Nsibambi (1998) Decentralization and Civil Society in Uganda. Fountain Publishers, Kampala.

## Gaps and Overlaps: Outstanding issues and challenges

While devolution has often been perceived as a panacea to “centralism”, there is fear that it can create “localism “and thus undermine nationhood especially in Kenya where the power is devolved to “ethnically homogenous units”<sup>32</sup>. Secondly, devolution may create local “chiefdoms” meant to serve the interests of the political elite. More importantly there seems to be a myriad of outstanding issues that need to be tackled in order to clear the way for a smooth transition to county governance as espoused in the transition to devolved government act (2012). To begin with, there is an urgent need to settle the row between the National assembly (MPs) and the senate (Senators) and the Governors and County commissioners. The provincial administration, which has been retained following the appointment of County commissioners, “ought to accord with and respect the system of devolved governance”<sup>33</sup>.

Secondly, Inter - governmental relations, an important principle in realizing synergy between the two levels of government which are inter - alia distinct and dependent should be worked out. According to the Intergovernmental Relations Act (2012), the governments shall conduct their mutual relations on the basis of consultation and cooperation (Kenya, Republic of, 2012). However it should be noted that for the cooperative government to be achieved, there is need to develop appropriate inter-governmental forums at national and lower levels (County) to deal with issues of alignment, integration and coherence to forestall fragmented service delivery (Malan, 2003).

Thirdly, the dominance and power of local elite has become an impediment to promoting transparent and accountable governance and institutionalization of democracy at the local level. Such powers would create avenues for them to create favorable conditions for manipulating

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32. Governance in Kenya has all along been structured around decentralized systems on ethnic brokerage (Andrienne (2011). For instance, at KADU’s insistence in 1961, the British Government granted the regionalism (Majimbo) arrangement to accommodate Non – African racial groups and KADU’s coalition of ethnic minorities, which – Though well intentioned from a representational point of view, worsened tribal fears and suspicions over land and power to the extent that it raised grave doubts over the nations stability (See Miller et. al, 1994).

33. Interview with Senator Beatrice Elachi – Chief Whip of the Jubilee Coalition of parties on 16th June, 2013.

the county government and dominating in the participation in the local level decision-making process and thus, making them an appendage of the central government.

Fourthly, as the national government will share some functions with county governments, there are fears that the grand corruption prevalent at the national level may be “devolved” to the county level, thus infecting the new outfits with the vice (Omari, et. al, 2013).

Political goodwill is significant for creating a friendly environment for mobilization of grassroots participation and sustenance of policy coherence and an environment in which to monitor accountability<sup>34</sup>. There is need for the political leadership of the county to set targets on public accountability and strive to achieve them. In Kenya it has been the practice for the political leadership to offer lip service other than committing to promote public accountability in the country. Currently, there is suspicion of a conspiracy to cripple the senate and return the country to the constitutional order which obtained between the 1960s and 1991. If this happens, it will imply “killing the devolved government at birth” as it did happen in 1966<sup>35</sup>. Additionally, the need to consider conditional grants to county governments will come in handy in light of the huge deficits in their budgets. The funding will be important as this will also enhance the mitigation of possible shortcomings of the equitable share transfer formulae in the counties (World Bank, 2012).

With regard to the Constituencies Development Fund (CDF), although the constitution does not recognize any pre – existing decentralized funds, Article 207 (1) provides for the establishment of a revenue fund for each county “into which shall be paid all the money raised or received by or on behalf of the county government<sup>36</sup>. Article 202 (2) provides that County governments may be given additional allocations from the national government’s share of the revenue, either conditionally or unconditionally. Introduced in Kenya in 2003, the Constituency Development Fund (CDF)

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34. The Standard Newspaper 13th June, 2013.

35. Interview with Senior Counsel Gibson Kamau Kuria on 10th June, 2013.

36. Interview with Kembi Gitura – Deputy Senate Speaker on 16th July, 2013.

has been one of Kenya's most popular development initiatives<sup>37</sup>. It was adopted from India and the Kenyan model served to further popularize the fund and. A 2010 International Budget Partnership report cites Southern Sudan, Philippines, Honduras, Nepal, Pakistan, Jamaica, Solomon Islands, Tanzania, Malawi, Namibia, Zambia, Uganda, Ghana, Malaysia, as countries implementing one form of CDF or other. As part of the implementation of reforms emanating from the new constitution of Kenya (2010 ) the revised CDF act was passed by the Kenyan parliament in January 2013, effectively perpetuating the non – transparent management of the fund by the members of the national assembly as had been the case before the promulgation of the current constitution.

Whereas the revised act seeks to minimize the MP's role in the implementation of the fund at constituency level by providing that local committees be constituted by citizens themselves and the MP serve only as patron, the CDF Board remains captive to parliament's whims due to the failure to safeguard its independence and accountability to the public. The act also establishes planning and coordination committees which are likely to duplicate those established under the County Government Act2012 and hence, it is not sufficiently integrated into the imminent County structures. The act also contains no accountability provisions unlike the devolution laws which provides explicit accountability provisions meant to inculcate a culture of public officer answerability and transparency (Article 232). Also, as was the case previously, there seems to be little community knowledge of what is going on regarding the utilization of the fund (Transparency International, 2013).

Presently, majority of Kenyan citizens have openly expressed pessimism on the future success of county governance in the country, citing recent media reports indicating that there is corruption in procurement, nepotism in recruitment and general lack of accountability. However, according to Robert Godec it takes a long period of time to build a strong democracy and implant effective governance<sup>38</sup>. Thus, as the new system takes shape, it will take some time before Kenyans begin to fully enjoy the fruits of devolved governance.

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37. Interview with Hon. Muriuki Karue – Former Member of Parliament and Architect of the Constituencies Development Fund on 20th March, 2013.

38. Address to the African Regional Governance best practices conference held at the Whitesands Hotel, Mombasa on 20th July, 2013.

## **Towards transparent and accountable governance**

Arising from the above analysis, the following suggestions are provided on how the counties can be utilized as important arena (s) to enhance public accountability in Kenya:

### **Adoption of Social Accountability systems for transparent governance at the county level.**

Transparency and accountability are important prerequisites in the realization of good governance and an effective democracy. For this to happen, adequate laws and regulations have to be formulated and implemented. However, it is important to note that the constitutional laws alone are insufficient<sup>39</sup> consequently; a social accountability system must be developed so that citizens are involved in preparing and analyzing public budgets. Social accountability refers to a broad range of methods and activities that citizen, Communities and other stakeholders use to hold public officials and civil servants accountable (Moore, et. al 2006). It includes the use of citizen report cards, Community monitoring of public service delivery, Participatory budgeting, public expenditure tracking and citizen advisory boards. According to Malena et. al (2004) it is an approach towards building accountability in which, it is the ordinary citizens or civil society organisations who participate directly or indirectly in exerting the accountability.

Social accountability is the more preferable for adoption in developing countries such as Kenya on account of the failure of the traditional mechanisms such as elections and civil led actions such as public demonstrations, protests, advocacy campaigns and public interest lawsuits to bring about the desired changes. Presently, elections are a very “blunt instrument” with which to hold governments accountable. Furthermore,

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39. Constitutionalism and the Kenyan reform agenda has always remained elitist, bent on the intent of serving and perpetuating the interests of the ruling class and devoid of avenues through which the citizenry can be mobilized and socialized into the process : Nyanhoga et. al (2008) Constitutionalism & Democratisation in Kenya, CUEA press, Nairobi.

the public demonstrations, protests and advocacy campaigns have been known not to bear adequate impact (The Star 6-4-2013) due to their loss of appeal to /and support of a sizeable chunk of the middle class<sup>40</sup>. Other important accountability practices for adoption at the county level includes: Participatory public policy making, participatory budgeting, public expenditure tracking, Citizen monitoring and evaluation of public service delivery. The social accountability mechanisms can, therefore, serve to complement and mutually reinforce a return to responsiveness; improved public service delivery and most importantly lead to the empowerment, particularly of poor people.

### **The CDF act, 2013.**

As already pointed out, Kenya's constituency Development Fund (CDF) has from time and again been noted to lack accountability, as there has been no regulatory framework governing the allocation of its funding nor standardized criteria for financial performance or performance on their use. This lack of transparency prevents the citizens from knowing what the government is doing with public resources. As with other public finances, making access to information a legal obligation will begin to create an institutional framework that will allow the scaling up of involving the public in monitoring the use of the public funds. Ultimately, this will aid in improving the overall budget transparency and accountability.

Secondly, there is an urgent need to review the CDF Act, 2013 to safeguard the independence of the planning and coordination committees and sufficiently integrate the fund into the imminent county structures. In the revised act, accountability mechanisms should be introduced so as to inculcate the culture of transparency and public officer answerability. The project committees must be made to display periodic financial and project status reports. There is also the need to form constituency oversight committees with a d e q u a t e representation of county citizens. These should make periodic visits to the project site (s) to inspect the ongoing

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40. Kenya's civil society was at the heart of all the most important governance struggles through the 1990's and into the first decade of the 21st Century but is now regarded as "Evil society" by majority of the country's middle Class (Opalo, 2013).

projects and books of accounts. The project committees must also be made to declare other sources of funding, in case of co-funding for community projects.

Thirdly, the often cited lack of knowledge on the part of the local constituents implies the need for continued provision of civic education at the grassroots level to educate the citizenry on new laws regarding the functioning and utilization of the fund.

Lastly, the constitutional Implementation commission (CIC), the body in charge of Constitutional implementation has voiced its concern with the unconstitutionality of the CDF Act 2013 and the existence of the Constituency Development Fund (CDF) as the CDF is not provided for under the devolved government (Standard 19. 04. 2013), hence the need to scrap it.

### **Awareness creation and Capacity building on the importance of participatory governance.**

Section 174 (a) of the Kenyan constitution describes democratic and accountable exercise of power as one of the objects of devolved governance. There is need to create awareness amongst both the duty bearers and citizens on what citizen participation is and its importance towards enhancing transparency and accountability. In addition, the duty bearers also require capacity building on participatory methodologies.

To begin with, Citizen awareness and empowerment is an important prerequisite for effective devolution and transparent governance to take root. For the citizens to be adequately involved there is need for awareness, not only of their roles and responsibilities but also the knowledge and skills necessary for their engagement. Before developing an appropriate training Curricula and rolling out the Civic education, the county governments should first of all carry out needs assessment and community profiling to determine the communities' training needs in their localities. Among the parameters to be gauged are: Local attitudes, Community Value systems, Literacy levels and the information and technological competencies of the local citizens and the general prevailing socio – economic and cultural profile (s). On the part of the county government officials, continuous training on basic principles underlying participatory methodologies will come in handy.

### **Adoption of e-Governance.**

Access to information is one of the strongest provisions of the new constitution. Unlimited provision of the information is an important tool for transparency and accountability. Article 35 of the constitution empowers the Kenyan citizens to have the right to information. The county Governments' statutes provide for "Citizens' service centres" to be established at the ward and even lower levels in the devolved governance structure (Kenya, Republic of 2011). They should be well equipped with appropriate information and communication technologies to aid in the provision of timely and efficient information services to the county citizens. As per section 27 (1) of the public financial management Bill (2012) Public Budget documents must be publicized and provided for public viewing within the stipulated time frame (Kenya, Republic of 2012). In order to create an enlightened and empowered citizenry with adequate ability to engage effectively in local development affairs at the grassroots, the county governments should strive to share information through the use of accessible channels of communication. These could include: County websites, Transparency boards, SMS and Local newsletters. The information should also be provided in formats accessible to a wide range of audiences including persons with disabilities and translated to local languages where necessary.

One shortcoming with regard to the right of citizens' unconditional access to information is that section 27 (2) provides that requested information may be declined "if the request is unreasonable or the person requesting for the information refuses to pay the prescribed fees or fails to satisfy the confidentiality requirements". This provision is open to abuse by unwilling public servants who may curtail the citizens' right to information on flimsy grounds. Secondly, the concept of confidentiality unnecessarily introduces barriers to citizen access to information, which should otherwise follow the "open access principle". The adoption of e - Governance both at the Central government and County levels will lead to a re- invention of service provision to the citizens. The service provision will work better, cost less and provide superb customer service (Salem, 2003). Furthermore, it will lead to improved performance of the government in terms of transparency and accountability (World Bank, 2003); Whitson.et.al, 2001)

in addition to providing a one stop shopping to access and transact the information they need via e – Government Portals and Websites.

### **Granting autonomy to County governments**

Whereas a lot of emphasis has been made on the need for the smooth relationship between the national government and county governments, there is need to equally grant unconditional autonomy to the county governments. The county governments should be granted autonomy to develop own policies and mobilize savings aimed at promoting investments within the areas of their jurisdiction. The counties should be encouraged to develop and implement projects whose focus should be the needs of the local constituents. In the end, the output of products and services at the county level should be contingent to the preferences and circumstances of the locality.

### **Mainstreaming transformational leadership in all spheres at county level**

In the last two years, the county governments have been conducting massive recruitment to fill up key positions for both policy management personnel and technical staff. The caliber of individuals recruited will determine the extent into which the county governments will deliver on their core mandate of creating transparent and accountable systems for effective governance and service delivery. The county governors have the duty and obligation to expand and develop the regional governments to cosmopolitan outfits that attract talent and skills. The recently formulated guidelines by the National Cohesion and Integration commission (NCIC)<sup>41</sup> should be adhered to in the recruitment process so as to enhance compliance to the new constitution of Kenya. Ironically, the current trend portrays a scenario where the counties are largely recruiting personnel whose descent is from their localities.

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41. A statutory body mandated to eliminate all forms of discrimination on ethnic, racial and social origin in Kenya.

For instance, when Governors nominated members of their executive committees, majority turned to locals and friends. Worse still, whenever the positions are advertised, it is only the locals who apply (Daily Nation 04-09-2013). This implies that devolution is promoting negative ethnicity<sup>42</sup>. To overcome the vice, transformational leadership should be emphasized in all sectors within the newly formulated county governance leadership framework to enhance high quality executive capabilities consistent with a rapidly industrializing country (Misati & Ontita, 2011).

Another challenge today is for the county leadership to position their counties to take advantage of the countries' social diversity. Kenya's ethnic identities provide social relations across the boundaries that can bond the regions (Counties) both economically and politically. This means building inclusive political communit(ies) that provide for diversity while at the same time differentiating the identity of a county from that of others. The County leadership should bear the responsibility for the images of their region (s). There is need to build bridges between counties and permit diversity to flourish in all (Albrow, 2001).

### **Restoring faith & Trust of Citizens on Devolution as panacea for Democracy building**

Kenyans have been said to be the most pessimistic people in the globe in so far as the restoration of true democracy is concerned (Daily Nation, 1-1-2013). This has been attributed to the incessant resilience of such vices as political violence, corruption, and ethnic discrimination since the re-introduction of competitive politics during the last decade of the 20th Century (Sundert, et. al 2009). In the run up to the first multi - party elections, there was systematic use of violence, a scenario that has persisted to date. In the 2013 corruption perception index, Kenya is ranked 139th out of the 176 countries. It is estimated that the urban Kenyan pays 16 bribes per month and despite market reforms, business corruption is common place and the public procurement sector in Kenya suffers widespread corruption.

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42. This is in contrast to Chapter 11, Section 174 (b) which states that fostering of national unity by recognizing diversity is a major objective of devolution.

It is recommended that the need to deal with the serious gap between the ruling elites<sup>43</sup> and the population at large and devolving and strengthening anti –corruption measures to the county level will restore the much needed confidence of the citizens.

Additionally, improving the legitimacy of the state will result from restoring the security of the citizens and increasing accountability to the entire Kenyan population. Everyone should participate in terms of free and fair elections and inculcate in the people a belief in a “shared sense of community” through numerous state and society initiated reconciliation efforts. Lastly, encourage a strong and vibrant civil society<sup>44</sup>, strong and independent media and the building of a sizable and influential middle class at the county level (s).

### **Expedite the functional assignment process and provide transparent assessment criteria**

The functional assignment process which began in November, 2012 has not been transparent and the functional assignment reports have not been released. The failure to accelerate and conclude the process may lead to lack of clarity as pertains to the roles and responsibilities between the two levels of government. The delay is also having a knock – on effect on sectoral policy realignment with far reaching implications on the counties’ takeover of services. Consequently, the national and the county governments may begin to trade accusations for service failures, and a chaotic transition could ultimately undermine public support for devolution (The star, 19-04 - 2013). There are also glaring gaps and deficiencies in the information that has been made publicly available about how responsibilities will be shared and a substantial number of confusing areas require immediate attention. These are; Immunization services, Agricultural extension work, Slum upgrading and programme management of water services at county level and construction and management of early childhood development facilities.

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43. Political leadership is primarily responsible for the creation and maintenance of motivation of the citizens.

44. One may argue, probably correctly, that although the Kenyan civil society has traditionally been characterized by an occasionally vibrant civic life at the national level, it lacks in links that connects constituents or activists at the local / grassroots level.

Also, the assessment of assets, liabilities<sup>45</sup> and personnel has not been transparent enough so that the citizens are fully made aware and involved. There is, therefore, need for the Transitional authority to avail the functional assignment and the assets and liabilities reports and generally ensure that the citizens are adequately involved in the transition process.

### **Review of the legal framework on Public procurement**

Article 227 (1) of Kenya's new constitution provides for a fair, equitable and transparent system of procuring public resources. The public procurement and disposal Act of Kenya has as its major objective to increase transparency and accountability in the procurement and disposal of unserviceable equipment (Kenya, Republic of 2010). The law is a product of various revisions starting with the 2005 Act. However, although the public procurement system has undergone tremendous review during the last decade, the Kenyan procurement system still faces a myriad of challenges. In 2012, for instance, the then Permanent Secretary for Finance noted that up to 30 per cent of the national budget is lost in procurement related malpractices (The star Newspaper, 19-08-2013). With the on-going passing over of key functions and funds meant for infrastructural development such as roads among others, the key concern being raised is whether the counties have the capacity to manage the funds efficiently and transparently. This scenario is worrying as it can create an environment in which misuse of public funds can potentially occur. As the nation implements the devolved governance structure, it is imperative to improve efficiency in the public procurement system for enhancing accountability in decision making structures and responsiveness to its citizens.

In order to promote accountability of the procurement system, public procurement audit and inspection at both the national and county levels will be essential. Assessment mechanisms aimed at ensuring compliance should be put in place. More importantly, the reform must prioritize the use of new technology i. e. e - Procurement aiming at transforming procurement fraud control.

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45. Most of the 47 counties have inherited huge debts from the defunct town and municipal councils. To help alleviate the debt burden, the counties should explore the available options of reducing the wage bill, including cutting down on the number of workers.

## Conclusion

For a long time, the widespread lack of accountability in governance in Kenya has been a hindrance to effective provision of public services and economic development. Instituting strong devolved regime (s) and democratic institutions with strong accountability and collaboration ability will turn - around the economies of the various counties and create the added value opportunities that they provide. The counties are the new frontiers of change offering creativity and strategic inclusive development as well as providing the platform for shared services, building strategic capabilities and optimism. Successfully implemented, devolution will enhance delivery of justice and equalization of rights and opportunities for all citizens and hence bring to an end the chronic human rights violations that have over the years provoked serious political, social and economic consequences.

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# 13

## Implementing Devolution in Kenya

### Prospects, Challenges and the Way Forward

*Sammy Mwangi Waweru*

#### Introduction

Decentralization of political power has become a contemporary feature worldwide as nation-states attempt to respond to emerging governance challenges. This has been witnessed in both developed and developing countries as they embarked on various forms of decentralization. The ever increasing altering of statecraft from national to local level has become a 'global trend' (Rodriguez-Pose and Gill, 2013). The underlying need to reconfigure the state is informed by the assumption and expectation that, decentralization would usher more advantages as opposed to shortcomings associated with centralized system. However, as evidenced by McGarvey (2012), it is not given that devolution is synonymous with all positive assumptions. Indeed, there are numerous case studies where devolution has failed to deliver as expected due to inherent faults. (Sonn, 201 ; Ebegbulem, 2011 ; McGarvey, 2012).

Kenya's colonial and post independent political history was marked with heightened centralization of power although independent constitution had provisions for a decentralised system. Decentralised system also known as majimbo was systematically undermined through numerous constitutional amendments that would render Kenya a highly centralized state (Omolo, 2010). It is this centralisation of power that has been blamed for major ills that have befallen the country. The clamour for constitutional changes and the eventual promulgation of the new constitution ushering in a devolved system of government has brought with it optimism associated with decentralization. Acknowledging that this is Kenya's second attempt at decentralized system of governance, there is valid concern on the trajectory the country is taking in implementing devolved system of governance. As the country embarks on the process of implementing devolution, the question is what are the opportunities and challenges the country faces in the process? What lesson can the country learn

from the past experience and from other successful implementation of devolved government? The objective of this chapter is therefore to identify opportunities and constraints to the devolution process with a view of making recommendation on the way forward.

In a bid to address the foregoing questions and in line with chapter objective, the study is organised into four sections and sub sections therein. Section one surveys the conceptual understanding on various forms of decentralization placing emphasis on Kenya's devolution model. Section two examines the centralization and decentralization debate in Kenya and the justifications for the adoption of devolved system of government. Section three focuses on implementation of devolved system of government in Kenya, while highlighting opportunities and challenges to the process. Section four concludes the chapter and recommends on the way forward for a successful implementation of devolution in Kenya.

### **Conceptualizing Decentralization**

Post-cold war era has been marked with a number of events that have restructured governance processes worldwide. Key among them is decentralization of power which seem to coincide with yet another phenomenon of globalization on the economic front (Sonn, 2010). Before delving much as to why this happening, it is worth understanding the concept decentralization and the theory behind it. From available literature, there seem not to be a universally accepted definition of the concept decentralization. Different scholars have offered different definitions depending on how the concept has been applied. Never the less, dispersal of decision making power from centre to lower level of government appears to be underlying feature associated with the concept decentralization. Related to this feature is what Nyajom (2011) captures quoting World Bank publications, that decentralization is informed by the principle of subsidiary. This implies that central government allocating some of its functions to lower unit/s of governance (Nyajom, 2011). To fully comprehend the concept, Omollo (2010) expounds three perspectives associated with decentralization, namely; of administrative, political and fiscal decentralization.

Expounding Omolo's three perspectives, administrative decentralization emerges to be most visible dimension that governments have adopted over time. De-concentration/de-congestion, and delegation, are the widely practised form of administrative decentralization. These forms of decentralization entail central government ceding some power to lower level government agencies or units with regard to policy implementation. Administrative decentralization is most favoured by many governments since central government still retains substantial amount of powers and plays supervisory roles to lower unit of governance. Related to administrative, is fiscal decentralization which also means that decision related to finances and its use are made by central government. This denotes lower level units or government agencies have minimum leverage if any, on financial expenditure on monies allocated by central government. On the other hand political decentralization suffices to be the most potent form of decentralization. Basing on Harold Lasswell (1936) classic definition of politics as being 'who gets what when and how', decentralizing political power would imply that lower level governments are empowered to determine how resources are distributed at local level. It is a long this line that transfer of decision making authority to lower level government is hailed as the key landmark to meaningful decentralization.

Devolution which is the focus of this chapter falls within the rubric of political decentralization. It is defined as the process of bestowing decision making and policy implementation functions to a legally constituted and popularly elected local government (ICJ, 2013). Omolo (2010) citing Muia, considers devolution to a situation where central government by law confers political, administrative and fiscal power to semi-autonomous regional government. The transferred power also entails enabling sub-national government to have some level of revenue generating capabilities. Closely associated to devolution is federalism which is a system characterised with twofold government where powers are separated and dispensed by the constitution between central (federal) and regional (state) government (Wheare, 1946). There are instances where distinction between federal and devolved system is blurred in countries that claim to practice either. In Nigeria for example federal government does not have state police and lack control over natural resources which are key features of a typical federal state like United States of America (Ebegbulem, 2011). On the other hand, Kenya's devolved system is anchored in the constitution which in is a reserve of federal system in recognition of state governments.

The demand for decentralization of power varies from one political system to another. In United Kingdom motivation behind the clamour for decentralization varied from one region to another. In Scotland, agitation for devolution is closely tied to national identity while in Wales it is considered to be a response to democratic deficit (Flinders, 2011). In Nigeria, a federalism debate was informed by politics of resource control spearheaded by oil producing regions (Ebegbulem, 2011). In Kenya, agitation for decentralization of power is informed by numerous problems the country has encountered.

### **The devolution Debate in Kenya**

Colonial administrators crafted Kenya as a unitary state with centralized institutions of administrations. Kenya was subdivided from national level to village level with an elaborate system of provincial administration. The extractive nature of the colonial government ensured they only concentrate in areas they were interested in. This would explain differentiated level of development at the height of independence (Omolo, 2010; Nyajom, 2011). Colonialist had perfected the art of employing the divide and rule strategy as they pitted different ethnic community to one another. These divisions would manifest itself in Lancaster conference in drafting of Kenya's independent constitution between two dominant political parties, representative a conglomerates of ethnic groups. KANU led by Jomo Kenyatta was made up of the two dominant ethnic groups of Kikuyu and Luo. On the other hand KADU had its support from small ethnic groups consisted of Luhya, Kalenjin, Mijikenda among others. Conflicting positions was to influence the kind political system the country would assume at independence. While KANU favoured the centralised system earlier established by the colonialists, KADU was in favour of a decentralized system. Among KADU supporter and those who were in favour of a decentralized system, there was overbearing fear that a centralised system would see Kikuyu and Luo dominate other minority ethnic groups (Gertzel, 1970). It is also noted that colonialist and white settlers were also in favour of a decentralised system with the belief it would safeguard their interests especially on land (commonly referred to as white highlands) in the country which they had invested heavily (Gertzel, 1970). Out of KANU compromise, the country adopted a decentralised system of government where power was dispersed to eight regions in the country. The majimbo system as it was referred was enshrined in the constitutions with clear provisions

on roles and responsibilities to regional governments. The governance system adopted at independence can be termed as devolution form of decentralization. This is premised on the fact that regional government had political, administrative and fiscal powers akin to what the country has reverted to.

The Kenyatta government immediately after independence was destined to scuttle attempts to realize a decentralized system of government. As alluded to earlier, devolution provision in the constitution were provided for as a compromise to avoid stalemate and delay in granting Kenya independence. From the onset, therefore, it was clear that the devolved system did not enjoy political goodwill for its implementation. In earliest indication of national government hostility to devolution, the central government failed to remit finances to regional government to run its affairs. What followed was a systematic repealing of the constitution to ensure the country assumes a centralised system of government. Apart from watering down devolution provisions in the constitution, Kenyatta, and the subsequent regime under Moi, also undermined other governance institutions. More profound was the interference with other arms of government's namely, legislature and the judiciary denying them of their independence. Since independence to early 1990s, there were more than thirty constitutional amendments that have affected dispersal of power and independent constitutional bodies (Taskforce Report, 2011). The resultant effect was the emergence of an all-powerful imperial presidency that had overbearing powers with no checks and balance.

Centralization of political power to one centre and a raft of national policies have for a long time been blamed for unequal level of development in Kenya. There is evidence that indicate skewed manner in which national resources were distributed. Kanyinga (2006) illustrates unequal level of resource distribution in Kenyatta and Moi regime with example health and education sectors. The study found uneven level of resource distribution in the identified sectors in favour of the president's region and support base. Resource distribution was to be determined by the person occupying political office, ethnic background, political affiliation and loyalty among other subjective criteria (Nasong'o, 2002). As power became more centralised and independent institutions undermined, the country become a one man show with overbearing of the presidency. Being close to state power become the only way individuals and regions could benefit from government services. There was valid concern on government composition which was characterised unequal representation of different ethnic groups (Kanyinga, 2006).

Constitutional and legal changes also had an impact on the manner electoral politics was conducted making election a fierce contest. From presidential, parliamentary to local ward level, elections were characterized by violent conflict. To make matters worse was the winner takes all system that ensured majority remain outside government. Ever since the introduction of multiparty system, the country has ever witnessed violence at every election cycle. The climax was the 2007 post - election violence that would initiate a process of examining underlying issues that affected the country. Marginalization in political representation in government, centralization of powers to presidency, unequal level of development to different regions is what informed the desire to restructure the state and call for decentralization.

National claim for decentralization of power, and more so devolution mirrored what was happening across the world. It is widely acknowledged that agitation for devolution is premised on past socio-economic and political claims (Cole, 2012). Indeed devolution is informed by the need to have power sharing, checks and balances in governance and decentralization of national resources.

Devolution is also supported on the basis that effective government is the one that involves a mix of both local (regional) and central government in decision making processes (Inman and Rubinfeld, 1997). Kenya's history under centralized system proved to major justification for devolution of power. There was very little to write home about the centralised system other than complains. There was widespread agreement that local community needed to be in control of their destiny instead of their decisions being made by central government. The involvement of local population, at local level in decision making would enable locals come up with policy solution that would address local problems otherwise referred to as 'local solution to local problems' (Jeffrey, 2002).

Devolution is justified for encouraging efficient allocation of national resources, promoting culture of political participation and protection of civil liberties and freedom (Inman and Rubinfeld, 1997). These justifications perfectly match the much needed reforms that Kenyans have for long yearned for. The desire for constitutional reform was seen as the only way out to empower the citizenry to control their affairs which was hitherto beyond their influence. These shortcomings associated with centralised power included but not limited to corruption, periodic cycle of ethnic

conflict, insecurity, unfair representation, unequal level of development among others (Task force report, 2011).

End of cold war and widespread of liberal democracy across the world marked the turning point for Kenya's agitation for constitutional reform proper. A number of piecemeal amendments to the constitutions were instituted to open democratic space. Key among them is the famous repeal of section 2 (a) of the constitutions to render Kenya a multi-party system (Throup and Hornsby, 1997). The successive elections that followed of 1992 and 1997, the opposition grouping that were agitating for reforms lost to then incumbent president Moi. It is until to 2012 that a combined opposition managed defeat the independent party KANU that had been accused of all the ills the country faced. However the winning opposition leader Mwai Kibaki soon realised the convenience of the system that existed and failed to institute the reforms that opposition stood for. Kibaki's National Alliance of Rainbow Coalition (NARC) government failed to deliver a new constitution in a hundred days as had promised during the campaign. Further, failure to honour pre-election agreement between the opposition parties that won the election was to play out on the kind constitution the country would adopt. Disagreements within the ruling coalition were manifested in a run up to 2005 constitutional referendum that saw government side lose. The winning side (Orange) would later transform into a political party (Orange Democratic Party Kenya) in readiness to 2007 general elections. The infighting witnessed in the ruling coalition government and highly charged and emotive campaign on 2005 constitutional referendum had set the stage for the forthcoming general elections. Divisions and hostilities and appreciating violent nature of Kenya's competitive elections since 1992 would manifest in 2007 general elections. The election was closely fought and marred with irregularities that the opposition claimed it had been denied of victory. It is this disagreement that led to a vicious violence never witnessed in Kenya. The magnitude of the violence rendered the country ungovernable while the purported winner of the election incumbent president Kibaki faced legitimacy crisis. It is widely acknowledged that the violence was clear indication of structural faults within the Kenyan society.

To address the crisis a national dialogue was initiated under the auspices of internationally community that set the roadmap constitutional change. Indeed the Koffi- Annan led national dialogues identified a raft of issues that country had always longed for. Land questions, unequal level of development and regional disparities, centralization of powers

were identified as issues that country needed to fix. The dialogue of also resulted in the formation of a coalition government that would oversee the drafting of a new constitution to address historical ills associated with centralization of power. It is the coalition government that would later oversee the enactment of new constitution in 2010 thus replacing the independent constitution that had undergone numerous amendments.

The 2010 constitution has been hailed as a major achievement to the people of Kenya because of its provisions. All the governance problems that have for long time dodged the country were in one way or another factored in the drafting of the constitutions. Major issues from presidential powers, separation of powers between arms of government, government architecture and citizens' rights are well captured in the constitution. Most important was devolution form of decentralization of power. With all the good provisions, the issue is to what extent the government and the people are ready to live, abide respect the constitution. The 2010 constitution has clear provision on manner in which it is to be implemented with specific transition timelines. Since 2010, rafts of provisions have been put in place as well as key institutions concerned with implementation of the constitution established. A number of commissions have been established that would see full realization of constitutional provisions. It has been four years since the promulgation and one year after the first general election under the new constitution yet the country has witnessed disagreement, finger pointing, and blame game in the implementation of the devolved system of government. The disagreements observed so far necessitate a closer scrutiny to point out likely prospects and challenges to the implementation of the constitution and most important devolved system of government which is the focus of this chapter.

### **Opportunities and Challenges to the Implementation of Devolution in Kenya**

Devolution is credited for promotion of democratic culture, fostering inclusivity in governance and most important equal distribution of national resources (Omolo, 2010; Oloo, 2010). With all the positive attributes associated with devolution, it is not given that the process would yield to desired outcome by itself. There are criteria used to benchmark any successful implementation of devolved system of government. Guess (2005) postulates that any political system considering implementing

devolution should factor three basic issues namely; background support, culture and institutions and technical design and sequencing. In addition for successful devolution central government is supposed to offer support through legal regulatory framework, adequate financing and having an independent oversight and control structures (Guess, 2005). To begin identifying opportunities and challenges this section begins by examining the architecture of devolution against the benchmark of successful implementation of the process.

Devolution in Kenya is anchored in the constitutions and relevant legal frameworks. Article 6 (2) of 2010 constitution describes the governments being at two levels. It goes further and describes them as distinct and inter-dependent, conducting mutual relations on the basis of consultation and cooperation. Chapter twelve of the constitutions provides the foundation of devolution giving clear roles and responsibilities between the two levels of government. It is the same chapter that identifies enabling laws to be enacted in support of devolution. Anchoring Kenya's devolution in the constitution and related legal provision is a major achievement that safeguards it from manipulation at political expediency. Constitutional provision on devolution have been guarded by strict mechanisms for any attempt to alter, amend or change nature of devolved system as provided in chapter sixteen article 255. This is unlike the first independent constitution which was very easy to manipulate and abolish the regions at presidents will through a compromised parliament. The level of autonomy given to county government makes them not to be agents of central government and therefore cannot be abolished at will. Relations between central government and county government are informed by three principles of distinctiveness, interdependence, consultation and cooperation. To augment constitutional provisions there is a requirement for parliament to enact relevant laws to give effect provisions on devolution. So far parliament has enacted and president has assented a number of bills into laws that give life to devolution in time.

Key legislations that a vital to functioning of county government are hereby identified. County Government Act 2012 which gives county government powers, functions and responsibilities to deliver its services. Inter-Governmental Relation Act No. 2 of 2012 which provides mechanisms for ensuring smooth operation between central and county government. Transition to Devolved Government Act No. 1 of 2012 provides a framework for a smooth transition from centralized system to devolved government.

Urban Areas and Cities Act 2011 provide a mechanism for classifying urban areas and cities across the country. Public Finance Management Act 2012 is also a legislation that has implications on county finances. There numerous legislation that are not directly related to county government that have also been put into place. The import of constitutional provisions and related legislation is a major prospect for Kenya's devolution process. Most important from enactment of the relevant laws is their implementations which seem so far to have taken on well. Kenya's devolution can be considered unique since it's anchored in the constitution a feat that is mostly reserved to federalism (Barrett et, al; 2007, Ebegebulem, 2011; Wheare, 1946; Omolo, 2010).

Another feat that is a prospect to implementation of Kenya's devolved system is clear constitutional provision of roles and responsibilities of two levels of government. Fourth schedule of 2010 constitution provides a clear demarcation on distribution of functions between national government and county government. Further is sixth schedule's provision for devolution of functions through enactment of relevant Acts of parliament over a period of three years from the date of the first general election under 2010 Constitution. The schedule also stipulates for a phased transfer of function to devolved units when they have met the requisite capacity. A major legislation is the Transition to Devolved Government Act 2012 which provides the criteria to be met before functions are transferred from the national to county government. A clear provision on type of services to be devolved plays part in resolving potential conflict that might arise on what each level of government is entitled to discharge. The constitutional and legal frameworks are to ensure that the process of devolving functions from national to county government is flawless, efficient and legal (Transition to Devolved Government Act 2012). Worth acknowledging is the provision that it's the county governments which are supposed to initiate the process of transferring of functions from national government. This implies it is county government to assess its capability before appealing to relevant senate committees for a function to be devolved.

Devolution of function is a major landmark in assessing the successes and failures of decentralization. In the sense that devolved government is closer to local citizens, it is argued that such government are in a better position to deliver services more efficient than central government (Guess, 2005). This argument is premised on the fact that devolved government can identify with local challenges and needs, has first information on

best ways to intervene and most important local government is directly accountable to the locals (Omolo, 2010 citing Barret et al, 2007). In Kenya a number of services that have direct bearing on citizens have been devolved and county government are responsible. They include; agriculture, pre-primary education, health, among others. County government functions include those initially discharged by local governments.

Closely related to devolution of functions is sharing of revenue between national government and devolved government. Revenue sharing ensures the devolved governments have funds to finance the provision of these services, failure to which, devolution is undermined. It should be borne in mind that the independent government deliberately failed to remit funds to regional government which marked the onset of failure for regional government (Nyajom, 2011). Devolving of functions without requisite financial ability is a recipe in undermining devolution. It is paramount that devolved government has adequate financial resources to run its administrative functions assigned without being dependent on national government (Ebegbulem, 2011). Recognizing finance as a pillar to devolution, Kenya's devolution has clear constitutional provisions on sharing of national budget as enshrined in chapter 12 of the constitutions on public finance. Article 203 (2) states that every financial year county government shall be entitled to "not less than fifteen per cent of all revenue collected by national government". Further there is an equalisation fund to be shared among counties considered less developed. In addition there is a constitutional body Commission for Revenue Allocation (C. R. A) Which is responsible for determining formula used to share national revenue.

Provisions on financial allocation to county government emerge also to be a major achievement to implementation of devolved government in Kenya. It means that county government will not depend on central government determination on what to share with devolved units. At least county governments are assured of receiving at minimum fifteen per cent from the national budget. Never the less the question that arises is as to whether fifteen per cent and additional equalization fund to counties that qualify, is enough to enable county government to discharge their functions. Apart from allocation of funds from central government, county governments have been empowered to levy fees internally as means of revenue generation. Counties have also been empowered by constitution to borrow loans externally with central government acting as guarantors to such loans. Financial independence is a key component in determining the success of devolution if Kenya's past experience is anything to go by.

Symmetrical devolution adopted in Kenya which gives the 47 counties equal powers with varying responsibilities should be considered an asset. Although some counties have head start against others, similarities at their inception ensures there some level playing field that can be cultivated into positive competition amongst counties. The provision that counties appeal for service transfer from national to county government is a systematic way staggering devolution. This guarantees service provision at local level is not compromised. Gradual transfer of functions to county government will go a long way in improving service provision without taking too much risk (Yu and Gao, 2013). Symmetrical devolution is also recommended as opposed to asymmetrical devolution is considered to generate a feeling of catch up to counties with unequal powers and institutional arrangements (Mackinnon, 2013).

History of a centralized government and the all the ills that were associated with it can be considered an opportunity in getting citizens support in implementation process. Huge expectation citizens have of county government if well channelled could as a key pillar towards realization of fully fledged devolved system. The constitution and relevant Act of parliament especially Transition to County Government Act 2012 and County Government Act 2012 have provision for citizen participation in the affairs of the county. To supplement this is the existence of a vibrant media and civil society in Kenya. Although these organs have faced challenges in the past, they are key component that will play part in pointing out maladies in county government operations. In deed the media has been very active in pointing out faults in county government. A case in point where print and broadcast media have highlighted wrong prioritization in county government first budget estimates.

Intangible prospect worth to note with implementation of devolution is political will of those actively responsible in guiding and overseeing the process. Kenya's first attempt never saw the light of day because top leadership from the presidency did not support the system. However today process is seem to enjoy support from the top leadership and political divide. While there could be wrangles and indication some are not in support, the process is well safeguarded and cannot be wished away easily at politician's will. The Jubilee government has very little options other than supporting the process. Initial apprehensions on national government attitude towards the system were dispelled with budget allocation beyond what the constitution provides. Further the national government has

Spearheaded in devolving various functions at county governments' request. It can be concluded so far that the process enjoys political support if the relation between national and county governments is anything to consider.

Prospects for a successful implementation of devolution look promising. Most important is the fact that the process is gradually being owned by all and the opportunities associated with it are inherently organic. While appreciating the prospects and opportunities for the implementation of devolution in Kenya, it is apparent that there are also challenges to the process. The section that follows examines challenges to devolution implementation.

There are number of factors that come into play in implementing devolution. It has been this chapter argument that constitutional and legal provisions that give life to devolution are the bedrock to implementation process. However the same constitution and related laws to devolution could also be a major challenge. Ongaro (2006) acknowledges dynamics in the process citing national traditions on governance, political and administrative features which have effects in the implementation process. If a history of a country plays part in determining the pace of implementing devolution, there is need to reflect how history impacts the process. While it is acknowledged that the county adopted a progressive constitution, lack of constitutionalism culture pose a major challenge to its implementation. Shihanya (2014) considers constitutionalism as the habitual acceptance and observance of constitutional provisions and laws of the land as well constitutional values, principles and ethos as the foundation of political choice<sup>1</sup>. Constitutionalism therefore is culture that informs both citizens and government alike to respect rule of law to the later. The history of constitutionalism in Africa and in Kenya has remained wanting. Varied interpretation and misinterpretation of the law and constitution by different arms of government pose a challenge to the implementation of devolution. Different organs are likely to quote section of the constitution and relevant laws to justify their actions. Indeed national government has on a number of occasions been in collision with county government on this front. A case in point has been the place of the Provincial Administration in the new system notwithstanding constitutional provision for its restructure. National government attempts to restructure the Provincial Administration, have been greeted with suspicion although National Government Coordination Act 2013 caters for its restructuring in consonance of devolved government.

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1. [www.innovative-lawyering.com](http://www.innovative-lawyering.com) accessed 13/06/2014 10:44am

Another challenge to devolution implementation is capacity at local level in their mandate of service provision. The 2010 constitution and related Acts of parliament have spelt clear guidelines on transition of functions from national to county government. Challenge of aligning key institutions and structures at both national and county level in tandem with legal and constitutional framework remain real (Task Force Report, 2011). Capacity at county government was recognized as major challenges in service provision hence the adoption of sequential transfer of functions. This is with acknowledgement that different counties have different capacity and therefore responsibilities cannot be bequeathed to all county government at once. Capacity here would mean a host of issues ranging from personnel and their expertise, equipment, and all other necessary requirements to sustain service provision.

The country has also witnessed some resistance in some quarters on transfer of functions even though they are earmarked for transfer to county government. A case in point is health sector workers who engaged in a prolonged industrial action protesting against transfer of their services to county government. Agencies affected by devolution are likely to resist the process for fear of losing work, personnel, budget and prestige associated with being national (Sonn, 2010). Disagreement over devolution of services poses a serious challenge to service provision which is one of the hallmarks of devolution.

Central to devolution is granting devolved unit financial independence which Kenya's 2010 constitution safeguards county government fund. A key factor to enable devolved units to discharge their functions without being dependent on national government is adequate financial resources (Ebegebulem, 2011). However, there are number of challenges that come with financial management which can pose a threat to successful implementation of devolution. From the onset to the implementation of devolved system, county governments were complaining central government releasing their share of national budget. Most recent is county government asking for increase of their allocation from the current constitutional provision of 15 per cent to more than 45 per cent. From observation made so far, it appears county government for long time will depend on allocation from national government. In ideal situation to sustain the process, devolved units are supposed to gradually reduce their dependence on national government allocation (Guess, 2005). They should be in a position to generate other avenues for generating revenues. County government have resorted to

increasing service charge and levies at local level as an alternative means of generating revenue. This has not gone down well with residents of various counties as demonstration and protests<sup>2</sup> have been witnessed in these counties. Counties government have not yet figured creative means of generating revenues without increasing taxation at local level which is not welcome to many.

Another potential challenge is mismatch between responsibilities assigned and funds allocated by national government. This is likely to negatively impact service provision at county level. Indeed Mombasa governor once alluded that county's share of allocation from national government is spent on county recurrent expenditure with very little left for development. It is also noted of the tendency of national government transferring more services to devolved units without corresponding requisite fund. On the other hand, devolved units are asking for more funds for lesser roles and functions (Rodriguez-Pose and Gill, 2003). This mismatch is likely to compel county governments to look for alternative sources in form of loans which is guaranteed by national government. As was the experience in Brazil lower units, loan system has potential of undermining devolution if external debts are not well managed (Rodriguez-Pose and Gill, 2003).

Leadership problem at county level on financial management has also emerged as a key challenge to devolution implementation. National culture that condones corruption practice is shortcomings that need to be dealt with decisively at this early stage of devolution. There has been fear that decentralization will only usher devolution of corruption. Indeed to confirm likelihood of increased corruption at devolved units, there has been disagreement between county assembly members and their governors in a number of counties. In Embu, members of county assembly impeached their governor on impropriety grounds. There was a similar attempt in Kericho County of assembly members impeaching governor which failed. There are also claim that county assembly members want to arm-twist their governors to give in to their financial demands and favours failure to which they threaten governors with impeachment. In February 2014 there were reports that close to thirty governors were being investigated over

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2. Protests have been witnessed in Kiambu, Kakamega, Meru as residents complain introduction or hiking of taxes which to some considered outrageous i. e chicken tax in Kakamega and burial tax in Kiambu.

claims of misuse of public funds (Standard, 2014)<sup>3</sup>. Another challenge is fiscal accountability and prudent management of public funds. County governors have been accused of having wrong priorities in budget allocation to areas that do not relate to improved service provision to citizens. Governors have been accused of allocating funds to outrageous areas like in Bungoma where 50 million had been allocated to fight pornography. Allocation to luxurious expenditure like governor's house, executive committee transport, unnecessary foreign trips among others have been rife in county governments. Misuse and misallocation of funds has potential effect of undermining service delivery and by extension a challenge to implementation of devolution in the country.

Informed citizenry is an important component in ensuring a successful implementation of devolution. Indeed the constitution and relevant Acts of parliament encourages citizens' participation in matters of governance. Public Finance Act 2012 gives citizens both at national and county government the right to participate in giving views on budget making. Further, citizens have been empowered to participate in decision making especially at bill stage where they can give their input. However citizens at both national and county level are not making use of these provisions. There is minimal citizens' participation in this forum which they are required to. A good illustration that citizens are not involved is the uproar that greeted a number of county assembly budget proposals which beg the question why citizens did not raise issues when they were called to. It has become common for citizen to complain of bills that affect them at advanced stage when they should have given their input at relevant stage. High level of citizen unawareness on constitutional and legal provisions poses a challenge to implementation process. Prospects and challenge confronts implementation process in equal measures. The section that follows makes conclusion of the foregoing discussion and provides way forward to strengthen implementation process.

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3. [www. standardmedia. co. ke](http://www.standardmedia.co.ke) "EACC to investigate 30 governors over misuse of funds" Accessed on 14/06/2014 at 03 : 24pm

## **Conclusions**

From the foregoing discussion, decentralization has been identified as a key component of responsive and good governance worldwide. Decentralization has been embraced for enhancing democracy, introducing checks and balances, ensuring the inclusion of minority in governance and most important for efficiency in resource allocation. Agitation for decentralization in Kenya was informed by the desire to check governance ills that have befallen the country since independence under the centralized system. Kenya's past history played a key role in informing the adoption of devolution form of decentralization. It has been four years after the promulgation and one year after the first general election under the new constitution and implementation process is on course.

A number of prospects have been identified as the corner stone to successful implementation. Devolution provisions in Kenya's 2010 constitution and relevant Acts of parliament are key safeguards to implementation process. Constitutional and legal frameworks have well spelt mechanism on sequential implementation process with specific timelines. These provisions have in a way compelled the actors to comply as demanded. Unlike the independent constitution, 2010 constitution has made it hard for political actors to undermine the process through constitutional change. There is a very rigorous provision on any attempt to alter or change the architecture of devolution. Further the constitution safeguards transfer of funds to devolved units. Financial allocation to county government is not under the determination of national government. At least county governments are assured of fifteen per cent share of national budget.

Apart from financial assurance, county governments' are meant to develop capacity in service provision before a function is transferred from national government to devolved units. Sequential transfer of function is identified as an asset to devolution. It is informed by the fact that counties have different capacity in service provisions. Vibrant media in Kenya will also play pivotal role in ensuring implementation process. Most important prospect in implementation process is the political will from top leadership to devolved units. It should be borne in mind that the first attempt in decentralization in Kenya was scuttled occasioned by lack of support from top leadership.

However, from prospects discussed there are also possible impediments to implementation of devolution. Implementing devolution would require actors actively in the process to appreciate constitutional and legal provisions. Lack of culture of constitutionalism is a major challenge to the process. Failure to adhere to and observe rule of law by those charged with implementation and ordinary citizens could derail the process. Different interpretation and misinterpretations of constitutional and legal frameworks on devolution has on a number of occasions been witnessed. As much as the study has identified sequential transfer of function as a feat in the process, county government's capacities to deliver services is a potential threat to success of devolution. In the same breadth, there is likelihood of mismatch of funds allocated to county government and transferred services from national government. This informed by the fact that county governments seem dependent on funds from national government with very little from alternative sources. Opposition to transfer services by government agencies and department that would wish to remain national could also derail implementation process. The process also requires a vigilant citizenry to actively be involved in the process. The constitution and relevant laws have provisions for citizen participation which is not being properly utilized. For most, the biggest challenge to implementation is leadership problem at county level. Widespread corruption/lack of financial accountability, misplaced priorities in county expenditure, nepotism and favoritism as it has been witnessed in county government pose a serious challenge to successful implementation of devolution. Having identified prospects and challenges the study recommends the following as way forward for successful implementation of devolution in Kenya.

### **Recommendations**

To augment and strengthen the process of implementing devolution in Kenya it is recommended that; First, Acknowledging constitutional and legal framework as the anchors of Kenya's devolution, there is need to cultivate culture of constitutionalism that will make all adhere to devolution process and its provisions. The study recommends for civic education programme for enlightening citizenry on devolution provisions and processes. This should be incorporated in the 8-4-4 education system and syllabi to cultivate culture of constitutionalism at early age. Civic education will go a long way in addressing challenge of constitutionalism,

lack of public participation at county level and general citizens' apathy to governance issues. This is in realization of constitutional and legal provisions on role of citizen's participation in budget and policy/law making secondly, while there is a provision on county funding from national government, it apparent the allocation is not enough to finance recurrent and development expenditure. It is recommended that county government look for alternative source of revenue away from national budget and introduction and increase of current levies. Extractive capability of county government on local resources should be enhanced. This will enable devolved units address the mismatch of between responsibilities and financial ability. Lastly, Implementation process has been marked with various arms of government interpreting and misinterpreting devolution provisions according to liking. The way forward is to allow the judiciary to play its constitutional role in interpreting the constitution and relevant laws on devolution. This will address potential conflict witnessed so far in implementation process between different actors. Further the courts will also inculcate culture of constitutionalism and observance of rule of law.

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# 14

## **From Centre to Margin Appraising Constituencies Development Fund (CDF) as a Decentralization Strategy in Kenya**

*Ezekiel Mbitha Mwendwa*

### **Introduction**

In Kenya, development has all along faced numerous challenges to the government, development partners and the general public. The poor economic performance that the country has experienced for a long time has had major negative effects on the majority of the Kenyans. For example, the gap between the rich and the poor has not only widened but the poverty situation has worsened (GoK, 2003c; 2004). The worsening poverty has had different effects on the economy with the result of escalating cost of living amidst diminishing means of livelihood. In particular, ownership of development initiatives especially at the grassroots level has been unimpressive in as far as participation of the local community is concerned. This is mainly because centralized planning has worked to isolate beneficiaries. As a result, decision-making power has ended up being concentrated on the district level government officials, leaving the beneficiaries more or less as mere onlookers.

Consequently, in the Economic Recovery Strategy for Wealth and Employment Creation (ERSWEC) (Republic of Kenya, 2003c), the Kenya government has identified governance including participation as one of the major development bottlenecks. Hence, it has established several legal and administrative regulatory mechanisms in the promotion of transparency, accountability and good governance (Republic of Kenya, 2003c). In the Investment Programme for the ECRSWEC (Republic of Kenya, 2004), the government proposes broad policy measures towards minimizing apathy among grassroots communities and therefore spurring development in all sectors of the economy. In the legal sphere, there has been the establishment of the Kenya Anti-Corruption Commission through enactment of the Anti-Corruption and Economic Crimes Act 2003 to specifically investigate

corruption especially in the public sector. In addition, there has been the enactment of the Constituencies Development Fund Act 2003 (Republic of Kenya, 2003b) intended to devolve decision making power to the grassroots as a strategy to empower development beneficiaries at the constituency level to be drivers of their own development.

Kenya has 210 constituencies, each represented by a Member of Parliament (MP). When the National Rainbow Coalition (NARC) government replaced Kenya African National Union (KANU) in 2003, it started a new development initiative, the Constituencies Development Fund (CDF) through which the constituencies benefit from 7.5% of the direct government revenue. This was a decision aimed at promoting social and economic development to reduce poverty, hardship and vulnerability in the country especially among the marginalized. In the utilization of the fund, government officials and politicians remain principal decision makers while local community play a largely peripheral role through their representatives who largely represent political interests (Ongoya & Lumallas, 2005; Mapesa & Kibua, 2006). For this reason, the governance framework put in place for the utilization of the fund is not inclusive. Indeed, the CDF Act (Republic of Kenya, 2003a) has glaring loopholes especially regarding participatory governance in management of community projects. For example, although the idea of devolution of power is underlined by the CDF Act, it at the same time vests too much power on politicians and government officials.

### **Decentralization and Participatory Governance in Kenya**

The idea of decentralization in Kenya can be traced back to the period immediately after independence as espoused in the Sessional Paper No. 10 of 1965 on Socialism and its Application to Planning in Kenya (Mapesa & Kibua, 2006). The concept of decentralization was amplified in 1983, when the District Focus for Rural Development Strategy was put in place (Republic of Kenya, 1983; Makokha, 1985; Chitere & Ireri, 2004; Mapesa & Kibua, 2006). This policy made the district the local level-planning unit with district level Government officials and leaders as the members of the implementing team. Since then, the government of Kenya has accepted this development approach as a strategy for delivery of services to the people and in resource development and mobilization.

The participatory approach is the development paradigm a shift from the top-down western approach to one where development agents and beneficiaries are at the same level in decision-making concerning development. It shifts more decision-making responsibility to the intended beneficiaries to plan and take an active part in the implementation of their development initiatives. In theory, it is the shift from doing for the people to a situation where they do it for themselves. It is the opposite of the development paradigm where development agencies including the government are used to acting know-all and taking communities as passive objects of development (Chitere, 1994; Bergdall, 1995; Chitambar, 2001). The top-down approach became problematic as communities developed dependency syndrome and were least prepared to initiate development without direction from development agencies and government officials.

This approach did not give local communities the opportunity to gain experience necessary for sustainability of development initiatives. Thus whenever development agencies including government withdrew, it meant collapse of projects and thus rendering the investment a waste. The paradigm shift meant substantial change whereby top-down became bottom-up approach to development while uniform became diverse. Most important, participation meant empowering development beneficiaries in terms of resource and needs identification, planning on the use of resources and the actual implementation of development initiatives (Chambers, 1997; Chitere, 1994). This ensures development and mobilization of local resources, necessary for development and sustainability of projects.

However, the concern is that the recent institutional reforms aimed at devolving and decentralizing development and empowering the people might not yield the expected results due to certain weaknesses in the process (Makokha, 1985; Chitere & Ileri, 2004). Some of these weaknesses include political and administrative influences, the top-down development mentality and poor people's participation. The latter can particularly be an avenue for corruption and the embezzlement of resources meant for local development. One reason for such development may be related to passivity of local population and failure to know what is required of them regarding the use of resources. For example, Mapesa & Kibua (2006) found that majority of constituents in some selected constituencies in Kenya took CDF funds for the local politicians own development gesture extended to the people. With this kind of mentality, it is expected that when such funds are embezzled, the local people may not know, and if so may be unable to question or may not know

the channels through which to complain. This is largely due to the apparent omission by the government and development partners to incorporate and actively involve grassroots communities in development activities.

The idea behind CDF is to encourage target beneficiaries to develop a sense of ownership and commitment for the initiated projects, to ensure their sustainability. Indeed, one of the central principles behind it is participation; the involvement of people in decision-making regarding their welfare. For this reason, the local people should not be seen as passive development objects; rather they should be treated as principle stakeholders to be actively engaged in decision-making regarding local development. However, there has generally been inadequate consultation between the community members and development agencies including the government on the way forward regarding local development. This has often left the local community with the impression that they were passive agents in local development. Such mentality is a recipe for dependency among the local people, which goes against the tenets of sustainable development and self-reliance.

### **The Idea and Aims of Constituency Development Fund**

Recent approach to development in Kenya has tended to identify development initiatives through broad-based consultation between both experts and laypersons with intended beneficiaries playing a key role. A good example in this regard would be in the development of the Poverty Reduction Strategy Papers at both district and national levels (Kimenyi, 2006). To ensure efficiency in the allocation of resources for maximum benefit to citizens, community participation is key as it enhances local capacity to hold leaders and public officials accountable. The driving principle behind participation is sustainable development that requires people to have hands-on experience concerning projects that benefit them. This way, withdrawal of technical staff does not spell doom to the projects.

The foregoing is based on the observation that local people are best placed to make decision concerning their needs. This makes the people active partners in development, which does not only instill local ownership, but also a feeling of community among them. Failure to be inclusive may make the community get alienated and this can be enough fuel to ignite passivity and possible resistance to the development initiatives. Indeed, Chitere (1994) and Mulwa & Nguluu (2003) cite cases where communities have

been left out only to develop resistance towards initiated projects. In other cases local communities have been alienated by technology used in project implementation, making project sustainability out of question.

Kenya's Constituencies Development Fund (CDF) was established by the Constituencies Development Fund Act of 2003 (Republic of Kenya, 2003a) as an annual budgetary allocation by the government to each of the country's 210 parliamentary jurisdictions-the constituencies. This allocation is aimed at alleviating poverty at the local level while empowering the communities to have an input in development that directly concerns them. The aim of the fund is basically to decentralize development planning and operations to the grassroots so that communities can maximize their welfare in line with their identified needs and preferences. This makes the fund a classic example of decentralization in development planning and implementation. It is thus a follow to the District Focus for Rural Development Strategy introduced in the country in the early 1980s. The assumption behind the decentralization paradigm is that it speeds up development and gives priority to the beneficiaries to make decisions regarding their welfare.

The existence of the CDF Act is an indication that the Government of Kenya is slowly embracing the idea of decentralization and therefore devolution of management and planning from the central government to the grassroots (Ongoya & Lumallas, 2005). This Act provides the governance framework for a transparent and accountable utilization of the funds by giving the beneficiary communities a voice in planning and implementing their own development initiatives (Kimenyi, 2006). The fund is arguably one of the best innovations of the government, besides other initiatives. The foregoing notwithstanding, the fact that district and constituency level committees are dominated by politicians, their proxies or civil servants may beat the purpose for which it was put in place. This observation is made on the bases that, most likely decision are made with in mind, political capital rather than social welfare. Thus, where political expediency outweighs common good, the stage is set for political corruption and denial of civic services to the public.

Starting from July 2006, CDF constitutes 7.5% of government annual revenue, up from the previous proportion of 2.5%. According to CDF's official website<sup>2</sup>, the current allocation formula is such that three quarters of the total allocation is divided equally among all the constituencies, while the remaining quarter is allocated according to constituencies' poverty levels such that the poorer areas get more funding. The standard formula

is such that the quarter is divided by the National Poverty Index multiplied by the Constituencies Poverty Index. The CDF constitute significant efforts towards localized, participatory and sustainable development, which, regardless of the amount of money involved, should not be misused. One of the ways in which the fund can be misused and therefore rendered ineffective is poor management and participation especially on the part of the intended beneficiaries.

Whereas the efficacy of CDF can be limited by capacity in projects' planning, implementation, monitoring and evaluation, malpractices such as corruption represent even a greater challenge. Corruption would not only hinder the capacity of CDF implementers, but also citizens' trust and commitment and by so doing denying the programme any chance of success. Indeed, the idea, noble as it may be faces serious challenges that may render it ineffective. For example Kimenyi (2006) raises concerns regarding allocation, constituency uniqueness and political economy issues that can affect the efficiency of the CDF kitty. On their part, Mapesa & Kibua (2006) faults the utilization of the fund on grounds of poor management, low community involvement and other deficiencies. In addition, Ongoya & Lumallas (2005) point out legal loopholes that could successfully be challenged in court thus bringing to question the constitutionality of the CDF Act. These and other concerns imply below optimum utilization of CDF funds in which case transparency and accountability may be lost. This gives room to malpractices that compromise civic services and negatively affect development.

### **Governance Framework for Utilizing CDF**

Leadership is an important issue that can best be analyzed within a governance framework. In general, governance refers to the system (i.e., traditions, institutions and processes) by which power is exercised in making decisions on issues of public concern including giving citizens a voice in the process. Good governance is based on the exercise of fairness, transparency, accountability, responsibility, discipline, equity, efficiency and effectiveness among other values in discharging ones duties. Hitherto, the CDF lacks an effective mechanism for good governance and is therefore prone to abuse as discussed here below.

CDF lacks its own structure for disclosure and accountability, since these are handled by central government officials. The Kenyan Public Service and especially procurement and supplies departments have often been accused of inefficiency and ineffectiveness. This is worsened by the near complete absence of civic participation in the use of the fund. This notwithstanding, the introduction of CDF was not accompanied by additional human resources hence it can be expected that the capability of accounting officers is far much stretched to be effective. Without such effectiveness, unethical practices are likely to pass unnoticed in as far as the utilization of the fund is concerned.

The CDF Act does not make provision for independent auditors and their rotation. Best practice suggests organizations should be audited externally by professionals who should also be regularly rotated to ensure independence of audit reports. The fact that the same District Development Office, which is involved in implementation of projects audits CDF utilization implies the risk for familiarity, complacency and consequently corruption and ineffectiveness of the programme, noble as it may be. In addition, passive participation of the grassroots communities whose role is partly defined by the CDF Act means poor monitoring of the fund utilization, throwing to irrelevance the idea behind the fund-decentralization and devolution of power.

The CDF Act is silent on professional skills and competences for Constituency Development Committee (CDC) members, which implies a significant lack of structure for sound management including planning, implementation, monitoring and evaluation of development projects. It can be expected that CDC members who lack relevant skills and competences are more likely to be manipulated to participate or turn a blind eye to malpractices. Mapesa and Kibua (2006) call it being used as rubber stamps for predetermined decisions whether they understand them or not. As such, politicians and central government officials at the district headquarters are left as principal decision-makers to the disadvantage of the beneficiaries.

CDF is simultaneously an organizational and a political structure, which effectively means conflict between organizational and political goals. The organizational goal concerns uplifting social welfare but there is the likelihood that the area Member of Parliament (MP) would often support, and influence the support of, projects that ensure maximum political returns. In this respect, the CDF has the potential for perpetuating

Unilateral leadership and similarly presents a forum where political competition can be played out. The role of the MP availed by the CDF Act, gives sweeping powers to the incumbent to appoint the management committee, with the option of being the chairperson. CDF structure does not allow for effective citizens participation in holding project leaders to account. Although CDF is a form of decentralization, this is only in part since expenditure is not linked to local revenue sources or fiscal effort. Partial decentralization, on the other hand, is likely to minimize citizens' interest in monitoring the use of funds since they might consider the funds as free (Kimenyi, 2005). Since the Kenyan citizenship is not known for critically holding their leaders to account on the manner of use of taxes, it is unlikely they can do the same in the use of CDF funds. Consequently, power is yet to devolve from the center to the margin, the object of the CDF idea.

In summary, the preceding exposition shows that CDF has little potential for civic participation, which relates to the provisions of the CDF Act including MPs' role, CDC competences, auditing issues and the basic assumptions regarding social welfare goals and generally decentralization. The individual and collective impact of these issues concerning CDF can be effectively analyzed, within a governance framework. This should be aimed at developing solutions for efficient and effective use of resources, leveled ground for political competition and most important active citizens' participation. Such would strengthen CDF and contribute to poverty alleviation right from the grassroots.

### **The Position of the Ordinary Citizen in the Utilization of CDF**

The potential for malpractices in the operationalization of CDF largely relates to the nature of grassroots management structure and procurement practices. The CDF Act places the operationalization of CDF in the Constituency Development Committee (CDC). Its composition includes the area Member of Parliament (MP), area District Officer (DO), two representatives of each of the local authority (councilors), religious organization, men and women; one representative of each of the youth and NGO; and three other members. The MP and the DO are definite members but the Act is silent on procedures for selection of the rest of the members. The members have a fixed term of service, which is two years renewable only once, which means one can only serve for a maximum of four years.

The Act recognizes the MP as CDC's convener with the option of being the chairperson or allowing the CDC to elect one of its members as the chairperson. However, there has been a general concern that MPs exert undue influence on the decisions of CDC. In addition, since CDF relies entirely on government funding, the beneficiaries are likely to consider the funds free and therefore be less concerned with their use (Kimenyi, 2005). Consequently, corrupt officials may take advantage of these loopholes to embezzle the funds at the expense of the local communities. Part of the problem is civic illiteracy concerning the use of the fund, effectively making it impossible for them to monitor its use.

Since CDF entails mobilization of people, it is a political process and therefore it can be used as a vehicle for political advancement including fighting off competition. The MPs can therefore nominate committee members who will advance their cause, which reflects an opportunity for conflict of interest and related malpractices. A critical scenario is where the MP can nominate CDC members from among his/her supporters who may be relatives or friends. In a survey of some 21 districts, the Kenya National Anti-Corruption Steering Committee (NASC) found out that some CDCs were composed of MPs' spouses, close relatives and supporters. On their part, Mapesa & Kibua (2006) found glaring management deficiencies within CDF. For example, whereas the CDF projects are in line with national development needs, the institutions for decision-making are weak, accountability and transparency mechanisms are absent, there is insufficiency of technical staff, poor community participation and generally low awareness levels among intended beneficiaries. Pointedly, these loopholes give room for malpractices including corruption, which in essence borders on poor governance.

The CDF Act confers the CDC with the responsibility to co-ordinate and supervise CDF projects (Ongoya & Lumallas, 2005). Under the law, community members send proposals for projects they want funded by the committee, which considers the proposal and decides whether to fund it or not. Each project should have a Project Committee (PC), which should process its own procurement if it has the capacity to do so. Without such capacity, procurement is carried out by the CDC in conjunction with the district procurement office - the Districts Project Committee. However, the PC is mandated to procure directly from known local suppliers at the prevailing market prices goods or services of up to Kshs. 100,000 (about \$140). In this case, the PC should obtain at least a minimum of

three quotations and surrender receipts/invoices to the CDC for onward transmission to the District Development Officer for accounting and auditing purposes. Malpractices are likely to occur within the public procurement system, which characteristically is a public procurer-private supplier relationship. Corruption occurs as public officials demand bribes to help suppliers undercut competition or circumvent time-consuming procurement procedures. For the same reasons, suppliers will offer bribes to public officials (Kibwana, Wanjala & Okech-Owiti, 1996). Corruption in the procurement system is also manifested in fraudulent deals, which occurs such as when a procurer and supplier collude to inflate the prices of goods/ services with the procurer expecting a kickback. Fraud also occurs when the procurer enters into contracts with non-existent or questionable suppliers who, although are fully paid, supply goods/services of substandard value, if at all. The foregoing largely occurs because beneficiaries have limited role to play in the process since decision are made for, rather than by them.

Another form of malpractice that may occur in the procurement process is conflict of interest, especially when the procurer also represents the interests of the supplier. Generally, conflict of interest has existed in Kenya despite having been proscribed by the penal code and the recent Public Procurement and Disposal Act of 2005, the Public Officers Ethics Act of 2003, and the Anti-corruption and Economic Crimes Act of 2003. Arguably, legislation alone cannot combat such practices unless the conditions that fuel it including weak institutional capacity, poverty and social inequalities and most important civic de-participation in the planning and execution of development activities. It is therefore expected that corruption can occur within CDF; and indeed, the study by Mapesa & Kibua (2006) showed that CDFs were characterized by gross mismanagement.

The Act empowers the MPs to make policy, implement and account to the expenditure authorizing body, which is parliament of the monies expended. While MPs should remain watchdogs on policy implementation, they are not only empowered by the Act to monitor, but also be accountable to themselves as legislators. They are likely hence to be biased in monitoring and accounting and can easily change the legislative provision to suit themselves when and if the need arises. This is not the case as far as ordinary citizen is concerned and results to unilateral decision-making and passive participation of the community.

## **Possible Impact of Civic De-participation in the Use of CDF**

Poor participation can hinder CDF effectiveness as resources could be diverted to use for which they were not meant. This disproportionately hurts the poor since they are the most vulnerable to suffering limited access to civic services. For example diversion of resources meant for enhancing health services means people cannot access quality health care. This compromises the health of the people thus necessitating the occurrence of many preventable deaths (Mwenzwa, 2006). This is counterproductive to the achievement of Millennium Development Goals and essentially goes against the Result-Based Management style adopted by the government of Kenya.

In addition, diversion of resources meant for education resulting from civic de-participation implies that the quality of education is compromised, as teachers are de-motivated, bright poor children cannot access education while at the same time the school infrastructure does not provide a conducive learning environment. Low literacy means securing job opportunities becomes difficult and therefore those so disadvantaged may seek fulfillment in other ways mainly anti-social behavior including immorality and crime. Otherwise, they remain oscillating in poverty and its attendant consequences.

Civic de-participation may also breed corruption leading to denial or inadequacy of civic services, which may in turn be a breeding ground for deviance directed towards authorities. For example, people may lose confidence in their government, disobey it and develop resistance to any government initiative even if well meant. It can as well lead to negative civic engagement including armed conflict. Indeed, corruption can be a cause and at the same time a consequence of conflict and is responsible for downfall of lawful governments especially in the Third World.

The CDF committees are largely political as members are often handpicked by MPs and therefore are not expected to be independent, representative and objective in implementing development projects. Such leaves out active role of the community while at the same time shadowing the operations of CDF committees from meaningful public scrutiny. This may lead to political mischief in development and make non-conforming areas underdeveloped as resources are diverted to areas that are regarded as providing political capital to the incumbent MP. As a result, feelings of community are eroded

as rival camps emerge and try to wrestle power from one another. In case this polarization becomes destructive, the poor, women and children remain at the receiving end as development is made to take a back seat.

### **Towards Effective Utilization of CDF**

It has been established that loopholes in the use of the fund exist and therefore pointing out the possibility of ineffectiveness in the use of the fund. Consequently, this anomaly needs to be taken care of if Kenyans have to get value for their taxes in the spirit of Result-Based Management. These loopholes revolve around governance of the fund and especially passive civic participation that is likely to render its utilization ineffective, making the investment a white elephant. Flowing from the foregoing, here below are legal and policy recommendations towards effectiveness in the utilization of the fund.

That the CDF is about the noblest idea coming from the government of late cannot be gainsaid. However, the idea has faced serious challenges with critical accusations and counter accusations, a pointer to inherent problems. For example, government officials and politicians have been accused of being reluctant to relinquish control and accept that communities have something worthwhile to offer in terms of decision-making. This calls for re-examination of the role of the community in the utilization of the fund aimed at making active community participation in choosing, implementing and evaluating development projects a must.

The term community is used in the CDF Act as though it represents a homogenous entity, clear and defined group of people with identical needs. This is hardly the case and it can lead to exclusion and therefore alienation of principle stakeholders in development. In actual sense, it may blur some interests such as gender, disability status and age balance and more so when the principle implementers are politicians, known to have sectarian interests separate from those of the community they represent. It is hence important to define community in other terms that are inclusive to ensure a community feeling is not only enthroned in society, but also remains sustainably so.

CDF members by virtue of being in-charge of public revenue in form of Constituencies Development Fund monies become public servants. Therefore, they are accountable to the public regarding the way the fund is utilized in meeting public needs. Consequently, like other mainstream public servants they need to be inducted into government financial regulations, sign performance contracts and set time-bound targets so that the public can have basis on which to hold them accountable. In addition, they need to declare their wealth, swear allegiance to the public and promise prudent utilization of public resources for its benefit and as per their performance contracts.

The CDF Act has no requirement for the level of education for CDF committee members. For this reason, politicians may exploit this legislative omission to recruit people who are unable to detect when funds have been embezzled and therefore who are unable to question financial impropriety. It is therefore important that the Act be amended to include a clause that would define minimum literacy for CDF committee members. The amended Act must also subject the CDF committee members to training in public financial administration to minimize fraud in the utilization of the fund.

In addition, the CDF Act gives executive powers to politicians and thus violating the principle of separation of powers between the executive and the legislature. They are in charge of constituting committees, choosing and implementing development projects. Thus MPs legislate and go on to implement the law while they should be watchdogs. This unconstitutionality of the Act brings in conflict of interest, as project choices are likely to be driven by the need to maximize political expediency rather than citizen welfare. For this reason, it is important that this legislative anomaly is rectified to ward off future litigation that can affect provision of civic services. In particular communities should be legally given a chance to popularly elect their representatives in line with participatory governance.

Civil servants dominate the tender boards within districts while the tendering regulations give them discretionary authority. With regard to the CDF funds whose tendering system is purely managed by the civil servants, the procurement powers bestowed on them can be abused leading to corruption due to lack of community representation or their inability to question. That public procurement in Kenya has faced serious corruption challenges cannot be gainsaid. For this reason it is important that popularly elected community representatives sit in tender committees particularly relating to the utilization of the CDF to keep these committees on constant check.

The CDF framework has no proper way of determining community projects for research has shown that constituents lack the capacity to put up constituency development blueprints. Thus, there is every need to require Constituency Development committees to employ professionals and in consultation with the community put in place constituency strategic plans. These plans should guide the prioritization and implementation of development proposals, rather than the current scenario where development projects seem to be proposed haphazardly. The strategic plans should guide CDCs in setting time-bound and realistic targets.

There seems to be little community knowledge of what is going on regarding the fund utilization. Consequently, many people are unaware of ongoing projects and therefore questioning the utilization of the fund even when it should be obvious is out of question. For this reason, there is need to put in place a mechanism for information dissemination on ongoing projects including commencement and completion time, cost and those involved in the implementation and how. This information could be displayed in local level provincial administration<sup>3</sup> and political party offices, schools, markets and the Internet. It is through this kind of information dissemination that community members would get to know what is happening and hence be able to voice their concerns when and if the occasion presents itself.

There is a tendency for grassroots communities to believe that whatever comes from the government is free and therefore they remain passive without realizing that this is the tax they pay. As a result, there is need for massive civic awareness using the media to enable the beneficiaries question how their taxes are being utilized. This would in effect keep the project implementers on their toes and as a result help check malpractices in the utilization of the fund. To ensure effective civic awareness, the National Constituencies Development Fund Committee could Mount Massive civic education on the same.

A critical evaluation of the CDF Act reveals inconsistencies within it, such as to be found in Part IV Section 21, subsections 3 and 7. While the former forbids use of the fund for recurrent expenditure, the latter allows the maintenance of a constituency office whose costs would include rent, repair and maintenance and salaries among other recurrent expenses. Such legislative anomaly should not be allowed for it can be a basis for litigation, affecting provision of civic services. The composition of the CDF committee as per the CDF Act is not inclusive enough to ensure adequate

checks and balances in the utilization of the fund. For example, constituency committees have only one representative from the civil society, whose nomination criteria is not spelt out. This exclusion undermines the idea of popular participation and puts the credibility of the committees in question. This justifies the need for the CDF committees to be inclusive to represent all interest groups, particularly beneficiaries and the civil society.

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# 15

## **Towards a Uniform dry land Development Regime in Africa**

### **Panacea for Continental Renaissance?**

*Ezekiel Mbitha Mwenzwa*

### **Background to the Drylands of Africa**

The drylands of Africa that constitute close to two-thirds of the continental land area are scattered across the continent, from south to north and east to west. As such, geographically, they stretch across the continent with the exception of large forested areas across the continent and predominant in Central Africa. In the East and Horn of Africa, they are highly represented in the countries of Uganda, Kenya, Somalia, Ethiopia, Eritrea and Djibouti, while in North Africa, much of which is drylands stretch from Sudan, Egypt, Libya, Tunisia, Chad and Niger. In southern Africa, countries whose land mass is largely arid or semi-arid include Lesotho, Botswana, Mozambique, Angola, Namibia and Malawi. Others are in West Africa including Senegal, Mauritania, Mali, Burkina Faso, Gambia, Morocco, Western Sahara and Nigeria (UNCCD & CFC, 2009).

These areas are home to many communities including the Somali, Afar, Gabbra, Karamojong and Beja of Eastern and Horn of Africa and the Ababda, Mrazig, Berbers, Tuareg and Tubu of North Africa. Others include the Fulani and the Sahrawi of West Africa and the Trekboer, San (Bushmen) and the Hottentots (Khoikhoi) of Southern Africa among many others communities (UNCCD & CFC, 2009). These communities are either nomadic pastoralists or partly nomadic, while others are both nomadic pastoral and hunter-gathers. However, within the communities there are pockets of sedentary segments especially along water bodies such as swamps, river basins, lakes and oasis. In such areas there is subsistence dryland farming and traditional industries such as wood carving and pottery among others (Mwenzwa, 2013).

A defining attributes of these communities is dependency on the natural environment for livelihood with the principle pre-occupation being animal husbandry. For example, the pastoralists of East and Horn of Africa such as the Somali, Afar and the Gabbra keep large herds of cattle, shoats and camel that are partly blamed on environmental degradation in the arid and semi-Arid areas of Kenya, Ethiopia and Somalia. This is more so particularly due to the need for the pastoralists to increase herd against dwindling pasture land and encroachment into the drylands by agro-pastoralists. It is in such areas that interventions are greatly required to save Mother Nature from imminent catastrophe and avert violence including human-wildlife conflict. Indeed, there is evidence of gradual manifestation of the Tragedy of Commons hypothesis in the drylands where the carrying capacity of the environment has been overstretched (Mwenzwa, 2013).

The foregoing is amplified by the fact that the challenges in these areas are both natural and anthropogenic including thermal stress, disequilibrium between precipitation and evaporation, poor vegetation cover, acute water scarcity and armed conflict over natural wherewithal (Davis et al, 2012; Mwenzwa, 2013; Poulsen, 2013). In the circumstances, development is hard to come by given that resource endowment and peace must of necessity co-exist for development to be realized. More important, there is little official recognition of the drylands and their development needs, which leads to their marginalization and great human want (Davis et al, 2012). Nonetheless, they are endowed with natural resources that if exploited and wisely appropriated can turn out to be the panacea for continental development. Indeed, it is in these areas where much of the continental oil deposits among other minerals are abundantly found.

## Resource Potential in the Drylands of Africa

The drylands of Africa constitute more than 50% of the total land area and as literature attests have substantial resources in the form of wildlife, minerals and a rich cultural heritage. These among others can be exploited for the development of individual countries and the continent at large. For example, dryland wildlife including the African elephant and the lion, are tourist attractions that bring in substantial foreign exchange annually (Davis et al, 2012). In addition, many dryland plants have medicinal value while dryland cultures, for example among the Maasai of Kenya possess the necessary ingredient for earning foreign exchange while at the same time providing vital dryland environmental conservation best practices (Davis et al, 2012). Some of the resources in the drylands of Africa include but not limited to wildlife, minerals, tourist-attractive sceneries and a rich indigenous culture.

Quite a good number of African countries are members of the Organization of Oil Producing Countries (OPEC) courtesy of the fact that they produce oil including Angola, Nigeria, Libya and Algeria (KPMG, 2013). These are principal oil producers in Africa and as such there are other countries that also produce the commodity. These others include, South Sudan, Sudan, Equatorial Guinea, Congo, South Africa, Gabon, Chad, Tunisia, Cameroon, Ivory Coast, Democratic Republic of Congo and Mauritania. In addition, there also other countries in which this precious natural resource has recently been discovered in addition to ongoing prospecting. Such may include Kenya and Uganda in East Africa. Indeed, 18 out of the 54 African countries are oil producers excluding recent discoveries and prospecting in many other countries. In 2012, all these countries had proven reserves of crude oil running to approximately 124 billion barrels (KPMG, 2013).

In addition to oil, many countries have large reserves of natural gas and by 2012, it was estimated that Africa had close to 510 trillion cubic feet of natural gas. In the continent, 20 of the 54 countries had natural gas with Nigeria as the leading producer followed by Algeria. There are also natural gas deposits in Tanzania, Namibia, South Africa and Egypt among other countries (KPMG, 2013). Other natural resources in Africa include diamond, platinum, uranium, drug, phosphates, timber, coffee, water, land, grazing pasture, livestock and rubber among many more (Maphosa, 2012). This has made some countries largely ungovernable such as Somali and South Sudan. The foregoing has compelled some analysts of African

development to terms the natural resources a curse-standing in the way of development-given the conflict, poverty and want they are known to elicit wherever they exist in Africa.

In conclusion, it is notable that most of these important natural resources are found in the dry lands of the continent including oil, natural gas and wildlife among others. Such are also the areas that register the lowest development indicators manifested in illiteracy, poor transport infrastructure, ill-health, high maternal and infant mortality rates. Other striking features include high fertility rates, poor access to information, fewer opportunities for livelihood diversification and a governance regime characterized by conflict over natural resources. As a result, these areas rely on extraction and rudimentary processing of primary environmental resources over which conflict is commonplace. As a result, development indicators gradually become worse off with time and it would seem that local populations are already condemned to perennial poverty. It is on the foregoing basis that we turn into looking at the intercourse between conflict and development in the dry lands of Africa.

### **Conflict and Dry land Development in Africa**

Africa is extremely well-endowed with resources including her people that could be exploited for continental prosperity. Nonetheless, there are many bottlenecks that stand in the way of appropriate exploitation and utilization of this wealth particularly in her dry lands. Indeed, the African case is but a contradiction given the huge and valuable natural resources in the midst of poverty. This is manifested in the form of poor health and sanitation infrastructure, illiteracy, poor resource governance, accelerated deforestation, poor housing, water scarcity, malnutrition and perhaps most important, conflict over the same natural resources-the contrast that is Africa (Maphosa, 2012).

For example, while South Sudan has enormous oil deposits income poverty index stands at 99.6% (De-Pauw & Wu, 2012) The foregoing has largely been fueled by civil war over political leadership and the natural resources lasting many decades. Indeed, it is probable that the South Sudanese generation that is now aged 20-30, has never seen peace and therefore development. Indeed, Maphosa (2012) points out that the complex and casual relationship between conflict and natural resources emerges and

interacts with political, social, economic and ecological factors to generate aggression. This may largely lead to armed conflict which somehow becomes the governance archetype in most of the dry lands of Africa.

Other natural resources that have fuelled conflict in Africa include diamond, platinum, uranium, drugs, timber, coffee, water, land, grazing pasture, livestock and rubber among many more (Maphosa, 2012). This has made some countries largely ungovernable such as Somali and South Sudan. The foregoing has compelled some analysts of African development to terms the natural resources a curse-standing in the way of development- given the conflict, poverty and want they are known to elicit wherever they exist in Africa. As literature attests in the last half a century at least 40% of civil wars have resulted from natural resources in Africa (Maphosa, 2012). Table 1 is illustrative of the foregoing assertion.

**Table 15.1:** *Recent Natural Resource Conflicts in African Drylands*

<b>Country</b>	<b>Period</b>	<b>Natural resource</b>
Kenya	1991, 2014	Water, pasture
Chad	1980-1994	Oil, uranium
Libya	2011	Oil
Morocco	1975	Oil, phosphate
Somalia	1988, 1991-2014	Bananas, livestock, charcoal
Sudan	1983-2014	Oil
Western Sahara	1976	Phosphates

**Source:** *Maphosa, 2012*

Even in countries where peace has been restored with the use of the international community such as in South Sudan. Indeed, in this newest state in Africa, despite the 2005 Comprehensive Peace Agreement (CPA) which ended 20 year of civil war, South Sudan continues to experience small-scale conflict especially around natural resources (Siddig, El-Harizi

& Prato, 2007; Sullivan & Nasrallah, 2010). Notably, 2013/2014 marked the resurgence of large-scale conflict in South Sudan based on ethnicity, but unfortunately over political power and natural resources. Following this conflict which is still ongoing, the evacuation of foreign nationals and development agency staff that followed has worked to retard development in this young nation a great deal. As late as September 16, 2014, the Government of South Sudan (GoSS) gave an ultimatum to foreign nationals working in the country to leave their jobs for South Sudanese (South Sudanese Envoy to Kenya on Kenya Television Network, 16/09/2014). Such a move is likely to isolate the country and retard development to a great extent. It is instructive to point out that such conflict may be fueled by other African countries that should have intervened in the first place to ensure peace and development in this country and the continent at large.

The foregoing is the sorry state in other natural resource rich African countries. For example, in Libya, Africa's largest producer of oil, the 2011 conflict based on oil has rendered the largely desert country a pale shadow of its own. This is despite the country holding close to 46 billion barrels of oil reserves and 55 trillion cubic feet of natural gas (Kailani & Saleh, 2012). In fact, the hydrocarbon industry in Libya accounted for over 95% of the country's export earnings in 2010 (Kailani & Saleh, 2012). However, such amount of wealth in the midst of conflict as experience attests has increased poverty in many drylands of Africa, and not just in Libya or South Sudan.

The cross fertilization of conflict, poor governance of natural resources, limited mining capacity, marginality, political ill-will, maladministration, corruption, donor dependency, conditionalities and natural disasters in dry land Africa compounds the situation to the great disadvantage of the poor and marginalized. To add insult to injury, rainfall variability, changing land use, markets and livelihoods and poor investment options make dryland Africa perennial recipients of relief supplies despite the large wealth they sit on (Mortmore, 2013). It is on the basis of the foregoing exposition that we propose a uniform dryland development policy for the continent.

## The Case for a Uniform Dry land Policy in Africa

Attempts have been made to bring African together in order to face her development challenges as an organized battalion. While there have been some successes in bringing some countries in the continent together, there is much more that needs to be done so that Africa can move towards progress as a continent and not through disjointed attempts by individual countries and regions. Indeed, it far-fetched for a single African country to attempt development in the absence of the involvement of other countries even if at regional level. Such efforts are bound to fail and a case in point is East Africa in which some states have developed cold feet towards regional integration. As a result, regionalism is likely to fail if the history behind the defunct East African Community is anything to go by (Onwuka & Sesay, 1985). It is probable that in the absence of concerted efforts towards continent-wide development, Africa is going to remain chained by the west through loans that work to impoverish rather than augment her development. Moyo (2009) has captured the sorry state of Africa as far as foreign aid is concerned in her work, *Dead Aid*. Consequential from the foregoing discussion, some measures are subsequently proposed to augment dry land development in Africa.

It is important to point out that, even as we propose a uniform dry land policy for Africa, we are in no way saying African dry lands are homogenous. Rather, there are marked differences even in individual countries with regard to dry land development needs, challenges and priorities. Do African countries have country specific dry land development blueprints? What can each learn from the other countries' dry land development blueprints? It is probable that if the various blueprints are merged, a hybrid strategy can be development for the whole continent that is likely to be part of the panacea for dryland development in the continent. This can be supplemented by borrowing best practices from countries like Israel and the state of Arizona in the United States that have the necessary experience in dry land rehabilitation.

Drawing from the New Partnership for African Development (NEPAD) initiative and its programme of action the African Peer Review Mechanism (APRM) (Mwenzwa & Kiswili, 2012), the same can be applied in the development of a uniform dry land development policy for the whole continent. Such a policy should be implemented under the auspices of the African Union and evaluation done periodically, just as it is done in the case of APRM. It is expected that periodic peer of the implementation

of a uniform dry land development blueprint in Africa can augment development in these areas.

Uniform policy need to address environmental degradation across the dry lands of Africa. These are the areas in which casual exploitation of natural resources is highly pronounced particularly the cutting of trees for timber, charcoal and commercial firewood. For example, in Kenya's drylands over 85% of households use firewood and charcoal for fuel (KNBS & SID, 2013). The foregoing is not done against any afforestation and as such is a progression towards desertification. This is a trend that needs to be reversed at all cost and from a combined standpoint.

In addition, Africa perhaps may need a uniform dry land management charter or regulation, which should inform dry land policy development. Indeed, the continent should come with a charter on a convention on dry land development modeled in the version of the African Youth Charter (AU, 2006). Subsequently, AU member states can be required to domesticate the charter through individual country-specific policies, projects, legislation and programmes drawing from the charter or convention. This once put in place and member countries start implementing it, periodic peer reviews can be carried out on its implementation just like it is the case with APRM under the NEPAD (Mwenzwa & Kiswili, 2012).

Many dry land inhabitants pursue livelihoods that conserve biological diversity in innovative ways. For example, farmers in the Sahel practice cultivation and agro-forestry techniques that improve productivity, strengthen resilience while at the same time providing household income in addition to environmental benefits (Davies et al, 2012). What can government in Africa learn from such practices? Are these practices adaptable in the era of climate change? It is important that these are clearly documented across the continent with the objective of sieving out best practices. These could be institutionalized in environmental management practices to save the dry lands from further degradation. From such data, a uniform dry land regime for Africa, with specificities can be formulated and implemented to augment dry land management for continental development.

There is need for continent-wide concerted efforts at conserving dry land biodiversity with a starting point being encouraging all Africa countries to sign and put to effect the Convention on Biological Diversity (CBD). Given,

there are many drivers of dry land biodiversity loss including but not limited to rapid demographic shifts and urbanization, agricultural expansion, land use change, weak governance regimes and the introduction and spread of alien invasive species (Davis et al, 2012). It is the mitigation of these drivers on a continent scale that is expected to see a paradigm shift in the approach to dry land management in Africa and by extension development.

Given that Africa is about 61% dry land, this is an area that academicians cannot ignore for it is a key portion of what ought to increase continental GDP. These are also the areas in which substantial natural resources including oil, coal, limestone, natural gas, wildlife, solar and geothermal energy among others are in plenty. As such, it is important that institutions of higher learning and research are strongly brought on board and funded to not only develop comprehensive dry land curriculum, but also carry out extensive research on dry land development. A uniform dry land training curricula at both graduate and postgraduate levels needs to be developed and implemented in institutions of higher learning across the continent and a corresponding civic education among the masses particularly in rural dry lands where environmental degradation has already peaked. It is on the basis of such data that strategies can be formulated to save the dry lands of Africa from the imminent catastrophic impacts including flood and drought disasters and further degradation.

It behooves African government departments in charge of the environment and related resources to come to a round table and deliberate on the way forward regarding continent-wide dry land development. Indeed, to ensure accelerated dry land development in Africa, there is a need for a multi-disciplinary system approach with emphasis on participatory research and involvement of all stakeholders to address dry land needs and problems in an integrated manner (Poulsen, 2013). It is already evident that African states have come up with continent-wide strategies to tackle some of her development challenges including climate change, gender equality and women empowerment, insecurity emanating from international terrorism and trans-border conflict among other issues. In the same vein, more efforts and resources need to be invested in dry land development planning and resource management. This would guarantee a future for the continent in line with the ideas of sustainable development.

The key to sustainable development is community support, which can be galvanized by active participation that should be accompanied by capacity building of local groups and community members to take charge of their development (Darkoh, 1996). An interesting attribute about most of the African dry lands is human conflict over natural wherewithal. Talk of Sudan, Kenya, Ethiopia, Uganda, Eritrea, Somalia, Nigeria, Algeria, Libya, and the like! Indeed, in some of the dry lands of Africa, civil strife has apparently become the development archetype to the great compromise of local as well as national development indicators, not only in the specific countries, but also the continent as a whole. It is a fact that when peace is disrupted, development is compromised greatly. This partly explains the development lag in the dry lands of Africa despite the huge quantities of natural resources these areas are endowed with.

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# 16

## Policy Implications of Executing the African Youth Charter in Kenya

*Ezekiel Mbitha Mwenzwa*

### Introduction

The preceding section will be devoted to an analysis of the youth in Kenya, while interrogating their social and economic concerns and challenges in the advent of a globalizing and increasingly marginalizing world. In the first instance, the youth in Kenya are discussed while bringing out the various policies that concern them and the possible impact on their lives, families and communities and the country at large. Subsequently, the African Youth Charter is discussed at length including its provisions and importance to the youth on one hand and the youth issues on the other, not only in Kenya, but also in Africa generally. Finally, the paper provides the challenges inherent in implementing the African Youth Charter in Kenya and provides the way forward to galvanize youth livelihood in the country

### The Youth in Kenya

Globally, the United Nations Programme of Action for Youth of 1995 (UN, 1995) is perhaps the policy framework on which many decisions about the youth including legislation and policy direction has a basis. This programme seeks to help states to respond to the aspirations and demands of youth in fifteen priority areas. These areas include education, employment, poverty and hunger, the environment, drug abuse, juvenile delinquency and leisure-time activities. Others include health, girls and young women, HIV/AIDS, information and communications technology, intergenerational issues, armed conflict, the mixed impact of globalization, and the full and effective participation of youth in society and in decision making (AU, 2011).

The programme provides a policy framework and practical guidelines for national action and international support to improve the situation of young people. It contains proposals for action, aiming at fostering conditions

and mechanisms to promote improved well-being and livelihoods among young people (UN, 1995). The foregoing forms the core of the issues that affect the youth not only in Kenya but also globally and it is expected that countries implement the provisions of the programme. Indeed, it is the basis upon which the formulation of the National Youth Policy in Kenya is based (Republic of Kenya, 2006). The Kenya National Youth Policy is aimed at ensuring that the youth play a greater role in the socio-economic development of the country. The policy goal remains promoting active youth participation in community and civic affairs and ensuring that youth-targeted programmes respond to the needs of the youth (Republic of Kenya, 2006).

The youth in Kenya constitute approximately 36% of the country's population (UNDP, & Republic of Kenya, 2010; Mwenzwa, Kiptui & Kimiti, 2013). The demographic significance of this segment of the population can only be ignored at the peril of the society and therefore must of necessity be integrated into mainstream decision-making endeavors. The youth possess the development potential necessary for propelling the country into higher heights of development. Indeed, Mwenzwa, Kiptui & Kimiti (2013) capture the utility of the youth in Kenya's rural development in the following words:

*their effective utilization in rural development should be looked at as a goldmine for the society although many times they are seen as part of the problem rather than the solution to many development challenges affecting the country (Mwenzwa, Kiptui & Kimiti, 2013: 191-192).*

Based on the foregoing, it is apparent that they have a great role to play in the development of the country if adequately engaged. Indeed, it should not be forgotten that the Kenya youth have already put the country on the world map through their different talents particularly athletics and other sporting activities (UNDP & Government of Kenya, 2010). Although they constitute close to 60% of active labour force, about 75% of them remain either unemployed or underemployed against the fact that approximately 0.8 million more youth enter the job market annually. As a result, the main challenge facing policy makers and implementers alike is ensuring optimal utilization of the youth in development of the country (NCPD, 2013).

The youth form a constituency that is big enough to warrant concerted planning efforts to cater for their needs. They face challenges that differ from one area to another and time to time. In addition, their needs keep on emerging as determined by international trends such as globalization, industrialization, international terrorism and unemployment among others. From an equity and human rights perspectives, young people's issues warrant a place on public policy agenda, more especially since these age groups constitute a significant share of national populations, particularly in developing countries (Panday, 2007).

In addition, the high proportion of young people is recognized as a window of opportunity for rapid human capital development and economic growth (World Bank, 2006). For this reason, young people's energy, creativity, flexibility and adaptability to interface with the scope of change in the globalizing world constitute a recipe for steady, sustained growth and development that need to be tapped for prosperity. Indeed, it is out of question for a country to develop when the needs of its youth remain unmet as it is in Kenya. Consequently, Kenya must pull up her socks with regard to mainstreaming her youth in development if she expects to achieve the development ideals envisioned in the Kenya Vision 2030. Short of the forgoing, the vision will become part of the statistics in failed blueprints since independence.

Although there is no universal definition of the concept of youth, official documents in Kenya define the youth as any anyone between the age of 15 and 35 years old (Republic of Kenya, 2008). On its part, the UNDP defines youth as any individual between the age of 15 and 24 years old. Despite the diversity in the definition, there is one denominator that defines the population of the youth, their vulnerability and diverse needs that require concerted efforts across all sectors of the economy (NCPD, 2013).

The Kenyan youth is not only dynamic, but also energetic and therefore part of the economically viable population. Nonetheless, this potential is not yet fully utilized due to high rates of unemployment and therefore below optimum participation socio-economic life of the country. As a result, they remain marginalized and their potential far from full utilization for their own development and that of the communities in which they live. This marginalization is responsible for the many challenges they face in an effort to eke a living. For example, despite increased primary education attainment and literacy rates, many young people in Africa do not progress to higher levels of education (AU, 2011).

## Youth Issues in Kenya

It is estimated that approximately 50% of the population in developing countries constitute youth and children and that of the 1.2 billion 15-24 years old people in the world, one billion live in developing countries (DFID-CSO Youth Working Group, 2010). Although this segment of the population is diverse in terms of their needs, vulnerability is the denominator that brings them together. The issues of concern to youth are multiple and varied on a time-space distanciation. In the developing countries including Kenya the challenges that bedevil the youth revolve around the need to create wealth, unemployment, health including HIV and AIDS, marginalization, poor representation in decision making and inadequate voice in the family, community and national spheres (UNDP & Government of Kenya, 2010).

Others include inadequate recreational facilities, poverty, crime and drug and substance abuse among others (UNDP & Government of Kenya, 2010; NCPD, 2013; Mwenzwa, Kiptui & Kimiti, 2013; Sivi-Njonjo & Mwangola, 2011; UNDP, 2013). It is to be noted that these challenges not only combine to make youth lives precarious but reinforce one another leading to more youth marginalization and drive them into anti-social activities including unprotected sex, deviance and crime. For example, in Kenya more than 50% of convicted prisoners are aged 16-25 years old, while about 33% of all HIV and AIDS patients are between the age of 15 and 35 years even as 75% of new infections occur among the youth (UNDP & Government of Kenya, 2010).

Poverty, education and training are yet other principle challenges facing the Kenya youth today just like others in the developing world. For example, about 50% of the youth populations in Kenya (15-35) live in poverty, sometimes chronic poverty while approximately 15.4% of young people (15-24) have never been to school (NCPD, 2013). The foregoing is against dwindling employment opportunities in the country in the midst of a rapidly increasing labor force. As such, there are many youth with nothing to eke a living, which grossly ups the dependency ratio to the great disadvantage of development. Sivi-Njonjo & Mwangola (2011) have observed that in Kenya there is an increasing youth population that is relatively well-educated but unfortunately largely unemployed and in many ways marginalized. The foregoing scenario gives credence to the Africa Commission (2009) recommendation that an

increased focus on youth entrepreneurship as the single most important driver of socio-economic change. Such is expected to ease youth unemployment and thereby reduce social evils such as crime, drug and substance abuse among others. The end result would be poverty reduction that would in the long run provide the necessary welfare dividends and propel the country into high heights of development.

The scenario that is a rapidly increasing youth population that is not only educated but also unemployed present not only a phenomenal, but also a complex challenge to all stakeholders (Sivi-Njonjo & Mwangola, 2011). For example, an increasing young and educated population means rural-urban influx and its associated urban problems, increased competition for scarce resources, high rates of unemployment and underemployment, increasing crime and insecurity and demand for more social services against scarcity. Indeed, given the high rates of unemployment rates among the youth in Kenya, the unemployment problem is largely a youth issue (UNDP, 2013). To avert unemployment catastrophe in Kenya, UNDP (2013) recommends revitalizing educational institutions in Kenya so that they can absorb most youth, this is seen as important because it has the ability to delay youth entry into the job market and by extension minimizing unemployment among them.

### **The African Youth Charter: An Overview**

While recognizing the importance of young people in the development of any society, African countries and other development partners have been spearheading development blueprints in the area of youth and development (AU, 2011). Specifically, the African Youth Charter was adopted in Banjul, The Gambia, on 2 July 2006 and entered into force on 8 August 2009. The African Youth Charter defines young people as every person between the ages of 15 and 35, which constitutes a contentious definition among African countries, most of who define the young people as individuals aged between 29 and 40 in their national youth policies (UNECA, 2011).

The Charter constitutes a continental legal framework that seeks to reposition the challenges, potential, contributions and rights of young people in the mainstream of Africa's socio-economic growth and development (AU, 2011: vi). Given that the African Union believes that continental development is largely hinged on the ability of its people to mainstream

the youth in development, there is a strong believe that Africa is unlikely to develop without investing in youth development (AU, 2011 ; UNECA, 2011). In recognition of the foregoing, the African Youth Charter (AU, 2006) has several provisions that obligate member states to implement measures to mainstream youth in development in their countries.

While coming up with the African Youth Charter, AU member states acknowledged the commitments that had been made towards the UN Millennium Development Goals (MDGs) and invited partners to support the advancement of the African youth and recognized the sacrifices made to address the economic, social, educational, cultural and spiritual needs of youth. The member states noted that the situation of the African youth was precarious given high unemployment rates that were and still continue to be responsible for income inequalities and the impact of HIV and AIDS among other issues. The states therefore made reference to the United Nations World Programme of Action for Youth to the Year 2000 and beyond and its ten priority areas including education, employment, poverty, health and participation. Others include globalization, HIV and AIDS, armed conflict, juvenile delinquency and leisure time activities.

The foregoing was a clear demonstration and recognition that youth remain principal partners, assets and a therefore their inclusion and active participation as prerequisite for sustainable development of the continent. The AU member states therefore took into consideration the inter-relatedness of the challenges facing youth in Africa and the need for cross-sectoral policies and programmes that attended to their needs in a holistic manner. This was the genesis of the African Youth Charter that is envisaged to provide the much needed impetus for the active participation of youth in development discourse across the continent.

In summary, the African Youth Charter creates a framework for the formulation of supportive policies and programmes for young people and a platform for youth to assert their rights and fulfill their responsibilities. Some of the areas of emphasis in the charter include employment, sustainable livelihoods, education, health, youth participation, peace and security, and law enforcement (AU, 2006). It is this framework which is expected to provide the necessary impetus for the growth and development of youth for human posterity and prosperity. However, good as it may be, its implementation is faced with several bottlenecks that are context-specific.

The African Youth Charter echoes the provisions of the UN Universal Declaration of Human Rights of 1948 by affirming its human rights provisions and giving a commitment to live by its ideals including non-discrimination, freedom of expression and movement, right to property and its ownership and right to development. Other issues include protection of human life, preservation of law and order, protection of property and the freedom of assembly among others. In particular, the Charter in Article 11 provides for the involvement of the youth in development in addition to making the environment conducive for the development of youth skills, knowledge and change of attitudes to enable them to be active partners in development.

In Article 12, every member state is obligated to develop and implement a youth policy that integrates youth needs and issues in development. As such, it is expected that signatories to the African Charter will strive to develop a youth-specific cross-sectional policy that at a minimum responds to the needs of the youth in respective countries. Specifically, this article spells out that the development of the policy should be consultative including active involvement of young people in its drafting and implementation. In general, the policy is intended to ensure access to social services by the youth that would facilitate their balanced growth and development and by extension, their active participation in development of the societies in which they live. The envisaged empowerment of the youth is expected to arrest such vices as crime, violence, drug use and abuse, prostitution and other youth-related social evils.

*While echoing the provisions of the UN Convention on the Elimination of all Forms of Discrimination Against Women, Article 20 of the African Youth Charter obligates state parties to endeavor to respect the cultures of different people while at the same time developing mechanisms to do away with all practice that degrade women such as Female Genital Mutilation/Cutting (FGM/C). While the charter provides for the rights of the youth, it also puts a caveat to the effect that the rights come with responsibilities. As such, Article 26 of the Charter states, "every young person shall have responsibilities towards his family and society, the state and the international community".*

Indeed, under the foregoing Article the youth have a duty to engage in peer-to-peer education to promote youth development in areas of literacy, use of information and communication technology, HIV and AIDS prevention, violence prevention and peace building. In addition, the youth are expected to promote tolerance, understanding, dialogue, consultation

and respect for others regardless of age, race, ethnicity, color, gender, ability, religion, status or political affiliation. The foregoing is expected to ensure the required peace and tranquility that is necessary not only for youth development, but that of the society in general.

### **Challenges of Domesticating the African Youth Charter in Kenya**

While the Charter provides important safeguard for youth development, there are however structural and policy-specific challenges that stand on the way of its implementation. It is these bottlenecks that prohibit appropriate implementation of the Charter that the focus of the paper turns into. To start with, the provisions of the Charter are not legally binding given that they are just mere guidelines without the force of the law. As such, failure by the state to implement them cannot lead to recourse to law in the absence of substantive law to enforce it. Indeed, it is not mandatory for the AU member states to ratify the Charter, let alone its domestication and implementation.

In addition, Kenya is financially constrained, which is compounded by poor appropriation of the already meager resources. As such, corruption in the utilization of public resources is so endemic that ethic and integrity are more or less simple vocabularies in the public service if the Goldenberg, Anglo-Leasing and other high level corruption scandals are anything to go by. Such embezzlements make a mockery of the public service catchwords of transparency and accountability in the use of resources. It would seem that the whole enterprise of fighting corruption is simply organized elite hypocrisy.

It is acknowledged that the youth are not a homogenous group with identical needs. They therefore, differ by gender, age, race, ethnicity, residence and socio-economic status among other criteria. It would therefore be important that youth data is disaggregated by the foregoing parameters so that empowerment strategies are well targeted at the specific needs of the youth on a temporal and spatial dimension. Otherwise, implementing the National Youth Policy is not expected to be particularly result-oriented in the absence of such disaggregation. Otherwise approaching your issues with a homogeneous approach is unlikely to lead to the intended outcomes.

By and large, some of the programmes for mainstreaming youth in development as envisaged by the African Youth Charter are apparently not in tandem with their wishes and aspirations particularly those educated youth. For example, some of the programmes may involve manual work which the graduate youth may resent such as the failed Kazi kwa Vijana (jobs for the youth) initiative. Tellingly, many youth particularly the highly educated, prefer white collar jobs to other engagements, the former that are unfortunately grossly inadequate to absorb all youth. As such, many youth remain unemployed, not necessarily for lack of some economic engagement but ill-preparedness to take alternative career paths.

The fact that the majority of the youth particularly the unemployed are occasionally used as a political tool by the politico-economic elite demonstrates that those in power and control of resources abuse the youth. Flowing from the foregoing, the empowerment of the youth envisaged by the African Youth Charter may not get the necessary political support and goodwill. This is based on the reasoning that empowerment makes the youth independent and therefore guarding against their manipulation by the political class. It is therefore observed that implementation of the Charter may not be politically expedient and thus facing yet another bottleneck.

Participation in development is seen as the engine behind desired development outcomes and progress, however, the de-participation registered among the youth is so glaring to defeat the purpose of development. Such bottlenecks that stand on the way of youth active participation include poor education and training, inequality and exclusion, weak infrastructure and the cost of social services including health and education. These pose great challenges to the execution of the African Youth Charter and must therefore of necessity be tackled if youth mainstreaming in development has to be realized.

It cannot be gainsaid that the youth possess the necessary energy, resolve and passion that the state cannot afford to ignore (AU, 2011). Unfortunately, these are yet to be tapped in appreciable measures partly due to inadequate targeted investment in areas that would see the youth empowered. Targeted investment is expected to pay dividends through positive outcomes including better skills, knowledge and attitudes among the youth that is expected to improve their productivity and contribution to national development in appreciable measures. It is to be noted that targeted investment is part of the implementation of the African Youth Charter, whose absence adversely affects the achievements envisaged in the charter.

The fact that many youth especially in the developing global south are poor is uncontested. It then follows that investment in social protection programmes that are specifically pro-poor are in actual sense investments to empower the youth. Until the youth are empowered, the provision of the African Youth Charter will remain alien to them, which in effect prevent the realization of its ideals. An entry point in this regard would be to strategize and implement initiatives that improve the economic security of the youth in particular and the poor in general.

### **Conclusion and Synthesis**

It is widely acknowledged that the youth are not just an asset for development, but also own assets that are important for investment in development particularly their knowledge and skills. As such, young people represent agents, beneficiaries and victims of social change and development and are therefore faced by many challenges in their growth and development (UN, 1995). Although they are not a homogeneous group the world over, they long for active participation in their societies through generation of wealth and involvement in decision-making. This undeniable fact is based on the reasoning that as future leaders, they must shape their future now in order to be strategically placed on the onset of the time for taking over the leadership of the society.

On their part, young people in Kenya in particular and Africa in general are subject to a myriad of challenges and risks that are largely a result of multi-tiered economic and structural issues, many of which are also widely recognized as central concerns in Africa as a whole (AU, 2011). In essence, youth in Africa are resident in the world region with the highest levels of poverty, and at its core, poverty is associated with weak endowments of human, capital and financial resources. These include low levels of education, few marketable skills, low labor productivity and generally poor health status. Based on the foregoing observation, what would be the panacea to this state of affairs given the increasing youth population against fewer opportunities for self-actualization? The solution perhaps lies in looking at strategies that spring from outside the box and endeavor to implement their letter and spirit.

Flowing from the foregoing, it is important that the challenges of implementing the African Youth Charter highlighted in the preceding

section should be given a concise consideration. This should be done with a view to strategizing appropriately to maneuver them and mainstream youth needs in development planning and implementation. In the face of these challenges against a specific blueprint to assuage their negative impacts, little is expected to be achieved regarding youth mainstreaming in development and hence the implementation of the African Youth Charter.

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# 17

## Education Sector Policy Reforms in Kenya

*Florence Kanorio Kisirkoi*

### Introduction

Effective educational policy reforms are implemented to improve education meant to empower individuals to exploit their full potential to enable them live improved quality life in a democratic environment. This results to economic growth, enhanced productivity, reduced poverty, increased individual earnings and livelihoods (Common Wealth Education Fund [CEF], 2003). In Kenya education is treated as a vital sector. It is recognized not only as a welfare indicator but also as a determinant of earnings and an exit route from poverty (Republic of Kenya, 2005). The country relies on education and training to achieve the eight national goals of education and to create a globally competitive and adaptive human resource base and knowledge based economy (Republic of Kenya, 2007). There have therefore concerted efforts to improve education quality in Kenya since independence.

Before western influence, Kenya had an indigenous education that catered for the needs of all the members of the society and prepared them to live and fit in the society. It was satisfying the society at the time though it lacked sensitivity to societal dynamism and neglected the individual and career choice was limited to the life of the community (Sifuna, 1990); an aspect the society would probably have dealt with smoothly at opportune time had there been no western intervention. The African traditional education was totally scuffled by the coming of missionaries and colonialists. To the missionaries western education for Africans was meant for evangelization while to the colonialist education for Africans was vocational and industrial education to prepare Africans to be better servants while the White children were offered elitist education to prepare them work as future managers and that had great repercussions for the African populace at independence and thereafter because colonial education had not equipped Africans with managerial skills. That tends to be the prelude education owes in Kenya because the future education reforms tended to react to that created scenario and look down upon technical education.

## **Christian Missionaries and the White Settlers’ View of Education for Africans**

Sifuna presents a vivid picture of the impact of the western influence on education in Kenya. He reported that when the missionaries came to East Africa, they found that the African child was trained to fit in the family, clan and society; respected the parents ancestors and God (Sifuna, 1976). The missionaries trashed it and cut the cord that held such values which was in form of rituals and taboos and regarded them as primitive and devilish. The education commissions and policies before independence aimed at Whites self- preservation and not Kenya’s development. After western intervention African indigenous education suffered a deadly blow and Kenyans’ education has never been the same again and one wonders the direction the country’s education and entire development agenda would have taken had the missionaries and colonialists never disrupted or at least sought to understand the indigenous education and general Kenyan development trend.

Sifuna (1980) traces the coming of the early missionaries to Kenya and brings out their intention of getting involved in education basically as a means of spreading Christianity:

*“Krapf and Rebmann after their settlement in the mid -forties saw the possibility of spreading the knowledge of Christianity through formal schooling (Sifuna, 1980 p. 1)”.*

Clearly to the western missionaries, the purpose of education for Africans was not social, political and economic development and the exploitation of the African child’s full potential. Rather theirs was to convert them to Christianity so that the Africans could help in evangelistic work; and to influence Africans change from their way of life, which the missionaries considered primitive and demonic, and embrace western way of life (Sifuna, 1975; Ngugi, 1965; Achebe, 1958). Ngugi, writing from Kenya and Achebe writing from Nigeria, reveal the destruction of African way of life by both Christianity and western education which tended to be bed fellows despite seeming difference. Sifuna (1975) further observed that in some instances in Kenya the White settlers criticized the missionaries for offering Africans literary education and claimed that enabling the African read the bible would make them feel equal to the Whites. However, generally the European

settler and the missionaries felt superior to Africans and undermined African culture and the values Africans cherished which the missionaries preached against both in church and in school (Sifuna, 1976). The settlers recommended only technical and industrial education for Africans whom they regarded as savages who could not be suddenly be uplifted from their current state to civility of the Europeans and had to take time in evolution of races (Sifuna, 1980). The Fraser report of 1909 and the Protectorate report of 1919 (cited in CEF, 2003) formed the basis of provision of education in the colony until 1949 when the Beecher report was released. Africans were expected to play the role performed by servants and rural labourers in England (Sifuna, 1980) a practice influenced by traditional curriculum theory that divided people into three classes and the lowest class was made up of servants who were to serve the top two classes and did not need literary education that prepared managers but rather technical education that prepared servants. The colonial education reports, in line with colonial government and missionary thinking emphasized heavy industrial curriculum for Africans with emphasis on brick making, carpentry, agriculture and road building (CEF, 2003). Africans could not be offered literary education and technical education was to prepare them work with their hands and become better servant in a racial hierarchical society (Sifuna, 1980). The Missionaries and the colonialists therefore designed the tone of the current Kenya's education procedures, and management. Western education finally killed African socialism and bred individualism and education became a status symbol and the first African products of western education formed African elite who seems to be keeping up the status; and indeed tended to replace the colonial masters in a black skin.

Consequently, Africans looked down on technical education which the colonial government had recommended for African children for they read selfish demeaning motives; imparting to the Africans practical skills for practical activities such as working in the farm to make Africans their semi-literate servants. Such an approach made the Africans see the elitist literary education and training offered to Whites as a means by which they were to become equal with the Whites and they clamoured for literary education that prepared people for white collar jobs. Africans saw education as a passport to power and prestige as interpreted by Europeans themselves. Western education produced bureaucrats and administrators and the competitive spirit in the European examinations gave Africans

new goals and aspirations contrary to the traditional values of socialism (Sifuna, 1980). Africans unfortunately tended to continue looking down on technical education which is core in self-employment, job creation and in boosting a country's economy, a situation that remained biting to date.

The colonial government adopted the approach of appointing education commissions and committees to spell out education policy; a practice common in post independent educational reforms and management. The appointed education commissions defined the curriculum and structure of education system, policies for registration and control of schools and formed partnership with Christian missionaries. The pre - independent education reforms such as Fraser (1909), Phelps Stokes (1924), Beecher (1949) and Bins (1952), (cited in CEF, 2003 p. 5) aimed at producing African clergy who would further evangelical work, labourers who were proficient enough in speaking English language but not qualified for the civil service and to 'placate the Africans from stemming a tide of discontent on education'. The emphasis on technical education at the time was to reduce the African to the level of a servant and the colonialist a master (Sifuna, 1976). Therefore the education reforms before independent were clearly interested in development of the White settlers and advancing the interests of the missionaries which Africans noted and became very suspicious and wary of technical education. The Africans on the other hand had their own perception of education. Sifuna (1976) reported that Africans saw western education as a process and training by which they were to become equal to the Whites. They therefore demanded elitist education offered to White children.

After independence, technical education was still not viewed positively by Africans and it was not given a prominent position –a move that has created joblessness of the educated people in Kenya to date. The post independent education reforms were therefore affected by the pre independent education reforms. The impact of colonialism has had a lasting effect on education in Kenya which needs to be addressed in order for the country to come out of the present quagmire.

## Post-Independence Educational Reforms in Kenya

At independence the enemies of the country's development were identified as poverty, ignorance and disease and education was viewed as the means of fighting the enemies (Republic of Kenya, 1965). The first education commission after Kenya's independence, the Kenya Education Commission (Republic of Kenya, 1964) came up with six goals of education that provided the education sector focus that would lead to social political and economic development of the individual and the country broadly addressed. The six powerful broad goals of education specifically addressed achievement of national unity, national development, individual development, self - fulfilment, social equality, respect and development of cultural heritage and international consciousness and are addressed in all levels of education in the country. The goals have provided the education sector focus from independence to date only revised in 2002 when two more national goals were added to address new emerging societal needs. The additional goals addressed the dynamism in the society such as need for environmental sensitivity, gender and the new challenges to health due to the HIV and AIDs scourge.

At the time of independence Kenya was faced with severe shortage of human resource to assume positions and responsibilities that had been previously held and conducted by the Whites (Republic of Kenya, 1964). That status was as a result of the impact of the colonial education that had not prepared Africans with skills to enable them to hold such positions and instead had relegated them to role of servants and clerks. The Kenya Education Commission emphasized higher literary university education at the expense of technical education which was reaction to pre- colonial education which had presented technical industrial education as the education for an inferior people and the Africans wanted to prove they were not inferior. University education was given heavy subsidy to ensure that there was a trained and sufficient highly skilled human resource to take over the management of the country's affairs and especially to run the government (Republic of Kenya, 1964). The goal was achieved and the country produced highly educated, brilliant professionals who took key positions in government and designed sound policies such as the Sessional papers and the country's education management and administrative structures. However some critics argue that some people who managed to get educated took advantage of their positions and the ignorance of the

populace at the time and enriched themselves by amassing resources and actually took the place of the wealthy White settlers and the education system favoured them. They managed to get protection from the rulers and safeguarded their class and finally there emerged inequalities perpetuated by the education and the curriculum reflected the culture of the privileged few which was the onset of greed and impunity that has grown to a plague in Kenya society.

By 1976 the market for trained managers was overflowing and there was problem of unemployment. Education which Kenyans had regarded as medium for social mobility and national economic development failed to deliver as the number of unemployed school leavers rose by each year. The few who benefited from the education continued amassing wealth and resources and the gap between the rich and the poor widened each year.

The seven years primary education, four years secondary, two years advanced secondary education and a minimum of three years university education (7-4-2-3) system of education introduced by the Kenya Education Commission was too academic and lacked orientation to the industry and direct employment. However few more people managed to secure education and employment but many did not get employed as they sought white collar jobs and had not developed skills of job creation.

The Kenya Education Commission (Republic of Kenya, 1964) had also recommended abolition of segregation of schools along racial lines, introduction and standardization of the national curriculum for schools and free universal primary education. All were implemented but free education was not immediately implemented and it became a recurrent theme to be echoed in 1973 when school fees was abolished from class 1 to class 4 and in 2003 when Free Primary Education was fully implemented. Free Day Secondary Education implementation also followed by the year 2005 where tuition fee was waived in day secondary schools (Ohba, 2009).

The Kenya Education Commission also recommended the enactment of Board of Adult Education Act of 1965 (cited in Republic of Education, 1964) but placed adult education in Ministry of Culture and Social Services instead of Ministry of Education fragmenting the education sector. Jomo Kenyatta Foundation and Kenya Literature Bureau were established to print, publish and distribute educational materials and grant scholarships

to bright students. The bodies to date print educational materials even in their current status as private organizations. The enactments of education Act in (GOK, 1968) CAP 211 Laws of Kenya, provided education a legal basis and it has been revised to address the new development in education. The first education commission after independence was the most effectively implemented and with many success stories. However the elitist education and failure to fully embrace technical education could be the cause of mass production of individuals who the majority are not absorbed by industry and are rarely empowered to create jobs, hence present a state of apathy and helplessness of many school leavers. The Ndegwa commission (Republic of Kenya, 1970) had recommended diversification of secondary school curriculum by including technical subjects but the recommendation was not implemented and training for white collar jobs increased and unemployment persisted.

The National Committee on Educational Objectives and Policies (Republic of Kenya, 1976) noted that the expansion of education was taking place at the expense of quality and relevance and called to a halt of the trend and recommended introduction of technical subjects in a 9-4-2-3 system of education but the recommendation was not implemented. Critics argue that it was politically instigated due to political elections of 1977 and the fact that there was change of government. Other recommendations of the committee were integration of harambee schools into government schools and promotion of teachers on merit which were gradually implemented in a staggered manner.

The presidential working Party on establishment of second University (Republic of Kenya, 1981) recommended technical education that resulted in introduction of the 8-4-4 system of education. It would have addressed unemployment had it been well managed and implemented but it was associated with the ruling party and was heavily criticized by the president's critics. To make the situation worse, the implementation was hurriedly done with minimal teacher preparation. The education was also very expensive with major curriculum overload which was addressed during curriculum reviews in 1992, 2002 and 2004 but the 8-4-4 education system continued reduced back to literary education. It appears that proposal for technical education are never implemented. The system is, however, credited for expansion of the Jua- Kali sector and emergence of entrepreneurial spirit in Kenya. However the examinations

burden threatened the practical component in the curriculum where time for practical work had not been accounted for. Teachers had not been prepared to teach the revised curriculum and there were insufficient teachers for technical subjects. The option was reverting to literary education at the expense of technical education worsening preparation for employment situation and the reforms that followed stifled education of practical components and the curriculum was back to literary education hence threatening technical and creativity skills development. The education was also hampered by lack of teaching resources, lack of teachers for technical subjects, high school dropout rate and low completion rates. Education for job creation was not nurtured. Emphasis on examinations encouraged transmission method of teaching and rote learning at the expense of developing problem solving and creativity skills.

The Presidential Working Party on Education and Manpower Training for the Next Decade and Beyond (Republic of Kenya, 1988) popularly known as the Kamunge report was influenced by the World Bank policies for Adjustment, Revitalization and Expansion (World Bank, 1988) that emphasized user fees in recovering education costs. The policy of cost sharing was introduced where the government was to meet salaries of teachers and education administration and cover limited school facilities. The communities were to be responsible for putting up physical structures and ensuring their maintenance. The policy of cost sharing in education was introduced and the 4 million children of the poor who had nothing to share dropped out of school thanks to World Bank and the International Monetary Fund (IMF). School dropout led not only to joblessness but also to increased numbers of illiterate youth and poverty.

The Commission of Inquiry into the Education System in “Kenya’ the Totally Integrated Quality Education and Training” (TIQET) reported in Republic of Kenya (1999) appears to have been as a result of the 1997 political campaign promises and strategies to win the general elections due to the growing unpopularity of the 8-4-4 system of education. There was, however, explanation that the TIQET report was not adopted by the government due to cost implication. The commission had recommended a manageable comprehensive curriculum at all levels and expansion of basic education to 12 years to include both primary and secondary education components. It also addressed early childhood, technical and special education. It recommended modular learning and credit transfer in post- secondary education. Both the TIQET and the Master plan on Education and Training

(Republic of Kenya, 1998) (MPET, 1997 to 2010) were not implemented at once. The MPET was meant to provide policy direction in preparing the country in achieving the goal of industrialization by 2010. Implementation of TIQET was staggered. Technical subjects were removed from the 8-4-4 curriculum and later reintroduced in 36 schools across the country but it appears to have been cosmetic because the subjects are not considered in admission to higher education. Despite the education reviews and policy formulation the education sector continues to produce learners who are not consumed in the industry and there has been endless joblessness of educated individuals. The curriculum is now due for review and there is need to embrace technical education and science and technology and to also develop in the learners problem solving and creativity skills.

### **National Education Policies**

The National Conference on Education and Training held from 27th to 29th November, 2003 in Nairobi Kenyatta International Conference Centre (MOEST, 2003) mandated the Ministry of Education to develop a new policy framework for the education sector. As a result the Sessional paper No. 1 of 2005 on A Policy Framework for Education, Training and Research (Republic of Kenya, 2005) was developed and it constitutes the government policy on education and training. In the Sessional Paper it is asserted that for the country to achieve the desired growth high priority needs to be placed on human capital through education and training by promoting technical and vocational education as well as teaching of science and information technology. The philosophy of education is stated as 'Education and Training for Social Cohesion as well as human and Economic Development. The stated objectives of education are holistic and all inclusive. Prominence will be given to technical education based and students should be prepared for acquisition of productive skills. Some technical subjects offered at secondary schools are not referred to the subjects when selecting courses for university education. The Sessional paper No. 1 of 2005 recommended rationalization of the curriculum with view to reducing the load on learners and the cost to parents. This has not been implemented.

A technical education and training structure was provided and the institutions have been facilitated to train students but the structure has not been put into full operation. A Kenya education Sector Support Programme was recommended and was made operational and vibrant for 2005 to 2010 period but tended to slacken due to challenges of noted corruption which discouraging the donors and reduced their support and good will. Further in an effort to meet the needs of Kenyans, the Kenya Vision 2030 was developed and education is placed in the social pillar and encompasses the millennium development Goals. However it appears that the country is in pursuit of meeting international goals while local and individual needs remain unmet. At the end of every educational cycle people are released who do not fit the industry. Those who qualify to next level of education are very few compared to those released to nowhere and nobody refers to them ever after. Those who complete training courses are not also put on the lime light to know who got absorbed in industry and those spewed out and hence plan for them.

The Sessional Paper No. 1 of 2005 was revised in 2012 to focus on Reforming Education and Training Sectors in Kenya. The aims should be to produce goods and services of industrial nature that can be sold beyond her borders to generate real income for the country. A country is only able to realise such progress if its economy is innovative and the 8-4-4 system and the curriculum as it is cannot attain that. The curriculum has to focus on technological innovation in order for an innovative economy to be realised to develop a critical mass of well qualified technologists and engineers to spur the development of an innovative economy. To attain that the 8-4-4 curriculum will need to be realigned.

The Kenya Vision 2030 (Republic of Kenya, 2007) is the country's new development strategy. Under education and training, Kenya aims to provide competitive and quality education, training and research. The sound aims cannot be achieved through a curriculum that does not challenge learners to be creative innovative problem with problem solving skills and skills to construct their own new knowledge. The current curriculum aims at high examination scores which do not necessarily reflect industry needs. The aim has not been met. Kenya also aims to be a regional centre of research and development in new technologies. The focus is sound but calls for revised curriculum and engaging, learner centred teaching learning strategies.

## Free Education Policy

The effort to achieve Universal primary Education is as a result of United Nations declaration of education as a human right. It is also an important ingredient for economic development. Attempt to provide free education in Kenya could be traced to the time of political independence of the country. During the political campaign at independence promise was made to provide free primary education which was to be implemented soon after independence in 1963 but it was not until 1973 when a presidential decree was made to provide free primary education from class 1 to 4 from the following year 1974 and as a result school enrolment increased from 1.8 in 1973 to 2.8 in 1974 (Sifuna, Oanda & Sawamura, 2008). In 1977 all forms of school levies were abolished and in 1979 free milk programme was introduced in primary schools. Critics view the pronouncements as meant to popularize the young Moi's government after the death of President Jomo Kenyatta in 1978. The result of free education was increase of 23.5% in primary school enrolment. In 2002 free primary education was once again an election campaign strategy and in 2003 free primary education was launched once again to fulfil the election pledge. It attracted donor support such as Canadian International Agency (CIDA), UN, USAID, UNICEF, UNESCO, OXFAM and World Bank.

Free primary education was fully implemented and it is currently ongoing. Free Day Secondary Education implementation also followed by the year 2005 where tuition fee was waived in day secondary schools (Ohba, 2009). The free education policy however has made significant difference in lives of many people in Kenya especially the disadvantaged groups of children who had been pushed out of school by the many demands of formal schooling (Sifuna, Oanda & Sawamura, 2008). The challenges faced in implementation of Free Primary Education included lack of support from parents due to misunderstanding of their roles, teacher unpreparedness to work with large classes, lack of infrastructure, congestion in classrooms, overworked teachers and misappropriation and stealing of funds by senior government officers. The outcome generally has been a mass production of educated people who most of them do not move on the next level or get absorbed by industry. There is mismatch between education offered in the education institutions and the job market. There is claim that education key concerns have been access, retention, equity, quality and relevance,

external efficiencies yet there is high number of hopeless unemployed and unemployable products of the education system. Hence doubts abound regarding the education quality. Indeed there is mass production of people who have gone through schooling but lack skills required by industry. Gicobi (2014) reports about a Harvard trained coach who is offering a three month intensive career accelerator programme in Nairobi Kenya to help new university graduates acquire practical professional know - how they need to find jobs and succeed in work place. This indicates a gap in education and training and the industry which education policies should work to seal.

### **Conclusion and recommendations**

To a large extent educational policy reforms in Kenya since independence have been implemented for purpose of development of the country but they were stifled by the colonial education policies which had a great effect in their success in addressing the needs of the country. It is clear that the country has gone into pains to improve education quality and relevance. However, the policy reform have not empowered many individuals to enable them exploit their full potential and live improved quality life able to access jobs whether in self-employment or employed. Recommendations for technical education were not implemented. Education that resulted from the post-colonial policies created inequalities and the economic growth and development is not well distributed due to many unemployed people and inequalities and few people who are extremely rich.

Pre-Colonial educational policy reforms clearly had significant negative impact on the post-colonial educational policy reforms. It made the initial post-colonial educational reforms to focus on literal education and abhor technical education leading to graduates who seek employment instead of coming up with self-employment or directly fitting in the industry. Attempts have been made to reform education but implementation in some cases depended on political will. The fastest implemented strategies were those made with political interest such as the Republic of Kenya, 1981 Mackay report or those with outside influence such as the Republic of Kenya, 1988 Kamunge Report. Education to date has continued to produce graduates who are not absorbed by the job market. Policy reforms should be free from colonial hang over and face reality of the current educational needs in the

country; which is technical and industrial education translate to jobs that meet market needs. Learners' full potential should be studied, discovered and exploited. The Technical Industrial Vocational Entrepreneurship Training (TIVET) path should be strengthened and well established to absolve those learners who may not need to continue taking literary education. They should be identified early and guided to proceed with education to the highest level in the area they excel in. A needs assessment should be conducted to identify the needs of the industry so that training institutions could train only the individuals required by industry. The rest should be trained to be self-employed. The education offered to the learners should be re-examined with a purpose of honestly solving a real and existing problem in the society through relevant curriculum. At the end of the course those who do not qualify to proceed with education should be encouraged to take technical courses that could lead to self-employment. Emphasis should be knowledge construction and problem solving skills. Education reforms should be honestly conducted with the aim of arriving at recommendations that should be embraced by the Ministry of Education and implemented accordingly. Otherwise there would not be any point of conducting a study and its recommendations are not implemented. It is wasteful.

Education policies need to lead to provision of education that is relevant for the 21st century challenges where the required Knowledge is no longer memorized facts and figures. Knowledge should be constructed by learners themselves and not teachers, through research and application, where media literacy skills are critical and students learn in virtual global classrooms. Transmission, teacher centred teaching approaches should be a practice of the past and the teacher will need to accept to be a facilitator and a participant in an interactive learning process and reports such as that by (UWEZO, 2010) that learners do not acquire literacy after 8 years in primary school should cease. New education policies need to embrace the new global trends in education to remain relevant and should empower individuals to exploit their full potential to enable them live improved quality life and the overall outcome would be a country's economic growth, enhanced productivity, reduced poverty, increased individual earnings and livelihoods (Common Wealth Education Fund [CEF], 2003).

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# 18

## **Policies for Addressing Intra-Country Maginalization and Economic Disparities for Socio-Economic Development in Kenya**

*Kennedy Gitu Wagura*

### **Introduction**

In Kenya there is an unofficial divide between the north and south regions of the country which is based on economic inequalities, lopsided access to social services such as health and education and non - existence of infrastructure in the north. The divide runs almost as a line aligned to the equator east to west, with the counties to the north of the divide being the have-nots. The line is visible when human development indicators such as access to clean water, and school enrolments among others are analysed with the lowest figures being from the north. This divide is a product of both colonial and post - colonial policies that tended to starve- off the region off social and infrastructural investments extended to other regions in the country. The strangulation is both as a product of successive administration's policies of investing in "more productive" areas in the country and also as result of ecological realities that render the region dry and sparsely populated (Friedrich-Ebert-Stiftung, 2012).

The region is in the Arid and Semi-arid regions (ASALS), which receive little or less than average rain which averages to between 250mm to 850mm of rain per year (MSDNK, 2008). The area is made up of the largest counties by surface area in Kenya: Garissa, Wajir, Mandera, Marsabit, Isiolo, Samburu, West Pokot, and Turkana. The counties are more than half the size of the country in surface area at approximately 322, 000km<sup>2</sup> of the 582, 646 km<sup>2</sup> Kenyan surface area (G. O. K, 2006: 27; CRA, 2014). The landscape is predominantly occupied by pastoral communities whose economic production is mainly based on livestock production.

## Changes in Economic and Political Situations 2001—2014

The year 2002 brought in the regime of Mwai Kibaki and NARC party and the end of KANU the independence party under Daniel Arap Moi (Hornsby, 2013 : 692, 702). The transition brought new changes in government, but more importantly the new government embarked on a series of infrastructural development, investment in social services such as education and health and came up with economic policies that were meant to revive an economy that had almost collapsed under under Moi and KANU rule. The economic changes have been steady with important changes socially, politically and economically. These changes have had visible consequences to its citizens, albeit with varying degrees across the country.

Economically, the changes are part of a series of policies and strategies that successive governments since 2002 have undertaken, with the aim of guiding policy undertakings with targets and goals of making the country more prospective, while creating a more inclusive and prosperous citizenry. Chief among these strategies is Vision 2030 economic blue print which is a policy charter that is supposed to propel the country into a medium industrialized economy by the year 2030. In order to achieve this, various projects are proposed, some of which are either complete or ongoing in sectors that have been deemed important for initiating growth. These sectors are mainly in agriculture, education, and in infrastructure (roads, sea ports, railways, electricity generation and transmission, and telecommunications) which are meant to open up the country, and maximize the regional potentials (G. O. K, 2007). Under Vision 2030, the northern region, which has been neglected in successive years in the past, is at the centre of proposed undertakings through of major infrastructural, agricultural and security projects.

Politically, the promulgation Constitution of Kenya (2010) forms the basis of change both politically and socially. The document which is relatively progressive confers the sovereign power to the citizenry, clearly stipulating the independence of the three arms of government. It seeks to ensure equity within regions in the country by providing mechanisms of sharing national resources through devolution and seeks to correct past inequalities through equitable revenue allocation, while establishing checks and balances to ensure conformity (Constitution of Kenya, 2010). Devolution is meant to delegate decision- making to the grassroots level and avail national resources to the county level to ensure that citizens have a role in the development of their counties.

Both the economic and political changes have had visible and tangible effects on the people and the economy; it seems they are bound to change the country in the foreseeable future. Through the 2010 constitution, devolution and county governments are anchored and protected with an aim of ensuring equity and ownership of national resources. The citizenry at the grassroots decide on the use of resources through their elected representatives at the county government while the national policies such as economic planning, foreign affairs and national defence and security are vested on the national government with each arms of government having its clear mandate. Government policies such as economic plans are to be implemented under the guidance of the constitution and are meant to benefit all citizens in the country. These changes are bound to ensure that the northern region and other marginalized areas are protected and that measures are put in place to ensure policies that improve their social, political and economic situation.

### **Marginalization and Economic Disparities in the Northern Kenya Region**

By definition marginalization in Kenya is a process whereby certain community or communities and regions are consciously alienated from the access to national resources while other communities or regions have access to the same. In this case, national resources includes all services and other largesse that a centralised government is mandated to provide such as provision of social services, infrastructure among others. Further, marginalization can be a consequence of skewed process of the distribution of resources which leads to a process of social exclusion from the dominant political, social economic and cultural structure (CRA, 2012). Marginalization can be intra- regional or intra- ethnic in nature, meaning that even as the purpose of this paper is regional marginalization, there could be disparities within the area of study as far as access to the said resources is concerned. By definition, marginal areas either have no access to national resources, or the level received is considerably lower than the levels that other communities or regions receive.

Marginal areas are generally cut off from the rest of the country in economic and social terms due to distance and inaccessibility. In the region, marginalization and inequality is exacerbated by the high cost of living and insecurity caused by inter- ethnic and inter- clan conflicts and

political instabilities in the neighboring countries. In this region there is poor road network and low availability of basic services such as health, quality water, sanitation and electricity which are core to both human and economic development (CRA, 2012). As a result, all indicators of economic growth and human development such as access to services such as health and education are the lowest in the country, which has consequently led to high infant mortality, malnutrition and other health- based complications.

Marginalization can be a product of various factors that can be both common to and unique from, one place to another (CRA, 2012). In the Kenyan case, marginalization is prevalent within entire regions and also pockets within regions, which is a product of both historical and contemporary factors such as colonial and post- colonial state policies. Historically, Cooksey, et al (1995) attribute marginalization and inequality to the economic mode of colonial development, the spread of missionary activities and the variability in the post- independence self- help groups. In the economic mode of colonial development, the colonial government emphasized investment in areas that were considered of beneficial to the crown. Thus, investments in form of roads, schools and other amenities were concentrated in the white highlands and a few other pockets in the coast and Nyanza. Missionaries who are credited with initiating schools and medical facilities were also selective in where they established their stations. They mainly concentrated in the central region, western and Nyanza, while avoiding the harsh northern region. This bias resulted in the region being left behind in the intake of education, which meant that the region lacked African elite which took over government and policy making in the post- independence space.

Cooksey, et al (1995) further point out that groups that different communities formed after independence were more vibrant in some communities than others which lay the foundation for unequal development and access to forms of economic production. Self- groups organized around establishment of businesses, purchase of land especially from the departing settlers, and even in establishing essential services such as schools and health centres. In this situation, the northern region with its traditional nomadic pastoralists had no chance of organizing both politically and economically to access state resources, attention or even lobby for the same.

The post- colonial state also was not, and has not been keenly sympathetic to the plight of the northern region as much it should have been. The various economic policies that the state has undertaken over the years have not been favourable to the region. Chief among the policies and that consciously kept away government investment in the region is Sessional Paper Number 10 of 1965 : African Socialism and its Application to Planning in Kenya which emphasized investment in “highly potential” zones such as agricultural regions at the expense of “low potential zones” (G. O. K, 1965). The thinking around the policy was initiating economic growth, development investments should be made in areas where it would make the highest net output. The net output would then be spread out to other regions through a trickle- down effect. <sup>1</sup> Related to the development policies, political patronage, ethnic affiliation and political and bureaucratic interference in state allocation can also influence who accesses what resources both at the national and local government resources (Kiringai, 2006).

Ecological and geographical factors have also played a part in the marginalization and regional inequality ( Friedrich-Ebert-Stiftung, 2012). This factor is subject to where communities settled during their migrations and how the locales and the environment may have disadvantaged some communities as compared to the others. The northern region which is arid in most areas is not favourable for agriculturally based economic production and is susceptible to devastating droughts which ravage through livestock herds and their owners too (Downing et al, 1989). This situation is unlike other regions in the country which may be considered more developed than the northern region such as central highlands where the geographical and ecological factors are more conducive for various economic systems including animal and crop farming.

Apart from the factors above, the post- independence governments “closed-off” the region especially the Somali populated districts of Garissa, Wajir and Moyale (North- Eastern Region) as a reaction to the Shifta insurrection that commenced soon after independence (Horsnby, 2013).

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1. Since the northern region is considered to be “low potential”, the economic policy ended up favoring regions that were more endowed with natural resources such as the agricultural regions and tourist areas along the. These were areas that had benefited from the skewed colonial policies.

This was a secessionist conflict that was informed by the agitation for a greater Somali nationhood, which sought to amalgamate all Somali people in Somalia, Kenya, and Ethiopia to form the greater Somali nation. This conflict was to inform the basis for the state's limited interaction with the region for years to come.

Thus, when counties in the region are analysed against other counties in the country economic indicators such as infrastructural investments, access to social services and school enrolment figures are the lowest. When analysing national wage by employment, using the outdated provinces for the period 2005 — 2010, figures for the former North Eastern province were lower than other provinces. The province had the lowest figures at 0.9 % as compared to Nairobi province which had 25. 1%, followed by Rift Valley at 22. 5 % while Central Province was at 14. 2 %. The second lowest province was Western which was at 6. 6%.

The regional variations are a reflection of disparities in economic activities and opportunities that existed in the provinces and in extension to the districts that made- up a province. The variations are also indicative of the effects of the various economic policies undertaken over time by successive governments (Friedrich-Ebert-Stiftung, 2012). It is important to note that although this data uses the old provinces as a unit of analysis, for Eastern Province the districts that made up the province (Garissa, Wajir and Mandera) are in the region of interest (northern region) which means that if there are any changes, they would be very minimal.

In the road coverage sector, the kilometres of paved roads in the region was comparatively lower compared to other regions. According to Kenya Roads Board, as by the end of 2012/ 2013 government financial year (July 2013), the road network in the country is 160, 886 kilometres of classified roads. Out of this figure, 11, 591 kilometres is paved was (K. R. B, 2012: 6). Paved roads in the eight counties of interest are approximately 1, 100 kilometres (KeNHA, 2013). It is important to note that the 1, 100 kilometres includes the ongoing Isiolo Marsabit Moyale road which is at different levels of progress (LAPSSSET CDA, 2013). What is important to note however is that the kilometres of paved roads in the region is less than ten percent of the total coverage in region that is more than half the total surface area of the country. This in itself means that during rainy seasons, it is practically impossible to get to some of the major towns in the region such as Mandera, Maralal and Wajir by road.

When it comes to access to reliable safe drinking water, the situation is as dire as for the other factors analyzed above. The national figures are discouraging when it comes to the region. In the North Eastern region, 34.6 % of the population has access to clean and reliable water. This is percentage pales in comparison to Nairobi, which has the highest percentage of access to safe water at 97.1 %. (Friedrich-Ebert-Stiftung, 2012). The 34.6 % of the population that has access to water are people living in urban and semi-urban areas such as Garissa, Isiolo, Maralal and Lodwar. The urban areas are and were provided with water due to presence of government offices and commercial interests. The rural populations that are scattered in the vast landscape are mainly left on their own mainly depending on seasonal rivers, open water pans and wells whose quality is questionable. The low percentages of people with access to water can be attributed to the lack of government investment in water. It is important to note that this disregard by the government in water provision is also seen in other regions in the country and mainly the rural settings.

Lack of access to and reliable water supply in Northern region has serious consequences to the inhabitants of the region. To begin with, prolonged droughts have over the years caused death to humans and their animals (Downing, et al 1989; G. O. K, 2006: 18). Some of the deaths would be avoided if there was access to water. Contaminated water from open water pans and wells where humans and both domestic and wild animals result in multiple health complications. Diseases such as malaria, typhoid, cholera and eye and skin infections are likely to afflict the people with serious effects to the community (G. O. K, 2006: 29). The cost involved in treating diseases caused by lack of clean water and also the effects on human ability when sick can be reduced with supply of clean water.

However, after five decades of neglect, the region has been thrust in the national limelight, with the new economic strategy emphasizing the centrality of the region economically due to various policy proposals and development undertakings. Some of these policies include the Vision 2030 economic blue print, the regional trade and cooperation outlook and more recently the discovery of important natural resources such as oil in the northern regional. This policy shift is bound to bring about changes in the region in a magnitude never seen before and it is bound to have long-lasting positive consequences to the inhabitants of this region.

## **The New Economic Strategy**

As outlined above, the northern region has been neglected by successive governments in all ways. This has been in contrast with other regions in the country which depending on their economic production and political “correctness” have received varying levels of attention, which in all measures have been more than the Northern regions. The historical exclusion from the national economic thinking is however changing due to two factors. To begin with, the Constitution of Kenya (2010) guarantees that no region or communities are deliberately denied national resources as a matter of policy. Secondly and more importantly, the current policy direction, places the northern region at the centre of future economic development of the country. In the Vision 2030 economic blue print which is guiding the economic trajectory in the country the northern region is fronted as the next economic growth frontier for the entire country (LAPSSSET CDA, 2013). The economic importance of the region has also been boosted by the discovery of commercially viable deposits of oil in Turkana County (Daily Nation, March 26 2012), gas in Wajir (NewAfrican, August/ September 2013) with on-going exploration in adjacent counties showing positive results. This economic policy shift and oil discovery have thrust the region in the centre of national and international debate, and increased the profile of the region, making it a subject of debate currently and for a long time in the foreseeable future. The following section will interrogate some of the proposed projects and the position of northern region in Kenya’s development planning.

### **Vision 2030 Economic Blue Print.**

The Kenya Vision 2030 is the country’s long-term development blueprint which aims at creating a globally economically competitive and prosperous country providing a high quality of life for all its citizens (G. OK, 2007). The policy aspires to transform Kenya into a newly industrializing, middle income country by 2030. The blue print is an operational frame-work designed primarily to guide economic development, with investment on political and social development in Kenya. For the blueprint to be successful, it aspires to include all regions of the country through projects and policies that utilize resources available in all the regions of the country (GOK, 2007).

The vision proposes to target all regions through the various flagship projects, with a specific aim of ensuring that all regions in the country have specific projects and policies, with an aim of ensuring that no region is ever again referred to as “remote” (GOK, 2012). For the northern region, which is mainly Arid and Semi- Arid (ASAL), the vision proposes to particularly invest in infrastructure upgrading and serious investment in livestock production by through veterinary services, disease control, access to markets and investment in the leather industry. The specific policies meant for the region are bound to change the social, cultural and economic situation for the inhabitants in a massive way.

Nationally, the Vision 2030 is based on three “pillars” which are; the economic pillar, the social pillar and the political pillar. The economic pillar aims at providing prosperity of all Kenyans through an economic development programme aimed at achieving an average Gross Domestic Product (GDP) growth rate of 10 % per annum up-to 2030. The social pillar seeks to build “a just and cohesive society with social equity in a clean and secure environment”. The political pillar aims at realising a democratic political system founded on issue-based politics that respects the rule of law, and protects the rights and freedoms of every individual in the Kenyan society (G. O. K, 2010)

The Kenya Vision 2030 is to be implemented in successive five-year Medium Term plans with the first such plan covering the period 2008 – 2012. Currently, the first phase is over (2008-2012), with the second phase running from 2013 – 2017, under the coordination of the Devolution (G. O. K, 2013; Oparanya, 2012). The first phase identifies projects (flagships) to be undertaken as the basis for achieving Vision 2030. Some of the flagship projects include the Mombasa – Malaba standard gauge railway project, the Lamu - South Sudan - Ethiopia Transport (LAPPSET), the expansion of port of Mombasa, the expansion of Jomo Kenyatta International Airport among others (G. O. K, 2012). The second phase is to build on the first phase, concentrating on the success and completion of projects from the first phase but would aim at accelerating economic growth placing the economy on a higher, inclusive and sustainable growth trajectory that is hoped would lead to a double digit GDP growth rate within the five year period (G. O. K, 2012).

## **Lamu Port – South Sudan – Ethiopia Transport (LAPSSET)**

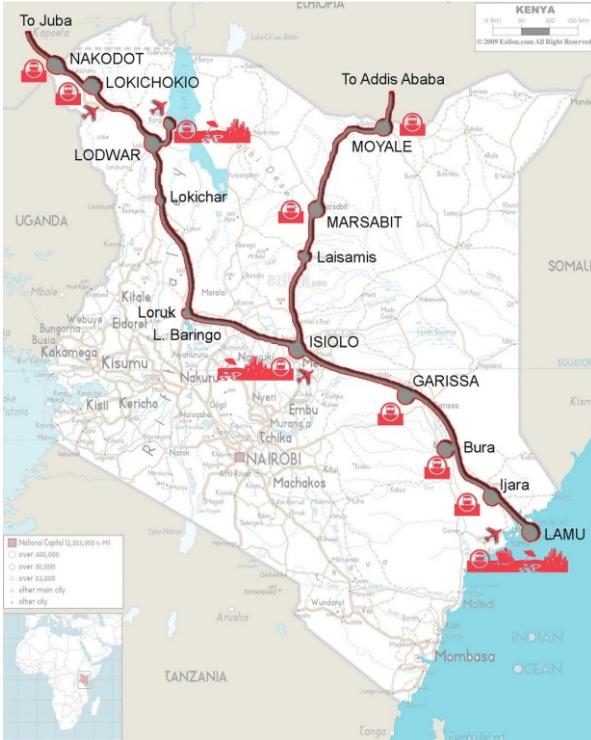
The Lamu Port – South Sudan – Ethiopia Transport (LAPSSET) corridor project is expected to link South Sudan, Ethiopia and Uganda (all land-locked) to the Kenyan port town of Lamu (fig.18 1). The infrastructure projects that are proposed in the corridor include a highway, a standard gauge railway, optic link, airports and resort cities (LAPSSET CDA, 2013). The project is one of the flagship projects of Vision 2030 which is aimed at opening- up the northern region while at the same time connecting regional economies of Kenya, Ethiopia, South Sudan and Uganda. The project will foster transport linkages between the targeted countries, while at the same time opening- up and promoting regional social- economic development along the transport corridor in upper coastal, upper eastern and the northern parts of the country (LAPSSET CDA, 2013).

The LAPSSET Corridor Project covers more than half of the country with resource mobilization equivalent to about half of Kenya's GDP for the core investment (LAPSSET CDA, 2013). The corridor will open up the north half starting from Lamu through Garissa, cutting right across the country east to west, to Isiolo (see map 1). From Isiolo, the corridor splits into the Ethiopia corridor through to Moyale, while the South Sudan and Ugandan corridor proceeds on an east west trajectory through the Great Rift Valley into Uganda and South Sudan. The Ethiopia highway is under construction from Isiolo and the three construction sections are at different completion levels (LAPSSET CDA, 2013).

When the project was visualized under Vision 2013, Kenya was proposing to provide a transport corridor to Ethiopia and South Sudan. Kenya hoped to accrue benefits from service provision in a similar way as the northern corridor which serves Uganda, Rwanda, Burundi and eastern Democratic Republic of Congo. The plan was to soon change when two developments occurred. To begin with, Uganda decided to be a part of the project and Kenya struck oil 2012. Uganda sought to be enjoined in the project because it was seeking for a way to export its oil discovered back in 2006. When Kenya struck its oil the situation changed, transforming the project from selling a service to the project being an important undertaking in the exploitation of its oil. Thus, to Kenya, the project became very important in two fronts. The first one is that it can still provide the service and benefit from the economic benefits that come from the service provision. Secondly, the project is even more important to the country in its exploitation of oil

and gas finds in the northern region. These dynamics have changed the geopolitics of the region in the sense that Kenya will both be a player in the oil business and also a service provider to other players in the region. This is bound to improve Kenya's position in the region economically and politically

**Fig 18.1:** The LAPSSET Corridor



*Source: LAPSSET feasibility study report by JPC & BAC/GKA JV, 2011.*

## **Discovery of Oil in Turkana and other Regions in the Northern Kenya**

In March 2012, Kenya announced to the world that it struck oil in Turkana County in the arid north western region (Daily Nation, March 26 2012). It was however in 2013 that the find was commercially proven (PWC, 2013 : 59). The discoveries are found in the Anza and south Lokichar basins. These finds were followed by more finds in 2013 and 2014 in Turkana, with the total estimated reserves of over a billion barrels (Bloomberg, September 18 2014). More exploration is on- going in both off- shore and onshore, buoyed by the recent finds. On shore, exploration is on- County (Africa Oil Corporation, 2014). Off shore, exploration is on-going around Lamu with high hopes that more finds will be discovered. Gas has been discovered in Sala 1 in Anza Glaben in North Eastern region around Marsabit and also in Bawa I offshore near Malindi (NewAfrican, August/ September 2013). Gas production agreements for Sala 1 are at advanced stage and is expected that it will start as soon as possible (Bloomberg, September 18 2014).

The oil and gas discoveries have placed the northern region right in the middle of an important strategic national asset. With these finds, the regions cannot be ignored anymore and this is already evident in the infrastructural investments that are proposed such as the oil pipeline that seeks to join Uganda and South Sudan and the proposed port in Lamu. Security wise, there have been increased security presence in Turkana and Northern region with possibilities of military barracks in strategic areas in the north. These changes are expected to be accelerated in order to ensure that they will be in place by the time commercial production of the oil is starts, which is expected to be in 2016 (PWC, 2013 ).

## **Consequences of the New Economic Policy**

The northern region is predominantly in the Arid and Semi-Arid (ASALS) where the environment subject to climatic variations that mainly postulates from wet to absolutely dry. The ASALS are estimated to cover 80% of the Kenyan total land. Pastoral societies in Africa and in the region as is the rest of the world are embedded within dozens of ecosystems. The main economic activity in the region is pastoralism. According to the Kenyan government pastoralists population is estimated at 25% of

the total population and their herds represents approximately 50% of the Kenya's livestock population (G. O. K, 2007 ; 2011). With the shift in policy, pastoralism is bound to change extensively. According to Vision 2030, among the proposed investments in pastoralism include increasing production by investing in better breeds, improved marketing, especially venturing into export markets and also development of the supporting and related industries such as leather industry. These investments are bound increase the role that pastoralism plays as an income generation activity.

According to the proposals, apart from pastoralism, crop agriculture is to be encouraged in these regions especially through irrigation. The region is proposed to become a major fruits and vegetable producer both for the local market and also for the export market. The emphasis to crop production will increase food for a region that has been dependent on pastoralism, and mainly exposed to climatic variations that in some cases been characterized by droughts that have been devastating to the community and also their livestock (Downing et al. 1989). Although this emphasis will be disruptive to their traditional subsistence system is bound to introduce a more reliable food production system and also bring the region into the larger market economy and its communities.

The investment in roads and railways both in the LAPSSSET project and related projects and also other projects that are not part of the project will open- up the region making mobility easier and cheaper. It will also reduce the cost of business and also open the region to the markets. In the long run, the projects will reduce the cost of living which has always been high due to costs involved in transporting goods into the region. Already, the effects of Isiolo — Marsabit— Moyale road which is a Vision 2030 and LAPSSSET project are being felt in the region. Although the construction is at different stages of completion (LAPSSSET CDA, 2013), the travel time and cost of movement has reduced greatly. Similar effects are expected when the Rumuruti — Maralal road phase 1 which is under construction is complete (KeNHA 2013). These projects among others are going to make the region transportation and movement of goods especially between major towns easier and possible throughout the year.

The LAPSSSET project with its components and the oil exploration and production will provide thousands of direct and indirect employment opportunities. In the construction stage, the direct jobs will be in provision of labor which will benefit the inhabitants of the region and from the entire

country. Indirectly, the projects will also create business opportunities in all the countries involved at a large scale. The opportunities will mainly be in the provision of essential services to the personnel and institutions involved in the construction of the corridor and the extraction and transportation of the oil. It is also expected that with time the opening up of the region will create a need for new education and learning institutions to service the emerging cities and also populations in the region. These education institutions will supplement the only university college in the entire region Garissa University College which is in its establishment stage (Daily Nation May 13 2014).

The opening up of the region is expected to have effects on the cultural practices that have existed in the region that are harmful/ retrogressive. Cultural practices such as moranism in Samburu, Rendille and Turkana communities that encourage livestock raiding<sup>2</sup> and also female genital cutting/ female genital mutilation (FGM), prevalent in most of the communities in the region, and which are considered as retrogressive will reduce due to the opening up of the region (Spencer, 1965 ; KHRC, 2010 ; Young, 2012). Although some of these activities such as FGM have been illegal for years, policy enforcement has been difficult to remoteness of the region due to inaccessibility and also distance from enforcement officers. With the opening up of the place, government officers will be closer to the people.

With modernity, traditional cultural practices which have been with the communities for generations are bound to be replaced with new cultures and modernity due to the exposure that will come with development. Migration and tourism, two phenomenon that are bound to occur as a product development will introduce new cultures in the region, which might be of negative aspects to an otherwise traditional system (Meiu, 2009). The traditional systems in the region especially economic production and the role of family as it happens in other urban areas will be affected.

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2. Being a moran is a rite of passage that boys have to go through especially within the Samburu. It is done every ten to fifteen years. As a requirement, morans have to live in the bush and the fringes of society. They act as defenders of the community. They engage in cattle raids on the neighboring communities, to replace herds decimated by droughts and also accumulation for paying bride price.

The cultures found in the region which are proud and have been maintained for many years are definitely going to undergo changes with social changes such as immorality that comes with urbanism, alcoholism; urban alienation and general disruption of families are some of the social ills that are bound to occur in unprepared region.

With the expected investments and programs, it is expected that urbanization will increase the region. The existing towns such as Maralal, Isiolo and Garissa are bound to grow due to increased business activities, migration from other regions in search for jobs, while new towns are bound to spring up along the highways in areas such as Archers Post, Laisamis, Lokichar among others (map, 1). The expansion of the urban areas in the North will take- off some of the urban pressures and congestions that characterize the northern corridor's urban spaces in Mombasa, Nairobi, Nakuru and Kisumu. Also proposed new developments such as Eliye springs and Isiolo resort cities will mutate into new urban areas, together with other trading posts along the highway as has been evidenced in northern corridor where towns have grown along the way as rest/ truck stops such as Mai Mahiu, Salama among others (NCTTC, 2004 ; Berger, 2011)<sup>3</sup>.

Growths of urban and peri-urban areas are bound to increase migration by the mainly rural communities into urban areas which will have effects on the mainly traditional societies that exist today. Migration is also expected to be from other regions in the country seeking for job and business opportunities that will be created in the region. This movement however might lead to conflict between the indigenous and migrants over opportunities and land. Cases of conflict over land and in extension economic opportunities have already been witnessed in Lamu where conflict between the indigenous Lamu people and migrants has been blamed on land and economic related issues associated to LAPSET development (Daily Nation July 14, 2014; ISS, 2014).

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3. The northern corridor which runs from the port of Mombasa through Nairobi into the Uganda and Great Lakes region is currently the gateway of landlocked Uganda, Rwanda, Burundi and Eastern DRC. The cargo transport from and to the port of Mombasa is mainly by trucks. The rising trade in the region has led to an increased number of trucks on the highway. The demand for rest areas and stop-overs for truck drivers has led to the growth of towns around the highway such as Salama, Maungu, Mai Mahiu, Naivasha among many others.

The region is bound to be more secure than it has been since independence. When the proposed investments are in place, the government is bound to provide security for the investments that it will have put in place. The government is also bound to protect the oil wells which are strategic national assets. This is already been seen in Ngamia 1 and 2 where oil has been struck, with new police camps in the region to provide security to the companies undertaking oil exploration. With the opening of infrastructural investments it will be easier to provide security, and respond to emergency cases due to accessibility unlike the current situation where some areas are virtually unreachable due to lack of proper roads (CRA, 2014).

There is high likelihood that there will be an increased security presence (both police and military) in the region with the possible establishment of two or more military barracks in the region to provide security to the strategic assets against internal and external attacks and invasions. Already it is likely that the temporary military camp in Baragoi will be elevated to a fully-fledged military barracks for enhancing security in the area (East African Standard, November 21 2012).<sup>4</sup> The militarization of the region will understandably be informed by past occurrences whereby Toposa bandits from South Sudan, Merille attackers from Ethiopia<sup>5</sup> and the al Shabab militants from Somalia have invaded or attacked communities in the region.<sup>6</sup>

Development in most cases comes with the cost of environmental degradation. Most of the projects proposed in LAPSET such as road and railway construction for the region involve opening- up of the landscape cover and movement of large masses of land surface.

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4. The military camp was established after the Baragoi massacre in November 2012 where 42 police officers were killed by suspected Turkana cattle rustlers as they sought to recover Samburu livestock in the Suguta Valley.

5. Incidences of attacks have been reported in the past. The Toposa and Merille have over the years attacked border communities in Kenya, stealing livestock or as revenge attacks against. In May, 2011 41 Turkanas were killed by Merille militias, The Star May 4, 2011.

6. The Al Shabab has been attacking Kenya for its invasion of Somalia which was informed by a series of attacks and kidnappings of Kenyans along the porous Kenya Somalia border.

Oil exploration and extraction also is an intensive pollutant of the land and ground water resources as has been witnessed in other countries such as is the case in Nigeria and Angola where oil extraction has been going on (Baumüller et al. 2011). Kenya like other developing countries where environmental regulations and enforcement is weak needs to come up with mechanisms of regulating these developments that balances between economic developments with sustainable environmental protection. This is especially important because the northern region is ecologically very sensitive due to its arid and semi - arid conditions which make plant growth and regeneration to take longer than it would otherwise be in other regions that are generally wetter.

### **Conclusion**

If the projected policy shift comes to be realized, and all indications seem to show that it will be, then the region is bound to change in ways never seen before. A few undertakings already show that successful governments: both Mwai Kibaki and Uhuru Kenyatta are keen on the success. Already, the Isiolo— Moyale road is in advanced stages of construction, while the construction of Lamu port is in various levels of construction (LAPSSET Authority, 2013). The process of oil exploration in Turkana and other areas in Wajir and Lamu also seem to be in high gear boosted the success in Ngamia 1 and 2 in Turkana. These undertakings coupled with the success and full implementation of devolution in the country will bring changes in the region. The marginalization that has been evident in the region is bound to change due to the proposed undertakings. This is going to happen since all indications show that the region is going to be the centre of economic activity and growth in the country.

The projects and the oil discovery by Uganda and Kenya is going to change the regional geopolitics for the now and in the near future. Kenya is bound to be a major player in the region both economically and politically because of its locality and also its role as a business hub and regional service provider. It is likely that due to its position, the country is going to be involved more in regional matters such as domestic political and security situations such as the current military intervention in Somalia. The northern region is also going to be an area of strategic importance and the communities in the region will never be the same again. What remains to be seen is how the region deals with

the “attention” and changes that are bound to occur. It is hoped that the new economic strategy is going to bridge the gap between the two Kenya’s.

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# 19

## **Social Protection in Kenya** **The Future Challenges and Policy Direction** *Noah M. O. Sang'anyi*

### **Introduction**

Upon attaining its independence, the new Kenyan government embraced the concept of social protection which has been implemented in various forms which were borne out of response to emergency situations. The coverage of these initiatives have tended to be low and ineffective. The support offered to the poor and vulnerable population has often been humanitarian relief from the government and its international partners in response to drought and floods especially in the Arid and Semi-Arid Lands (ASALs) of Northern Kenya. The most significant effort was the establishment of the National Social Security Fund (NSSF) and the National Hospital Insurance Fund (NHIF) in 1965 and 1966 respectively. These efforts were guided by the governments will and commitment to cushion workers against future vulnerabilities (Ministry of Gender, Children and Social Development, 2011). Despite their long period of existence the National Health Insurance Fund (NHIF) and the National Social Security Fund (NSSF) only provide coverage to formal workers, only constituting a mere 8 percent of the country's labour force.

The Ministry of State for Planning, National Development and Vision 2030 in the Kenya Social Protection Sector Review (2012) define social protection as the :

*“policies and actions, including legislative measures, that enhance the capacity of and opportunities for the poor and vulnerable to improve and sustain their lives, livelihoods, and welfare, that enable income-earners and their dependants to maintain a reasonable level of income through decent work, and that ensure access to affordable healthcare, social security, and social assistance.”*

Social protection has been implemented in Kenya for many years in various forms that include both non-contributory and contributory schemes (Ministry of Gender, Children and Social Development, 2011).

### **Social Protection in Kenya**

Following the resolutions passed at the African union summit in Livingstone, Zambia in 2006, initiated a process to formulate a national social protection policy framework. This process allowed the government to adopt a mainstream approach which has led to the identification of social protection action areas of social assistance, social security, and health insurance. This process has involved national consultative meetings involving representative from government ministries, non-state actors (NSAs) such as the private sector, community groups, and voluntary organizations, and development partners (Ministry of Gender, Children and Social Development, 2011).

In its efforts to improve the livelihood of its citizens, the government has formulated various policy agendas, the most elaborate being the Vision 2030. The policy aims at making “Kenya a newly industrializing, middle income country providing high quality life to all its citizens in a clean and secure environment by the year 2030”. Enshrined in its Social Pillar Sector, the needs of vulnerable groups, which include OVCs, the disabled, the aged, refugees and the internally displaced persons will be addressed by the Kenyan government through various strategies (Republic of Kenya, 2008). In its effort to provide effective social protection to its citizens the government enacted the Social Assistance Act of 2013. The Social Assistance Act of 2013 paved the way for beneficiaries to receive financial assistance from the government (Republic of Kenya, 2013).

The Constitution of Kenya 2010 is the supreme law of the nation upon which other legislation is based. Article 43 of the Constitution expressly guarantees all Kenyans their economic, social, and cultural (ESC) rights, including the right to health, education, food, and decent livelihoods. It explicitly asserts the right “of every person to social security” and binds the State in Article 43 (3) to “provide appropriate social security to persons who are unable to support themselves and their dependants.” Article 21 of the Constitution commits the State to work towards the gradual realization of the social and economic rights and binds the State “to observe, respect, protect, promote, and fulfill the rights and fundamental freedoms in the Bill of Rights.”

The Government recognizes that different results will be achieved depending on the extent into which beneficiaries are able to build on the social protection support that they receive. The government of Kenya currently delivers social protection based on four approaches which include provision, prevention, promotion and transformation. In regard to provision, these efforts encompass on focusing social assistance on a wide range of actions which include cash transfers, food aid, child protection services, rapid response to life-threatening emergencies for vulnerable groups and affordable health charges.

The prevention efforts are geared towards strengthening social security services and health insurance schemes to the unemployed, maternity, healthcare, sickness and similar benefits and pensions. The prevention strategy also involves providing support to communities and subsidizes risk-mitigation mechanisms to prevent destitution among the vulnerable population. The government’s approach to promotion, seeks to strengthen initiatives implemented to improve the level of livelihoods and productivity which include public works programmes, school feeding programmes, community driven development efforts and cash transfers to lessen the households’ vulnerability to social risks. The transformation pillar of providing social protection will aim at formulation of policies, laws and regulations on social protection issues such as anti-stigma campaigns, policies on free education, anti-discrimination legislation, the statutory minimum wage, anti-corruption legislation, maternity benefits, inheritance rights and regulations on safe classroom environments (to avoid exclusion of vulnerable children and girls).

## **Vulnerable populations**

According to the 2009 Kenya Population and Housing Survey, Kenya has a population of over 38 million, 46% of whom live below the poverty line level of one dollar a day. Among these, 19 percent live in extreme poverty. The population of persons under the age of 18 comprise 53 % of the population which translates to 20. 6 Million. <sup>1</sup>In 2005/06 the rate of poverty was 47 percent, although poverty rates were markedly higher in rural areas (50 percent) than in urban areas (34 percent). They also varied among provinces from a high of 74 percent in the North Eastern province to a low of 22 percent in Nairobi. Rates of poverty also tended to be higher for households with orphans and vulnerable children (OVC) (54 percent), older people (53 percent), and people with disabilities (63 percent for children with disabilities and 53 percent for adults) than for the general population (Kenya integrated housing baseline survey, 2005/2006).

Kenya's social protection policy recognizes the most vulnerable population in society to include the elderly and orphaned and vulnerable children. The policy is based on existing social protection initiatives such as education bursaries, school feeding programmes, fee waivers in public health facilities, Orphans and Vulnerable Children's (OVC) programme, older persons cash transfer and youth enterprise fund, among others (Ministry of Gender, Children and Social Development, 2011).

## **Children in difficult circumstances**

There have been different reports in terms of statistics of orphan and vulnerable children which signifies the past uncoordinated efforts in addressing children plight in the country. As of 2008, numbers indicated that there are 2, 430, 000 orphans; 1, 282, 000 maternal orphans and 1, 591, 000 paternal orphans. AIDS-related deaths account for 1, 149, 000 orphans: 692, 000 maternal orphans, 750, 000 paternal orphans, and 349, 000 double orphans. Estimates indicate that between 200, 000 and 300, 000 children live on the streets (Ministry of Gender, Children and Social

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1. Mogaka, M. M. (2013). The Effects of Cash Transfer Programmes on Orphans and Vulnerable Children's (OVCs) Wellbeing and Social Relations: A Case Study of Nyamira Division, Nyamira County. Unpublished Masters Project Report, Rural Sociology and Community Development. University of Nairobi

Development, 2008 ; National AIDS Control Council, 2008). The number of Orphaned and Vulnerable Children (OVC) is estimated to be 2.6 Million. It is estimated that 2 percent of these children having lost both parents. Many more children live in households with ailing parents especially due to HIV. Due to the high poverty levels, inequalities and the impact of HIV, an increasing number of children grow up without proper care and protection (Mogaka, 2013).

There are also other challenges facing children in Kenya, which include child marriages which are predominant in some ethnic communities. A study by the national council for children services (2011) on child marriage among the Rendille and Kuria found that 24% of the respondents reported that they were married at between 14 and 18 years of age with a higher number of girls (33%) than boys (10%) enter into marriage before the age of 18 years. The incidence of forced marriages was reported at (58%) compared to those married at 18 years and above which is a violation of the rights of the child as recognized in the Universal Declaration of Human Rights.

The girl child also faces the threat of undergoing FGM in Kenya. Though not widely practiced in the urban areas, the practice is still highly prevalent among different communities in Kenya. A study on prevalence of FGM among the Kisii community found that the prevalence was associated with the social- cultural beliefs while the study further revealed that girls were forced to undergo the procedure<sup>2</sup>. The National Council for Children Services in 2013 conducted a study on the situations of children accompanying their mothers to prison. The study found out that poor access to education was the major factor affecting children which also affects their development and participation.

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2. Moranga, E. B. (2013). Factors Influencing the Practice of Female Genital Mutilation in Kenya: A Case of Gachuba Division, Nyamira. Unpublished Research Project. Rural Sociology and Community Development. University Of Nairobi.

## Child care programs in Kenya

In order to address the plight of children in Kenya, the government has in the past adopted various measures. These include; institutionalization of Orphan and Vulnerable Children (OVCs) in Charitable Children Institutions (CCIs), community care, adoption and foster care programmes<sup>3</sup> and more recently inclusion of OVCs in cash transfer programmes. Given the negative effects of institutionalization on children and the challenges facing the foster care programmes, the cash transfer programmes offer the best opportunity to address the challenges facing Orphaned and Vulnerable Children<sup>4</sup>

## Children Legislation

In terms of legal provisions for the protection of children, the Children Act 2001 is currently the most comprehensive legislation encompassing issues relating to violence against children in Kenya. It is adopted from various international legal instruments which include the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of Children (ACRWC). Articles 19, 20, and 32-38 of the United Nations Convention on the Rights of the Child (UNCRC) deal with the need to protect children from various forms of abuse and mistreatment.<sup>5</sup>

The Kenya National Children Policy (2010) was developed by the National Council for Children services (2010). The policy was drafted from existing international, regional and national instruments which include The United Nations Convention on the Rights of the Child (1989); The African Charter

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3. Kwamboka, S. M. (2014). Factors Hindering the Successful Uptake of Foster Care Program in Child Services in Kenya. Unpublished masters research project. Community Development and Project Planning and Management. Egerton University

4. Sanganyi, N. M. O. (2010). Challenges facing Cash Transfer for Orphans and Vulnerable Children Programme: The Case of Kasarani, Nairobi, Kenya. Unpublished Master's Thesis, University of Nairobi.

5. Ogoti, C. (2013). Social - Political Factors Affecting Street Children in Kenya after the 2007/2008 Post Election Violence: A Case of Street Children in Eldoret Town. Unpublished Research Project. Rural Sociology and Community Development. University of Nairobi.

on the Rights and the Welfare of the Child (1990) ; The Children Act (2001) ; National Early Childhood Development Policy framework ; The Refugee Act (2006) ; The Hague Convention (1993) ; Employment Act (2007) ; ILO convention number 182 ; Minimum Age Convention number 138 ; Refugee Convention (1951) ; and the Disability Act (2003). Kenya Health Policy Framework (1999), the National Health Sector Strategic Plan II (2005-2010), The Water Act (2002), the National Early Childhood Development Service Standard Guidelines (2006), Sexual Offenses Act (2006), Food and Nutrition Policy (2007) and the National Hygiene and Sanitation Policy (2007). The policy covers the basic rights which are to be provided for children to enjoy a harmonious and healthy life achieving their full potential as members of the community. These rights are ; survival rights (access to healthcare) ; Development Rights (access to quality education, play and leisure, cultural and artistic activities, access to appropriate information, social security and parental care) ; Protection rights (protection against substance abuse, physical abuse, child labour, trafficking, sexual abuse and exploitation, neglect, displacement, disasters, wars and conflicts) ; participation rights and duties and responsibilities of children (National Council for Children Services, 2010).

In Kenya, a lot more children live in households with sick parents or other disabled and elderly adults. The Government, Non-governmental organisations, community-based organisations, and faith-based organizations, in their effort to assist these families, have reached a fraction of the country's most vulnerable children. Despite these noble efforts there has been an increasing number of children growing without protection from adults to in provide to care, protection and love. Majority of these children are moved from household to household by their extended families, placed in institutionalized care or are exposed to living on the streets where the numbers of children in Kenya's major town continue to budge<sup>6</sup>.

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6. Ogoti, C. (2013). Social - Political Factors Affecting Street Children in Kenya after the 2007/2008 Post Election Violence: A Case of Street Children in Eldoret Town. Unpublished Research Project. Rural Sociology and Community Development. University of Nairobi.

The poor performance of these aforementioned approaches in addressing the plight of Orphan and Vulnerable Children (OVCs) led to the consultative meetings between the government and its development partners to seek and adopt new strategies to assist OVCs in the country.

### **Orphaned and vulnerable children**

Orphaned and vulnerable children in view of the society are children that are either single or double orphans, single orphans refer to those who have one parent and double orphans are those that have lost both parents. The case for double orphans increase in the country has been attributed to the devastation of HIV/AIDS<sup>7</sup>. The majority of OVCs reside with their grandparents or single parent households which are targeted under the cash transfer programme. In a study focusing on the effect of the cash transfer programme, it was found that most of the adults living with the OVCs were widowed comprising 84.7 %, while those married were 12.5 %<sup>8</sup>. The extended family has been the main source of support for OVCs. However, given the high rate of poverty in the country families are also limited in capacity and capability to provide efficient support for these children. The Kenya Demographic and Health Survey 2008/2009 reports that approximately more than half of the population in Kenya lives below the poverty line representing 56 % of the total population. Taking in these children therefore puts a strain on their ability to afford shelter, basic services including education and healthcare and food. There are other challenges that face the provision of social protection for these children; these include the increase in the number of OVCs and the Cultural prejudice and negative attitude towards children with special needs and Orphans and Vulnerable Children (MoD&P, 2013).

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7. Sanganyi, N. M. O. (2010). Challenges facing Cash Transfer for Orphans and Vulnerable Children Programme: The Case of Kasarani, Nairobi, Kenya. Unpublished Master's Thesis, University of Nairobi.

8. Mogaka, M. M. (2013). The Effects of Cash Transfer Programmes on Orphans and Vulnerable Children's (OVCs) Wellbeing and Social Relations: A Case Study of Nyamira Division, Nyamira County. Unpublished Masters Project Report, Rural Sociology and Community Development. University of Nairobi

## Cash transfers in Kenya

The concept of cash transfer as means of enhancing social protection of the vulnerable in society is a recent development. The impact of cash transfers in other developing countries has necessitated the government and its stakeholders to initiate cash transfer programmes. In its efforts to address the plight of OVCs in the country, the government through the Department of Children's Services (DCS), and UNICEF in 2004 developed an initiative to provide cash to OVCs to determine its feasibility in assisting OVCs within the community context. The initiative was also intended to guide the process of developing a policy of providing support to OVCs through a direct cash system with the intention of creating a welfare system in the country. At the inception of the program, UNICEF allocated a budget of \$ 60,000 which was to be implemented among nine communities within three districts of Nairobi, Kwale and Garissa. The initial amount to be disbursed to OVCs households was Kshs. 500 and was intended to reach 500 OVCs. The DFID and other donors provided support to the programme which saw it initiated in four districts in the Nyanza province which has among the highest rates of HIV/AIDS orphans and vulnerable children including Homa-Bay, Migori, Suba, and Kisumu.

As of 2009, the cash transfer programme was covering 45,000 households in different locations in 47 districts country wide and benefited over 150,000 orphans and vulnerable children. The aim was to gradually grow the programme to attract increased resources both internally and externally to enable support to 100,000 households targeting 300,000 OVC nationwide by 2012. (Republic of Kenya, 2009). The programme committed more efforts to improve the disbursement of cash to 240,000 households in the financial year 2013/2014. In the financial year 2013/2014 the government of Kenya and its development partners committed Kshs. 8.8 billion to cover the envisaged 240,000 households Ministry of Labour, Social Security and Services (2013a). The Government of Kenya in the 2014 financial year has allocated Kshs. 12 billion under the safety net programme covering all three cash transfer programmes<sup>9</sup>.

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9. Speech By H. E. President Uhuru Kenyatta During The Official Launch Of Inua Jamii Cash Programme At Ihura Stadium In Murang'a County On Tuesday February 4, 2014

In the past few years, the Kenyan government and her development partners have made significant strides towards designing an integrated social protection infrastructure targeting four major groups; orphans and vulnerable children; people with disabilities; the chronically ill, including people living with HIV and AIDS; and older people as defined in Article 21 (3) of the 2010 Kenya constitution. In its efforts, the government developed the consolidated social protection fund. This later led to the establishment of the three cash transfer interventions (Cash Transfer to the Older Persons (CT-OP), Cash Transfer to the severely Disabled Persons and the Urban Food Subsidy) along with the Cash Transfer programme to Orphans and Vulnerable Children (CT-OVC) established in 2004 (MoD&P, 2013). The social pillar under the Second Medium Term Plan 2013-2017 of the vision 2030 reiterates the government's commitment to providing social protection, as it asserts that "More resources will be allocated to social protection, including cash transfers to the most vulnerable members of our society"

### **Framework for cash transfer**

The Ministry of Labour, Social Security and Services is responsible for the implementation of Social Assistance Programmes in Kenya. The CT-OVC is a programme is managed by the Ministry of Labour, social security and services through the Department of Children Services. In consultation involving the parliamentary committee on labour and social welfare and the ministry of labour, social security and services on implementation of cash transfer programmes. The three cash transfer programmes implemented by the government will adopt a 30 % - 70 % ratio on new households targeted which translates to 30 % to be distributed equally among all the 310 constituencies and 70 % to be distributed equitably between constituencies whose current beneficiaries household numbers are at zero or low numbers to meet an acceptable ceiling. The Postal Corporation of Kenya (PCK) was involved in the disbursement of the cash to beneficiaries since 2010. In between July and August 2011, Equity Bank Limited as a second contractor has disbursing the cash in at least 8 counties (Ministry of Labour, Social Security and Services, 2013a).

To ensure effective coordination and implementation of the cash transfers, the following levels of coordination and implementation are to be established. At the national level, Ministerial Social Assistance Steering Committee appointed by the Cabinet Secretary. The committee shall comprise of Heads of Departments and secretaries within departments. At the county level, an administrative structure for coordination comprising of county social development and county children officers and At the Sub County/ Constituency Level, Sub County/Constituency Social Assistance Committee comprising of the member of parliament as the patron; The county women representative as an ex-officio member; Deputy County Commissioner; Sub County Development Officer; Sub County Social Development Officer; Sub County Children Officer; Sub County Education Officer; Sub County Registrar of Births And Deaths; Sub County Medical Officer of Health; Three nominees of the Member Of Parliament; Two nominees of the Women Representatives and Two religious leaders nominated by the Patron (Ministry of Labour, Social Security and Services, 2013b).

The chairperson shall be appointed by the members. The joint secretaries shall implement the decisions of the committee and the implementation of the Cash Transfer Programmes. This committee shall also coordinate the Presidential Secondary School bursary programme for orphans and vulnerable children at the constituency level (Ministry of Labour, Social Security and Services, 2013b). The selection of areas to be included in the CT-OVC programme is based on poverty levels and prevalence of OVC. The government uses data from household surveys such as the 1999 and 2009 population census and the Kenya integrated budget and household survey (KIHBS) which involves adopting community based approach and proxy-means to identify houses eligible for the cash transfers Ministry of Labour, Social Security and Services (2013a). To be eligible for the CT-OVC a household which suffers from extreme poverty, the members of the household aren't enrolled in other cash transfers programme and host OVCs. The CT-OVC programme description of an orphan and vulnerable child as one, who lives in a child headed household where the head of the household is less than 18 years old, has lost one or both parents and lives in a household where the caregiver or a child who has been chronically ill for the past three months or more.

## Impact of the cash transfer program

The primary objective of the cash transfer programme has been to improve the livelihoods of orphaned and vulnerable children the households. The program aims at providing the basic services and needs as articulated in the Children Act, 2001 which are also enshrined as human rights such as access to education, access to healthcare, food and security. In terms of the expenditure of the cash transfer, studies have shown that the most predominant expense in the household has been education, followed by food, medical care, investments, social functions and house rent<sup>10</sup>. Its impact has been that it has seen children who were often involved in begging in the streets attend school thereby enhancing their chances of success to uplift the status of the household which is the long- term objective of the cash transfer programme. Although free primary education is available in the country, research has shown that the extra costs associated with access to primary school limits the participation of children from poor and vulnerable households who often end up in the streets<sup>11</sup>. Evaluations results show that there has been a 15% increase in the frequency of consumption of five food groups (meat, fish, milk, sugar and fats) (Ministry of Gender, Children and Social Development, 2011)

According to the Ministry of Labour, Social Security and Services (2013), the first Impact evaluation done for the programme between 2007 and a follow- up survey done in 2009 shows positive results. The results indicated positive results such as; the reduction of Poverty levels by 13 %, an increase in secondary school enrolment by 6. 6 % compared to areas that were not covered in the programme, acquisition of registration papers and birth certificates by 12 % and the reduction of child labour for children between the ages of 6-12 years by 3. 3 %.

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10. Mogaka, M. M. (2013). The Effects of Cash Transfer Programmes on Orphans and Vulnerable Children's (OVCs) Wellbeing and Social Relations: A Case Study of Nyamira Division, Nyamira County. Unpublished Masters Project Report, Rural Sociology and Community Development. University of Nairobi

11. Ogoti, C. (2013). Social - Political Factors Affecting Street Children in Kenya after the 2007/2008 Post Election Violence: A Case of Street Children in Eldoret Town. Unpublished Research Project. Rural Sociology and Community Development. University of Nairobi.

The programmes have reduced poverty, met the basic needs of the beneficiaries and increased household savings. Cash transfers have also helped in education, making it possible for the children to attend school consistently, and boost enrolment and completion. The children, whose households have benefited have posted better results at end of term, end of year and even in national examinations <sup>12</sup>.

### **Challenges facing the Orphaned and Vulnerable Children Cash Transfer Programme**

In 2004, the Department of Children Services conducted a Rapid Assessment, Analysis and Action Planning Process (RAAAPP) which showed that although the Government, Civil Society, Faith Based Organizations (FBOs) and Community Based Organizations (CBOs) have responded to the OVC challenges with a myriad of challenges, many children still remain unreached. Further, several gaps exist in OVC responses in Kenya. Some of the issues include; inefficiency and corruption, favouritism, theft or delay in making payments. Other challenges are operational and include identification and registration of intended beneficiaries.

Lack of clear policies and empirical data that can be utilized to guide the development of programmes to respond to the issues is an immediate problem that needs to be addressed. Coordination of OVC interventions and quality of services given to the OVCs remain a major area of concern. In the CT-OVC there is a great risk of duplication during implementation, learning and information is often limited to the institutions undertaking any given programme and there is a higher risk of abuse or loss of resources <sup>13</sup>. For instance, the National AIDS Control Council (NACC) in 2003 developed and adopted the National OVC Guidelines intended to give direction to organizations dealing with OVC issues. Despite these efforts, there was no monitoring and evaluation on the implementation of these guidelines.

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12. Speech By H. E. President Uhuru Kenyatta During The Official Launch Of Inua Jamii Cash Programme At Ihura Stadium In Murang'a County On Tuesday February 4, 2014

13. National Social Protection and Promotion in Kenya Presentation during the Brazil Study Tour for African Countries 25th To 29th August 2008

A key challenge lies in the enforcement of all the provisions of the existing laws and all the ambitions of the policies that relate to children's rights. These include the poor coordination of activities related to social protection which are delivered by different bodies in the government. Despite the critical role played in child protection by specific line government ministries such as, Education, Health and the Judiciary, among others, there is no statutory guidance as to what their roles are in child protection.

At the grassroots level, there was lack of support to Locational Orphans and Vulnerable Children Committee (LOC)<sup>14</sup>. There was evidence that majority of those who worked within the programme were volunteers and due to the lack of support from the central and local administration they lacked the capacity and resources to efficiently implement the OVC-CT programme. These challenges were cited among others as lack of offices and furniture, remuneration for the LOC and lack of formal designation of roles and hence decisions were primarily made in an informal manner.

In terms of its coverage, the CT-OVC programme was found to be significantly successful as only 4 % of the recipient households did not meet the set criteria for inclusion in the programme for inclusion. These included 2 % of households which did not have OVCs and 2 % households which had failed the programmes poverty screening test<sup>15</sup>. The impact evaluation also showed that the process involved in identification of household and areas to be covered within the CT-OVC programme were ineffective in identifying the poorest of the household which translate to low coverage rates. Orphan and vulnerable children constitute 11. 8% of the total population, of which an estimated 50. 3% are absolute poor. Of the OVCs who are absolute poor, roughly 0. 1% are covered by safety nets (Ministry of Gender, Children and Social Development, 2011).

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14. Sanganyi, N. M. O. (2010). Challenges facing Cash Transfer for Orphans and Vulnerable Children Programme : The Case of Kasarani, Nairobi, Kenya. Unpublished Master's Thesis, University of Nairobi.

15. Hurrell, A. , Mertens, F. & Pellerano, L. (2011), Effective Targeting of Cash Transfer Programmes in an African Context : Lessons Learned from the On-Going Evaluation of Two Cash Transfer Programmes in Kenya, Oxford Policy Management, Paper Prepared for the Special IARIW-SSA Conference on Measuring national Income, Wealth, Poverty, and Inequality in African Countries, Cape Town, South Africa, September 28–October 1, 2011

## The future of social protection efforts

The Ministry of Labour, Social Security and Services (2013a) designed the up scaling of the CT-OVC programme, where 60% of the new beneficiaries will be allocated to all the 290 constituencies equally 60% of the new beneficiaries will be allocated to all the 290 constituencies 60% of the new beneficiaries will be allocated to all the 290 constituencies equally while the remaining 40 % of the new beneficiaries will be shared based on two criteria. One, any constituency with existing number of beneficiaries below 400 poor OVC households will be increased to 400 households and secondly, that the remaining number of households will be shared equally in all the 290 constituencies.

Additionally, the Kenya National Social Protection Policy was developed to enhance coordination, harmonization and consolidation of activities across the line ministries and other key social protection practitioners including the non-state actors (MoD&P). However, these efforts require strengthening by improving the capacities of involved parties as various assessments have suggested that government ministry capacities are inadequate to ensure a coordinated social protection infrastructure.

Government officials, development partners' representatives, politicians as well as researchers and private citizens all agree that effective CT programmes were affordable at the current low level coverage. With CT programmes accounting for less than 1% of the budget at the moment<sup>16</sup>. The future of the CT programs depends solely on the commitment of the government to support the program as the development partners in the program often exit after a period of time. In the past, development partners often displayed a propensity to push for certain governance matters to the government of the day through suspension of financing whenever there were differences between the government and the development partners on governance issues<sup>17</sup>. In order to sustain the CT-OVC there is need for a larger share of the government expenditure to be utilized and channeled towards this noble effort. The estimated number of all the

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16. <sup>17</sup> Ikiara, G. K. (2009). Political Economy of Cash Transfers in Kenya; A Report prepared for the Overseas Development Institute. London, Overseas Development Institute.

17.

OVC in extremely poor households is currently 594, 200 countrywide. At a recommended monthly cash transfer of Ksh 1, 000 per household, this category of the extremely poor would cost Ksh 7. 1 billion annually which translates to 1. 7% of the total Government expenditure or 0. 5% of the country's Gross Domestic Product (GDP).

There is a need for a systems approach in order to establish and strengthen child protection efforts in the country. A systems approach would enable the government and other stakeholders to systematically address issues affecting children which include; child trafficking, children living in the streets, child labour, emergencies, institutionalization, and HIV and AIDs. This could be achieved by streamlining child protection issues within the policy agenda. The key challenge of social protection policymakers and stakeholders lies in the fragmentation of programming, which has led to duplication and inconsistencies in the operation and implementation of interventions throughout the country (Ministry of Gender, Children and Social Development, 2011).

Strengthening the uptake of services and linking them to community resources for prioritized needs is the key to lasting improvement in the lives of orphans and vulnerable children<sup>18</sup>. This sustains care for all OVC by their families and communities. Sustainability is best achieved through strengthening the capacity of OVC-focused community initiatives. Further a sector-wide training approach for those involved in the care of orphans should be developed by the government in collaboration with stakeholders. This training should also include representatives of Local Authorities and community leaders like representatives of social development committees and children themselves. The training should be designed to develop a clear and standardized understanding of issues relating to orphans<sup>19</sup>.

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18. <sup>o</sup>Sanganyi, N. M. O. (2010). Challenges facing Cash Transfer for Orphans and Vulnerable Children Programme: The Case of Kasarani, Nairobi, Kenya. Unpublished Master's Thesis, University of Nairobi.

Lastly, the total amount of the Cash Transfer amount should be adjusted upwards to be in line with the cost of living hence enabling the beneficiaries to meet most of their basic needs<sup>20</sup>. This should be in the range of KShs. 3,500 to 4, 000 per month.

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# 20

## Towards a Gas Led Economy in Tanzania

### Potential Challenges<sup>1</sup>

*Japhace Poncian*

### Introduction

Tanzania is a relatively natural resources rich country in Africa. Vast amounts and types of natural resources spanning from biodiversity, forests, water bodies, and mineral and energy resources to arable land for agricultural activities abundantly exist in the country. For minerals, Tanzania is relatively rich in gold, diamond, base metals, ferrous minerals, a wide variety of gemstones, coal, uranium, and industrial minerals like kaolin, soda, tin, gypsum, and phosphate (MEM, 2012, 2009a, 2009b; Lugoe, 2010). This mineral richness has been central to the attraction of foreign direct investment into the mining sector. These and other investments in non-mining sectors have significantly contributed to the country's impressive economic growth for over 15 years: 'Tanzania's economy has grown by 3.5–7.8 percent a year since 1996, averaging 6.0 percent, well above the rates for Sub-Saharan Africa as a whole' (Robinson, Gaertner & Papageorgiou, 2011: 23). As a result some scholars have acclaimed Tanzania as one of the fastest growing economy in Sub-Saharan Africa (Robinson, Gaertner & Papageorgiou, 2011).

Paradoxically, this impressive growth has failed to translate into meaningful human development. The country's life expectancy at birth is 58 years as of 2011, its Gross National Income per capita is \$540 as of 2011 (World Bank, 2013) and 67.9 per cent of its population live below the \$1.25 a day in 2012 (World Bank, 2012). The United Nations Human Development Report ranks Tanzania at 152nd position out of 186 countries in 2012, a position that makes Tanzania one of the countries with low human development (UNDP, 2013: 146). Despite this, Tanzania continues to couch its development prospects on the exploitation of natural resources so much

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1. This paper was first presented at the Second Tanzanian Oil and Gas Conference and Exhibitions, Dar es Salaam, Tanzania, 23-24 October 2013.

that it is now speaking of a resource based development as clearly spelt out in the country's policy and development plans documents (see Planning Commission, 2012, 2011). Thus, it is not surprising that the discovery of natural gas has been positively received by the government as an added advantage to the country's resource endowment. With the discovery of natural gas (proven natural gas discoveries currently stand at 46.5 TCF), Tanzania could be one of the world's gas and oil companies' destinations due to the recent discoveries of natural gas. This discovery has been received with both optimism and pessimism with some speaking of a gas led economy while others cautioning that it could translate into a curse. This presents us with a number of questions: Can the recent natural gas discoveries be of sustainable and equitable benefit to the entire population of Tanzania? Or will it just be another way of exploiting the country by the oil and gas Multinational corporations and transnational corporations? If it is to be of benefit, to what extent is Tanzania prepared to tap the benefits? What are the main challenges that the country ought to tackle for it to benefit from its natural gas?

This chapter aims to contribute to the debate on the linkages between natural resource extraction and equitable development in Tanzania with a focus on the challenges that are likely to limit Tanzania's benefits from the extraction of its recently discovered natural gas. It does so by using secondary sources including academic sources, government documents and some media reports, as well as experience from other resource rich countries. It makes an argument that the extent to which Tanzania will benefit from the exploitation of natural gas will mainly depend on how it structures itself against such challenges as corruption, how the accrued revenues are properly used to benefit the entire country, and state capacity to monitor, govern and collect revenues from the gas sector.

The chapter explores the natural gas potential of Tanzania and traces the history of its exploration. It highlights the potential benefits that the country would get from the exploitation of natural gas. Furthermore the potential challenges that confront Tanzania in its quest for achieving a gas and oil led economy are discussed. The chapter finally emerges with suggested solutions on how the country can overcome the challenges of a gas and oil led economy.

## Natural gas potential and exploration history

It is now obvious that Tanzania and the entire east African region could become the next destination of oil and gas corporations from all over the world given the enormous potential gas fields confirmed by a number of companies. In fact, the United States Geological Survey has estimated that more gas lies off the shores of Kenya, Tanzania and Mozambique than off Nigeria, Africa's biggest energy producer (Chestey, 2014). Tanzania has enormous natural gas reserves that have attracted attention from international oil and gas companies. The country's natural gas is estimated at 45 billion cubic metres of proven reserves (Ministry of Energy and Minerals (MEM), 2013).

The news that Tanzania is rich in natural gas has generated some kind of euphoria and optimism in government cycles as well as from international oil and gas corporations. Of course to a country in which biomass based fuel account for more than 90 per cent of primary energy supply, the discovery of natural gas is surely good news (MEM, 2013). Such huge discoveries have made some leaders and commentators burst into happiness over the possibility of there being more and more natural gas reserves in the country. The Minister of Energy and Minerals, Honourable Sospeter Muhongo, for example, was quoted as saying: "We have enormous amounts of gas. We are now at 40 tcf (trillion cubic feet) and I am sure in the next two years we should be at more than a 100 tcf" (Tanzania Invest, 2013). Of course, given the fact that the country remains little explored, it may turn out to be true as the minister claims or even to be higher than the minister estimates.

That natural gas remains under-explored does not mean that exploration activities are a dearth. In fact oil and gas exploration in Tanzania go as far back as the early 1950s when British Petroleum (BP) and Shell were awarded concessions along the coast, including the large islands of Mafia, Zanzibar and Pemba which confirmed the presence of seal, reservoir and source rocks combinations in the stratigraphic column (Tanzania Petroleum Development Corporation (TPDC), 2013a). TPDC (2013) considers this to be the first phase in the history of oil and gas exploration in Tanzania. The second phase, according to TPDC (2013), stretches from 1969 to 1979 during which TPDC was established and 'large regional, on and offshore, seismic surveys were conducted' (TPDC, 2013a). The first Production Sharing Agreement (PSA) was signed between TPDC and Azienda Generale Italiana Petroli—General Italian Oil Company (AGIP) on

former BP/Shell concessions, three onshore and two offshore wells were drilled by AGIP and Amoco leading to significant gas discovery at Songo Songo in 1974 (TPDC, 2013a).

The third phase stretched from 1980 to 1991 in which regulation in the form of a Petroleum (Exploration and Production) Act was enacted in 1980. This increased interest in exploration as most of the drilling in Tanzania happened during this phase (TPDC, 2013a). It is stated that during this phase, TPDC participated in Songo Songo development, drilling two wildcats at Kimbiji and several seismic programmes. Increased interest in the interior rifts, partially as a result of Project PROBE, resulted in AMOCO [American Oil Company] drilling two wells in the Rukwa Rift basin. Shell drilled Dira-1, in Mafia Channel in 1991 and relinquished the license in the same year (TPDC, 2013a: paragraph 4).

The fourth phase, stretching from 1992 to 1999, was marked by an increase in exploration activities as well as efforts to develop the Songo Songo gas field. TPDC sums it up as follows: TPDC, Tanesco (Tanzania Electric Supply Corporation), and Canadian companies, Ocelot and Trans-Canada Pipelines, [were] actively working on the Songo Songo gas field development, transmission and utilization. Beginning in 1995 a number of international companies acquired exploration licenses in the coastal basins. Tanganyika Oil Company, in 1996/97, drilled two wells in the Mandawa Basin. Exploration agreements have been signed with Antrim and Canop, both of Calgary, Canada and Ndovu Resources of Australia. Discussions are underway with Pemba International of Calgary Canada for a PSA over Kimbiji/Ruvu areas. Agreements to develop the Mnazi Bay gas discovery and to build a power generation plant are being negotiated (2013a: paragraph 5).

The fifth phase, dating from 2000 to present, is marked by the acquisition of 2D and 3D seismic data amounting to 70, 000 live kilometres of 2D seismic data and 15, 000 square kilometres of 3D seismic data (TPDC, 2013a). A number of international oil and gas companies are working in a number of areas, drilling wells both onshore and offshore as well as planning to start production activities. For example, big oil and gas companies like Ophir, Dominion, Statoil, Pan African Energy, Maurel and Prom, Ndovu/Aminex, Petrodel, Afren plc, BG International, Beach Petroleum, Total EandP Activities Petrolieres, Dodsal, Swala Energy, Heritage Rukwa and Heritage Kyela, Motherland Homes, and Open are active in the country's oil and

gas exploration activities (TPDC, 2013a, 2013b). The involvement of such a relatively large number of companies has yielded great results, proving Tanzania as one of the potential oil and gas companies' destination. Yet, much remains unexplored so does the full oil and gas potential of Tanzania.

### **Potential Benefits from Natural Gas Exploitation**

It is obvious, and no one would question this, that the discovery of natural gas reserves of commercial value in Tanzania is good news especially when one considers the potential benefits that the country stands to gain. The succeeding section identifies and provides an overview of these potential benefits.

To begin with, the discovery of natural gas will greatly boost the Foreign Direct Investment (FDI) profile of the country. Since the 1980s Tanzania has been trying its best to attract FDI into the country's economy with a view that this would promote saving, bring in technology and the much needed capital, and create employment opportunities. This would in turn promote higher economic growth and development which would assist in poverty reduction. Tanzania's efforts started paying off in the 1990s as multinational corporations started showing increasing interest in the country. As a result, FDI inflows into the country increased from USD 47 million in 1990 to USD 768 million by 2000, and from USD 4, 438. 7 million in 2005 to USD 6, 239. 9 million in 2008 (Tanzania Investment Centre, 2009, cited in Ngowi 2012: 4). So, it is arguably obvious that the discovery of natural gas is adding an avenue for the country's attraction of FDI. Although the role that FDI has played in Tanzania's development and poverty reduction remains debatable, its inflow remains significant for the country's development.

A second area where the exploitation of natural gas will be important is energy/power generation. For quite a long time, Tanzania has been facing the challenge of power outages and rationing. This has largely been a result of the country's overreliance on hydroelectric power-which is unreliable as it is heavily affected by the seasonality of rains- as a chief source of power for both industrial and domestic use. The losses the country sustains as a result of intermittent power supply are enormous. For example, the recent Confederation of Tanzania Industries' (CTI) Report notes that unreliable power supply has cost manufacturers a total of 31 billion Tanzanian Shillings (TZS)

per annum in income losses ; machinery damage ; loss of competitiveness in the market ; demoralization of investors ; loss of jobs estimated at 7, 341 per annum in the formal manufacturing sector ; and frustrations of the prospects and plans for new investments (CTI, 2011 : v). The Report further estimates losses to the government in terms of taxes at TZS 9. 5 billion per year (CTI, 2011: VI). It further notes that:

*Around 18. 9% of the total cost of production in the interviewed manufacturing firms in Tanzania is attributed to the energy cost. Whereas the intermittent electricity supply has kept total production falling and production costs rising, only 15% of manufacturing firms can afford to increase their product prices to cope with the challenges arising from the continued erratic power supply (CTI, 2011 : vi).*

In line with the above observation, the Tanzania Breweries Limited (TBL) reported to have experienced a rise in the cost of production of more than 450 per cent as the cost of producing 100 litres of brew increased from TZS 2, 392 to TZS 10, 910 (Toroka, 2011). So one can see and imagine how this problem of power blackout and unreliability impact on the economy and the livelihood of the citizens and especially the poor. For example, this challenge of unreliable power availability created a corruption loophole that resulted into what became known as the ‘Richmond Saga’ where high ranking government officials- the then Prime Minister, Edward Lowassa, the then Minister for Minerals and Energy, Nazir Karamagi, and then Minister for East African Cooperation, Ibrahim Msabaha- left the cabinet in 2008 on account of their involvement in the saga (Madaha, 2012). The saga cost the country a whopping US\$555, 378, 486. 00 (Madaha 2012 :

49). It is in line with the loss of revenue that we argue that the discovery and exploitation of natural gas and its subsequent processing to generate power/energy will be of great relief to the private sector, the national economy and to the ordinary citizens. Although it may be naïve to see this as a panacea to the challenge, it is obvious that natural gas exploitation will greatly reduce this challenge.

The third important area where the exploitation and utilisation of natural gas will be of great significance is the environment. Tanzania’s natural environment has greatly suffered from anthropogenic induced changes as reflected in the loss of biodiversity, climate variability and its consequences on the environment and people’s livelihoods. It is estimated

that over 90 per cent of primary energy supply comes from biomass based fuel (MEM, 2013) which means that the environment is overstretched and overburdened by ever increasing human demands for its services. The fact that most rural areas are not electrified, only 7% have access to electricity and less than 10 per cent of urban homes are electrified has made the use of charcoal and fuel wood the only accessible and cheap source of energy in the country (Muhongo, 2013; Uisso & Mvihava, 2005 cited in Mwapamba, 2007: 4231) The consequence has been that the charcoal business has boomed as urban demand for charcoal has kept increasing. For example, over a million tonnes of charcoal is used in Tanzania's urban areas annually for cooking which is equivalent to 109, 105 hectares of forest loss (TaTEDO, 2009, cited in Msuya, Masanja & Temu, 2011: 1364). Of this charcoal use, Dar-Es-Salaam accounts for approximately half of Tanzania's annual consumption of charcoal (Peter & Sander, 2009: VI). The World Bank Report further reveals that 'Between 2001 and 2007, the proportion of households in Dar-es-Salaam using charcoal climbed from 47 percent to 71 percent' (Peter and Sander, 2009: VI). The consequences of the unsustainable exploitation of forests and woodlands are well documented (see for example, Msuya, Masanja & Temu, 2011; Peter & Sander, 2009; Mwampamba, 2007). It is thus our argument that the exploitation, supply and use of natural gas, which is environmentally friendly, will greatly reduce the country's dependence on charcoal and other fuel based energy. This will ultimately help protect forests and woodlands and therefore reduce the consequences of climate change and variability. This, however, depends on how manageable the costs of natural gas based energy will be to the majority of poor Tanzanians many of whom live in rural areas (Yusuph, 2014).

The preceding discussion has provided an optimistic view of the natural gas sub-sector as far as the benefits are concerned. It should however be noted out rightly that the supposed benefits would not just come automatically. Tanzania faces a number of challenges in its quest to exploit natural gas for sustainable and equitable development. The following section examines some of these challenges.

## Corruption

One of the biggest challenges that the subsector will face is corruption. Corruption has been and is still a major barrier to Tanzania's equitable and sustainable socio-economic development. It poses a huge barrier to the country's development (Madaha, 2012). Both grand and petty corruptions are prevalent in Tanzania and seriously impact on almost all citizens and Tanzanian entities (The Prevention and Combating of Corruption Bureau (PCCB), 2009). Corruption and illicit capital flight are said to have cost Tanzania huge amounts of money. For example, it is estimated that the money leaving Tanzania illegally each year is ten times the total foreign aid the country receives, according to the former Minister of State for Good Governance, George Mkuchika (Ng'hily, 2013). This huge amount of money would have helped the country reduce its maternal mortality rate from 454 per 100, 000 in 2010 to 265 per 100, 000 live births in 2025 as well as boosting access to power supply from 14 per cent of the population in 2010 to 18 per cent in 2025 (Ng'hilly, 2013). Every year, national audit reports reveal shocking amounts of money lost to corruption in both the local and central government authorities as well as donor funded projects (see for example, National Audit Office (NAO), 2013a, 2013b). There are reports also that corruption has been limiting the country's benefits from the mining sector and that it has been at the centre of citizens not getting compensation for the losses they incur when they leave their land for mining investment (Lange, 2011, 2008, 2006 ; Lissner, 2008).

Experience from other oil and gas rich countries like Nigeria and Angola also indicates that corruption is a major impediment to sustainable management and utilisation of natural resources in many resource rich developing countries. In Nigeria for example, despite generating over US\$300 billion in oil rents over the past 25 years, more than 70 per cent of the population lives in poverty mainly because much of this rent is diverted from its intended use to the coffers of state, local, and corporate officials (Rosenstein, 2005: 3). In Angola where up to 90 per cent of the government's revenue comes from oil (oil brings in US\$ 5 billion in revenue annually), almost two thirds of the population have no access to safe drinking water and estimates have it that over US\$1 billion of the yearly revenues goes missing (Christian Aid, 2003 : 3). Besides, the Angolan government is one of the most corrupt governments in the world; it has been siphoning revenues out of the public purse (Ferguson, 2006: 199).

What does all this imply? It implies that benefits from the oil and gas sector in Tanzania will greatly be determined by how the country prepares itself to fight corruption and limit all possibilities of rent seeking behaviour. It remains obvious that the sector is vulnerable to corruption; given the fact that corruption is part and parcel of daily life (Heilman, Kamata & Ndumbaro, 2000) and prevalent at all levels and in all sectors. Thus, as Collier (2011, 2008) argues, with the lucrative nature of oil and gas, it is quite possible for corruption to find its way in such circumstances.

In fact, some emerging evidence point to the fact that corruption poses a great challenge to the sub-sector. For example, it has been reported that the Kilwa District Council received a total of 1. 6 billion Tanzanian shillings between April 2012 and October 2013 as revenues from the Pan African Energy Company which extracts natural gas from Songosongo (Nipashe, 25 July 2014). It is further reported that this revenue was pooled in the miscellaneous revenues account and therefore could not be accounted for properly. Instead of benefitting the local people, the money was spent on irrelevant projects:

*“Fedha hizo zinadaiwa kuingizwa kwenye kapu moja la mapato mengine, hivyo kujumuishwa kwenye matumizi ya kawaida ikiwamo malipo ya posho na mishahara wakati huduma za jamii Kama vituo vya afya na shule zikiwa katika hali mbaya. Uchunguzi wa gazeti hili umebaini kuwa hakuna miradi yenye manufaa ya moja kwa moja kwa wananchi iliyoibuliwa kutokana na fedha za gesi Badala yake, kiasi cha Sh. Milioni 230 zilitumika kukarabati nyumba ya Mkurugenzi wa Halmashauri hiyo iliyoko maeneo ya Jimbiza jirani kabisa na bahari ya Hindi, wakati kituo cha afya cha Masoko kinachotegemewa na wakazi zaidi ya 13, 000 kikikosa hata choo cha wagonjwa. Uchunguzi pia ulibaini kuwa Sh. milioni 260 zilitumika kukarabati nyumba mbili za watumishi wa halmashauri hiyo wakati vyoo vya shule ya msingi Kilwa Masoko vikiwa katika hali ya uchakavu uliokithiri kiasi cha kutishia usalama wa wanafunzi wanaovitumia Uchunguzi pia ulibaini kuwa halmashauri hiyo ilitumia Sh. milioni 200 kwa ajili ya kukarabati banda la maonyesho lililoko Ngongo wakati halikuwa kipaumbele kwa huduma za jamii wilayani humo kwa kuwa maonyesho hayo hufanyika kwa misimu (Nipashe, 25 July 2014: 21).*

[The money is said to have been included in the other revenue sources, therefore being included in the recurrent expenditure such as payment of salaries and allowances when social services such as health and schools are in bad situation.

Investigation carried out by this tabloid has revealed that there are no established projects that directly benefit the citizens. Instead, 230 million Tanzanian shillings was used to repair the residential house of the District Executive Director at Jimbizi which is close to the Indian Ocean while the Masoko health centre that serves more than 13,000 people has no patient latrines. Investigations also revealed 260 million shillings to have been spent on repairing two quarters for the districts servants when Kilwa Masoko primary school latrines are greatly depreciated to the extent of endangering the safety and health of pupils using them. Investigation also revealed that the district council spent 200 million shillings to repair the exhibition pavilion at Ngongo when this was not a priority in the district because it is used seasonally. (My own translation)]

### **Lack of capacity to monitor and manage the sub-sector**

The second important challenge is that of state and institutional capacity to monitor and manage the sector effectively. Of course Tanzania cannot meaningfully benefit from the oil and gas sector if it does not have adequate capacity to oversee the sector in the areas of revenue collection, monitoring and enforcing regulations. State capacity has been one of the focus areas in the debate on the consequences of neoliberal reforms in the Global South. According to Campbell (2009, 2008a, 2008b, 2004, 2003, 2001), neoliberal reforms restricted the role of the state to regulation and support services provision to the private sector; a redefinition that has had no historical precedence. The result has been the weakening of an already weak state to the extent that it could not adequately manage and control multinational and transnational corporations (Poncian, 2012). This is the case especially as far as the financial and technical capacity of the state is concerned.

Developing countries find themselves overridden by the transnational and multinational corporations' capacity to the extent that they cannot surveil and monitor them adequately. The result is that states choose to be complacent with the corporations in the name of ensuring a healthy national economy (Owugah, 2001: 52). Proper management of the oil and gas sector requires the state to have adequate trained and skilled personnel, strong institutions and financial resources all of which are inadequate in Tanzania (Lange, 2011). Thus, Tanzania is entering into a gas and oil led economic development without the necessary state and institutional capacity to see this to success.

Although the government seems to be doing all it can to improve capacity (for example securing scholarships for training Tanzanians in the areas related to oil and gas extraction and management, sponsoring some Tanzanian students at the University of Dodoma and some other capacity building assistance from oil and gas companies, and through the Marshall Plan on Capacity Building and Development in Oil and Gas Industry 2012-2016 (MEM, 2013b)), the speed at which the sector grows means that the efforts are insignificant to achieve desired goals quickly. The ministry of energy and minerals which is responsible for the oil and gas sector clearly states that it faces a number of challenges among which is lack of trained human resource (MEM, 2013b : 118). To catch up with the oil and gas sector it plans to improve the capacity of a total of 150 employees in areas related to energy economics ; oil and gas accounting and auditing ; oil and gas legal regime and contract negotiations ; energy management, among others (MEM, 2013b : 119).

These and other efforts show that the government is committed to capacity building and improvement. It remains obvious, however, that these efforts will take a long time to produce desired fruits, during which time the sector would be progressing ahead. Perhaps, this is why some concerned Tanzanians, notably the Kigoma North parliamentarian, Zitto Kabwe, were of the view that the country needs to wait till it has adequate capacity to start oil and gas exploitation. Unfortunately, the government is pressured by international institutions and donors to quickly start oil and gas exploration and exploitation on account that Tanzania is not the only country blessed with natural gas. One report, for example, explicitly states that “The country has a small window of time to take the right steps or it may soon be too late. Competition presses from other countries for gas markets. The time to act is now” (URT, 2013: 1). Unfortunately, this view is shared by the government through the Minister of Energy and Minerals, Professor Sospeter Muhongo, who is of the view that Tanzania has to hasten the process of natural gas exploration irrespective of whether or not it has a natural gas policy in place in order to keep pace with stern competition from other countries (Kamndaya, 2013). Such an urge to quicken the process at the time when the country is still having capacity constraints may only serve to benefit investors more than it does to the country and its people. Experience from the large scale mining sector in the country should be the best teacher on this. Otherwise the country may be forced into:

*Negotiating long-term contracts with terms that are so heavily one-sided that revenues earned from the resource end up being far less than they otherwise could have been, benefits to the population are limited, and local communities suffer as their environment*

*is degraded and polluted and their traditional livelihoods are threatened by the activities of companies, without any real benefits to the communities to Counterbalance the negative outcomes (URT, 2013: 14).*

### **Sharing benefits**

The third challenging area is making sure the benefits from the sector are equitably shared and the sector is strongly linked with other sectors of the economy. Sharing the benefits from the exploitation of natural resources has been a central challenge to many resource rich countries. It is one reason why resource rich countries still find themselves in abject poverty despite continued exploitation of their resources. Creating strong downward and upward linkages between resource extraction and other sectors has also proved challenging to these countries. It is very important that the proceeds from oil and gas extraction be shared equitably and that the levels of poverty are significantly altered as a result. Otherwise, the country will only be bragging of having oil and gas resources while its people remain in abject poverty and are continuously marginalised from sharing the national cake. Experience from the oil and gas sector in Nigeria, Angola, and Sudan should provide enough lessons to Tanzania. In all these countries, far from being a blessing, oil and natural gas have only resulted in poverty, marginalisation, civil wars and corruption. Proceeds from the sector have only ended in the hands of corrupt officials leaving the entire population in abject poverty (Ferguson, 2006; Rosenstein, 2005; Christian Aid, 2003). Experience from the country's mining sector also gives us a picture of what lies ahead of Tanzania's quest to exploit natural gas for its development. In spite of increasing mineral exports and revenues from the sector, poverty levels have generally remained high and the sector has not been strongly linked to the wider economy (Poncian, 2012).

The challenge, therefore, is how Tanzania structures itself to curb the danger of resource curse that has bewitched many resource rich developing countries. This can only be resolved by making sure that benefits from the subsector are equitably shared and that all possible avenues through which revenues from the sector can be siphoned off are controlled. It should also be emphasized that the government of Tanzania faces a big challenge of linking the oil and gas sector to the wider economy so that the entire population of Tanzania benefits, directly and indirectly, from the exploitation of this resource. It should not be like what has been taking place in the mining sector which has generally been an enclave. A recent row between the Tanzania Private Sector Foundation (TPSF) and MEM over the minister's statement that local Tanzanians are incapable of investing in natural gas exploration, that they can only invest in fruit processing plants

and that the government will not waste time discussing with them suggest that the government may be missing the point over what it should do to make oil and gas resources of benefit to Tanzanians (Domasa, 2013).

### **Managing the citizens' expectation in the exploitation of natural gas**

In line with this, there is also a challenge of managing the expectations of the Tanzanian citizens from the extraction of natural gas. The euphoria and optimism that accompany the discoveries of significant quantities of natural gas highlights the fact that people have great expectations from the extraction of the resource. Moreover, recent popular uprisings in Mtwara also tell more of the fact that communities in areas where natural gas has been discovered want more from this resource. It should also be brought to mind that many people have been discouraged by the poor performance of mining sector and would not want to see this repeating itself with the gas exploitation. Expectations are so great as if natural gas was to be the alpha and omega of the socio-economic challenges confronting Tanzania (Kasumuni, 2014). All these challenge the government and investors to think and plan adequately on how to balance these expectations and, more importantly, what to do to satisfy the people. It is not enough to just issue a press release explaining how these communities have and will benefit from natural gas extraction in the language of corporate social responsibility. It needs government to go down to the grassroots and listen to them for it is they that know what is best for them. There is also need for the government to educate its citizens on the actual benefits the country stands to gain; on the truth that natural gas alone cannot transform Tanzania in just a short period of time. How the government and the sector transcend over these challenges will definitely determine how beneficial natural gas exploitation will be to Tanzania and its citizens.

## Conclusion

This chapter has demonstrated that the oil and natural gas sub-sector is becoming potential for Tanzania's socio-economic development largely due to enormous natural gas finds. It remains obvious that, with enormous discoveries of natural gas, Tanzania stands to be one of the key players in the global natural gas extraction and supply. It stands to benefit from the exploitation of the resource. As the paper has demonstrated, such benefits as FDI inflows, energy production and environmental protection among others are some of the key benefits that Tanzania stands to get from natural gas extraction. However, these benefits will not just accrue to the country automatically just because there is a natural gas sub-sector. Given the fact that the discoveries have come at the time when Tanzania is not prepared to tap the potential and at the time when the country is just starting to recover from two decades of not so beneficial mineral extraction, it is evident that a number of challenges may potentially limit the benefits. It has been argued in the paper that for Tanzania to rip more benefits from the sector and make it contribute significantly to the country's socio-economic development, it has to structure itself properly against the impeding challenges. Unless this is done, the country will just sink into what commentators call a resource curse.

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# 21

## Tracking reforms in the water sector in Kenya

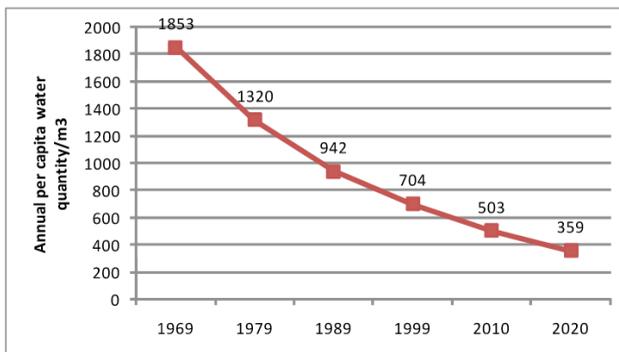
*John nyangena*

### Background

Water plays an important role in socio-economic development across developed and developing countries. Access to water is essential in attaining the Goal 7, target 10 on halving the proportion of people without sustainable access to safe drinking water between 1990 and 2015 (UNDP, 2006). Water also affects the performance other sectors. Meeting this Goal is therefore critical in realising other many other MDG goals. However, in Sub-Saharan Africa over the period 1990-2004, the number of people without access to drinking water increased by 23%” (WHO/UNICEF 2006).

As is the case in Sub-Saharan Africa, Kenya faces challenges both in the long term availability and sustainability of fresh water resources as well as the levels and inequality of access to safe drinking water and sanitation facilities (Ramp, 2011). The country’s per capita water availability has declined consistently over years as shown in figure 21. 1.

**Fig 21.1:** Per Capita Water Availability



**Source:** Water Master Plan, 1992 & 2012

The declining trend is a result of population increase from 10,942,705 in 1969 to 40,311,794 in 2010 and projected to reach 56,461,427 in the year 2020. Renewable fresh water per capita stands at 647 cubic meters and is projected to fall to 235 cubic meters by 2025 if supply does not keep up with population increase.

Kenya is divided into five drainage basins namely Lake Victoria, Rift Valley, Ewaso Ng'iro North, Tana River and Athi River. These have unequal water availability and utilization. Besides Lake Victoria and Tana basins which have water surplus, the rest suffer from water deficits (USAID, 2000).

Many countries in the region have pursued reforms aimed at improving access to water. The low figures therefore reflect failure in the reform process particularly inefficient institutional frameworks. Many systems are characterised by high water losses, insufficient revenues to cover operating costs, dilapidated and poor functioning infrastructure, lack of investments, low billing and collection efficiency, chronic water shortages and failure to meet the existing demand, low coverage, especially for the urban poor, and corruption, among others (see e.g. World Bank 2004). In addition, the quality of water services is often low. For instance, it is estimated that over one-third of the urban water supplies in Africa operate intermittently and with quality concerns (WHO/UNICEF 2000).

Access to safe water supply has remained a top priority in Kenya and is central in evaluating the performance of the sector. At independence in 1963, Kenya adopted a development strategy on African socialism and its implication to planning in Kenya that outlined measures to fight poverty, diseases and ignorance. Accordingly, improved access to water was recognized as an essential element in economic growth and promoting good health (Olwa, 2012). The first Water Act in Kenya was the Water Ordinance, 1929 which was later repealed by the Water Act Cap 372, published in May 1952. In 1974 the National Water Master Plan was adopted with an ambitious target of availing potable water at reasonable distance to all households by the year 2000. The Plan aimed to achieve this by actively developing water supply systems. The Government was the sole player in the sector and directly provided water services to consumers in addition to policy making, regulating and financing activities in the sector. In line with this Plan, the government upgraded the Department of Water Development of the Ministry of Agriculture into a fully-fledged Ministry of Water to coordinate all water actors (Mumma, 2005; Kisima, 2007;

Gakuria, 2008). However, the Ministry lacked financial resources and the Plan was not sustained. As the needs of the country changed over time, there were various government policy pronouncements. Among them was the Sessional Paper No. 1 of 1986 on Economic Management for Renewed Growth from which the government spelt out strategies for provision of basic services and reforms necessary to accelerate economic growth. In 1998 the National Water Conservation and Pipeline Corporation (NWPC) was established to take over the management of government operated water supply systems in urban areas that could be run on a commercial basis. In addition, large municipalities were allowed to supply water within their areas. Also allowed to operate were a number of donor-funded or supported community self-help water supply projects (Mumma, 2005; Ngigi & Macharia, 2006).

Although NWPC was nominally autonomous and commercial orientation, it failed to attain financial viability to improve water supply as originally envisaged. By 2000 the NWPC was operating piped water supply systems in 21 urban centres serving a population of 2.3 million people and 14 large water supply systems in rural areas serving a population of 1.5 million people (Mumma, 2005). The prevailing governance framework lumped together policy formulation, regulation and service provision functions. The sector was characterized by numerous challenges notably; inadequate funds, institutional weaknesses, unavailability of water resources, poor choice of technology, weak coordination and poor inter-linkages with other related sectors (Kisima, 2008). Moreover, the governance system laid more focus on water supply at the expense of water resource management. Water services in the country had deteriorated so much to the point that more government support was needed to revitalize and expand the systems. This state necessitated the need for more reforms in the sector.

### **Broad based reforms**

In 1997, it was apparent that target to provide water to all was not likely to be met. The government therefore issued new guidelines to incorporate community participation. Sector reforms gained momentum in 1999 through the adoption of the Sessional Paper No 1 of 1999 on the National Policy on Water Resources Management and Development. The policy sought to address shortcomings in water resources management, water

and sewerage development, institutional framework and financing of the water sector (Kenya, 1999; Gakuria 2008; Krhoda 2008). It further provided an opportunity for the country to respond to international calls for more efficient and sustainable water management approaches. In particular the policy sought to promote basic principles that emerged from the global paradigm shifts among them:

- (a) Decentralization of management responsibility to the catchment level through physical partitioning of the country into hydrologically defined catchment areas to facilitate more integrated, holistic, participatory and sustainable management of the resource
- (b) Promotion of equitable access to water for all users by addressing inequality in access and utilize of thereby contributing to poverty alleviation
- (c) Recognition of Water as both a social and economic good to enable the treatment of water as an economic good or service. This would allow water to be priced to at least cover its cost of supply, including storage, treatment and distribution so as to ensure its continued availability (FAO, 1995).

The Policy has four broad objectives addressing both water resource management and service delivery namely:- to preservation, conserve and protect available water resources and allocate them in a sustainable, rational and economical way; to supply good quality water in sufficient quantities to meet various needs; to set up an effective institutional framework for water resource management; and to develop a sustainable financing system for effective water resources management, water supply and sanitation development.

The policy is based on principles drawn from UN Water Conference held in Mar del Plata, Argentina in 1977; various international meetings on water resources and environment; the Dublin Statement on water and sustainable development of 1992; and the United Nations Conference on Environment and Development (UNCED), Rio de Janeiro (Agenda 21, Chapter 8). First, integrated water resource management strategy that can address the multiple water needs and use, second, clarifying the role of government as a regulator and a manager of water resources, the public

and private sector and co-provider of water services, and the community as contributors to water resource management; third, decentralization of decision making, fourth, separation of the water resource regulatory and management from service provision and fifth, use of volumetric fees for water abstraction and application of 'polluter pays principle' to control pollution to meets equity, economic, financial and environmental concern.

Operationalization of the policy was achieved through the Water Act 2002 which repealed the Water Act Cap 372. The new Act provided a legislative backing to the reforms. The broad objective of the reforms was to equitably improve access to sustainable safe water and sanitation services and resource management at affordable cost. It mainly targeted revamping the institutions governing the sector (Maria and Dinah, 2004), and address the gap between water supply and demand. The reforms sought accomplish a number of things namely:

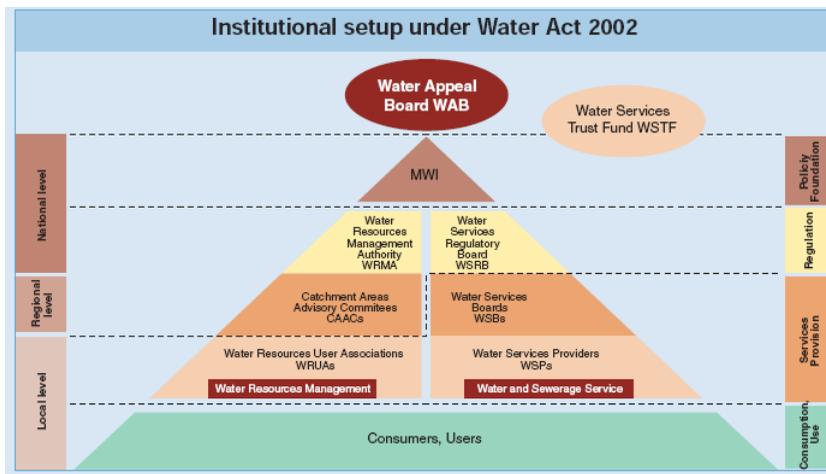
- improved coordination,
- increased policy accountability,
- focused attention to water resource management,
- clarified regulatory framework, improved performance monitoring and evaluation,
- better performance of water-undertakers and increased ability to attract and retain skilled manpower.
- efficient provision of services,
- better service delivery and increased coverage,
- improved infrastructure

A key feature of the Act was the separation of water resources management and development from water services delivery to minimize conflicts of interests between allocation and service provision. Accordingly specialized agencies operating at various levels were created support the reforms (see Figure 2). The Ministry of Water and Irrigation (MWI) focused on legislation, policy formulation, sector coordination, monitoring and evaluation. This is achieved through the National Water Resources Management Strategy

(NWRMS) and the National Water Services Strategy (NWSS). The NWRMS lays strategies for assessing, managing, developing and maintaining water resources while the NWSS aims at ensuring adequate provision of water and sanitation services to all Kenyans. The NWSS responds to a crisis in water supply and promotes the idea that water supply and sewage services is a national priority that underpins all of the country’s social and economic development, and therefore require increased investment.

Water regulatory was assigned to semi-autonomous bodies under management boards make up of different stakeholders. Water services was commercialised through Water Service Providers (WSP) comprising of both the private and NGO sectors (GoK, 2005). In addition, the Act established standards for the provision of water and sewerage services. The Water Resource Management (WRMA) and the Water Service Regulatory Board (WASREB) are the principal regulatory agencies for water resources and water service respectively.

**Fig.22.2:** Water Sector institutional framework



Source: GoK, 2002

WRMA is a corporate board whose functions are to:

- (a) Develop principles, guidelines and procedures for the allocation of water resources;
- (b) Monitor and reassess the national water resources management strategy;
- (c) Receive and determine applications for permits for water use;
- (d) Monitor and enforce conditions attached to permits for water use;
- (e) Regulate and protect water resources quality from adverse impacts;
- (f) Manage and protect water catchments;
- (g) Determine charges to be imposed for the use of water from any water resource.

The Catchment Area Advisory Committees (CAACs) advise WRMA on water resources at catchment level on water resource conservation, use and apportionment and issuance, cancellation and variation of water permits. The Water Resource Users Associations (WRUAs) are established as a medium for cooperative management and conflict resolution at the sub-catchment level. WRUAs identify and register water users, collaborate with WRMA in water allocation and catchment management and assist in monitoring functions. Besides catchments, WRMA is responsible for the conservation and protection ground water aquifers and wetlands. The WASREB regulates water services and sanitation. It has numerous functions among including

- (a) Licensing for the provision of water services;
- (b) Determining water provision standards;
- (c) Developing guidelines for the fixing of water services tariffs

(d) Developing model performance agreements for use between licensees and WSPs;

(e) Monitoring the operation of agreements between WASREBs and WSPs;

(f) Promote water conservation and demand management.

WSB are public entities established to ensure efficient and economic provision of water services. They can do this by entering into agency agreement with water providers which are mainly private. There are seven WSBs covering the entire country namely; Rift Valley Region, Lake Victoria North Region, Lake Victoria South Region, Central Region, Nairobi Region, Coast Region, and Northern Region.

An Appeals Board has been established, and its members appointed. Inspire of these structures, coordination with other ministries involved in the reform process not only partly failed, but in some cases the reform process was actively blocked. The Water Services Trust Fund (WSTF) provides a mechanism for financing water and sanitation services to marginalized groups. The institutional framework has established an arbitration of disputes and conflicts through the Water Appeals Board (WAB).

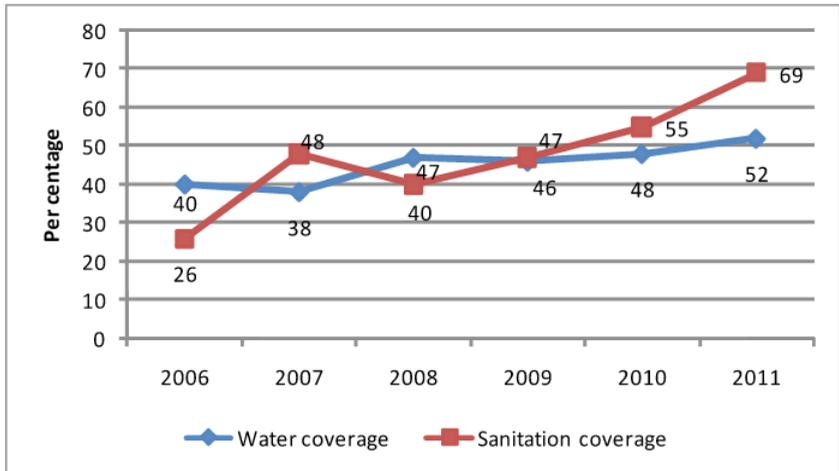
Other institutions critical to the reform agenda include the National Water Conservation and Pipeline Corporation (NWCPC) which is state corporation under the ministry of water and established in 1998 as an urban water undertaker specializing on bulk water supply and borehole drilling. The Kenya Water Institute (KEWI) provide training and research for the sector while the National Irrigation Board (NIB) is responsible for construction of dams and drilling of boreholes, training and research and irrigation development respectively. Accordingly, the Water reforms targeted at establishing a sound institutional framework to midwife the reforms. It is important to note that the Act is reviewed to conform to the 2010 constitution that is based on a devolved system of government.

### Achievements of the reforms

Assessing the impacts of the reforms in the stages is constrained by lack of data s little emphasis was given to monitoring. Meaningful monitoring commenced after the adoption of the Water Act, 2002. The reforms have had some positive effects.

**Increased water and sanitation coverage:** Water coverage is the proportion of people served with water by a WSP compared to the total population within the service area of the WSP. On the other hand sanitation coverage is defined as the percentage of people with access to improved sanitation facilities compared to the total population within the service area of a WSP. There has been a general improvement in both water and sanitation coverage. Figure 3 shows trends in water and sanitation coverage between 2005 and 2010. Between 2010 and 2011, rural water and sanitation coverage increased from 40 per cent to 46 per cent and 81 per cent to 89 per cent respectively.

**Fig 22.3:** Changes in urban water and sanitation coverage



Source : WASREB, 2012.

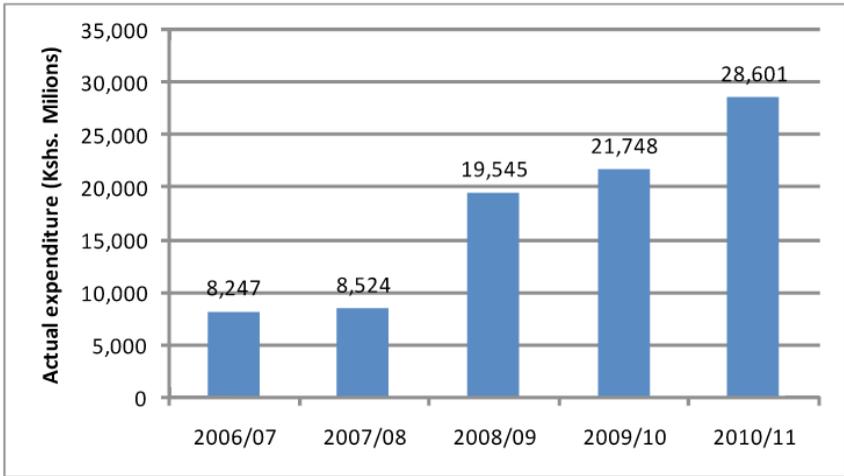
Although overall water and sanitation coverage improved in 2011 based on 2006, both lag behind the acceptable benchmark of 80 per cent. Out of Kenya's 215 urban centres, only 30 have modern sewerage systems. Access to improved water and sanitation remain a major problem in low-income settlements where a majority of the urban poor live. Here only 20 per cent of the population has access to safe water, exposing them to relatively high tariffs charged by water vendors. These settlements are also bedevilled by poor hygienic conditions owing to low coverage and the dilapidated state of sanitation facilities. However, in small and medium towns there has been a general improvement in water coverage.

**Mechanism for Integrated Water and land Resources Management:**

The WRMA has established and operationalised integrated catchment management through formation of CAACs and WRUAs. This provides a platform for integration based on the catchment approach. Five CAACs have been established on each basin together with formulation of a Catchment Management Strategies. The strategy offers opportunities for stakeholder participation in WRM decision making and implementation. Increased participation of commercial water service providers through Water Service Boards has improved coverage and regulation in urban areas. Similarly, coverage has been increased in rural areas through financing to communities from the WSTF. The reforms have reduced conflicts of interest between institutions and authorities through clear separation of functions. Separation of policy from implementation functions in the sector means that one cannot be both a «referee and player» at the same time. Clarity in mandate of the various institutions has also minimized duplication of functions and confusion of competencies.

**Improved accountability:** The reforms shifted attention from investments in individual projects to supply the development of framework for management of water resources and provision of water supply and sanitation services. The separation of policy and regulatory responsibilities and the devolution of responsibilities for water resources management and water services provision to local levels has been the principal mechanism for improving accountability and transparency in the water and sanitation sector. Thus the sector is general better organized and governed.

**Increased budget allocation:** The reforms have helped profile the water sector in the planning and budgeting process. This is reflected in increased public investment in the sector over the years.

**Fig 22.4:** Trends in public expenditure in the water sector

Source : GoK, 2011.

Expenditure in the sector increased from Kshs. 8,247 million during the 2006/07 fiscal year to Kshs. 28,601 million in 2010/11. This represents a rise on more than 240 per cent.

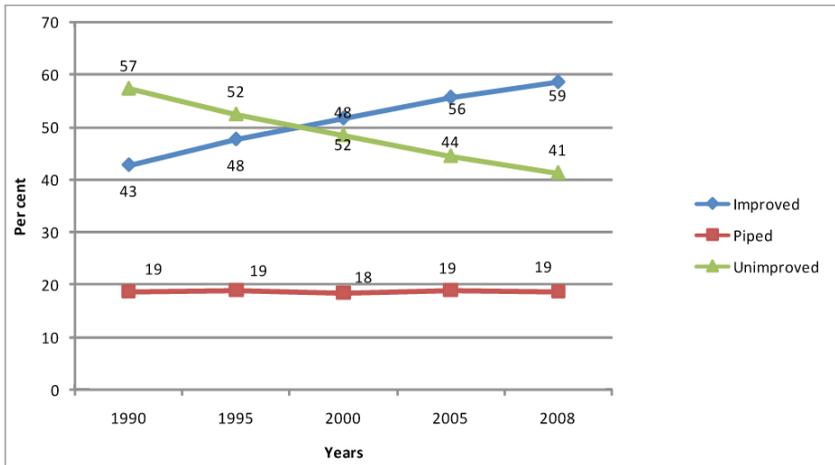
### Challenges in the reforms

**Low access:** Access to safe water is currently estimated at 83% in urban areas and 49% in rural areas as reported in the Kenya Integrated Household Budget Survey (KIHBS) 2005/06. This means that, overall about 57% of the population has access to a safe water source. According to the same report, about 84% of population has access to basic sanitation, with 95.3% of the urban population and 80.4% of rural population having access. The foregoing figures imply that, at present, about 15 million and 5.7 million have access to safe water and adequate sanitation, respectively. The World Bank has pegged the current coverage at 49% and 86% for water supply and sanitation respectively. The average water coverage has been estimated at 60% in urban areas, dropping to 20% in settlements of the poor where

about half of the urban population lives. In rural areas, sustainable access to safe water is estimated at about 40%, while sanitation coverage is 55% and 45% in urban and rural settings, respectively (National Water Services Strategy, 2007-2015).

In 2008, 59% of Kenyans had access to improved drinking water sources with urban and rural areas standing at 83% and 52% respectively (Moraa, 2012). In urban areas 60% of the population has access save water although in urban poor settlements this proportion drops to only 20 per cent (WASREB, 2008). These settlements are also bedeviled by poor hygienic conditions owing to low coverage and the dilapidated state of sanitation facilities. The poor state of sanitation poses risk of pollution to water sources from which most of the informal settlements draw water. In rural settings, it is estimated that only 40 percent of the population have access to safe water and 10% sanitation. Access to adequate and reliable supply of water is not only a key input to poverty reduction but also an important element for social stability, economic growth and in meeting the targets of the Vision 2030 and Millennium Development Goals (MDGs). Thus, the reforms in the water sector fall short of producing the expected results.

Large disparity in access to improved water source between urban and rural has remains a key challenge in the sector. It is estimated that between 59 – 83 per cent of urban population has access to safe water compared to 38-52 per cent of their rural counterparts World Bank (2010). Improved water source is defined as one that, by nature of its construction or through active intervention, is protected from outside contamination, in particular from contamination from faecal matter (WHO/UNICEF, 2011). However, in urban areas, poor people living mainly in informal settlement lack connection to formal supply and therefore are forced to purchase their water from vendor who often charge high prices for questionable water quality. Trend in access to water is show for the period 1990 to 2008 is shown in figure 22. 5.

**Fig 22.5:** Trends in access to water in Kenya

**Source:** WHO/UNICEF (2011). Joint Monitoring Programme, available on [www.wssinfo.org](http://www.wssinfo.org)

**High Non-Revenue Water (NRW):** WASREB, (2010) defined NRW as the difference between the amount of water produced for distribution and the amount of water billed to consumers. The measure captures both physical losses (leakage) and commercial losses (illegal connections/water theft, unmetered public consumption, metering errors, unbilled metered consumption and water use for which payment is not collected). High NRW levels indicate poor management, in form of either poor commercial practices or poor infrastructure maintenance, and are detrimental to the commercial viability of water utilities as well the quality of the water itself. After WSBs were operationed in 2005, a target was set to reduce NRW to 25 per cent by 2010. However, average NRW has stagnated at 45% since 2009/10, remaining at a level almost double the minimum acceptable level of 25 per cent. This is high relative to the global average of 35 per cent is equivalent to financial losses of KShs. 9.5 billion annually (WASREB, 2012). Factors contributing to the high levels of unaccounted for water include illegal connections, technical losses, un-metered connections (flat-rate billing), and poor maintenance of the infrastructure. Combating the problem will require urgent rehabilitation in almost all supply systems.

**Ineffective institutional arrangement:** The institutional framework is very

Complex and is a major embedment in the effective performance of the sector (Asingo, 2005). There are also overlaps between WRMA and WSRM as both of them have powers to determine water charges. Since the water charges are meant to cover the cost of providing the service, it is the service providers who are best placed to determine the amount in consultation with the WSM and WASREB. Additionally, there is no clear criteria upon which the seven WSB were created. Operation of WSB is often complicated when its jurisdiction extends beyond a catchment area. Further, institutional coordination within the sector and with other ministries involved in the reform process not only failed but in some cases was vigorously blocked.

Despite water cutting across many sectors, the reforms tended to be concentrated in a single ministry. As a result key players were either ignored or left behind in the reform journey. Experience from other countries shows that undertaking reforms is not so much about enacting policies and laws but about building organizational structure out of an outmoded and centralized water administration defined by insufficient skills and resources (Saleth and Dinah, 2004). The way the reform program is structured and packaged has much to contribute to its successful implementation (White, 1990). All these factors make institutional arrangement that was meant to facilitate the reforms ineffective. At the same time they do not create an enabling environment for private sector participation as they lack accountability to allow marketization processes (Migai, 2007). To date, formal involvement of the private sector has been essentially limited to consultants and contractors. The inability of the public sector to provide funding for effective management of the resources calls for providing incentives for PSP in the sector. Ineffective institutions also result from staff inherited from old institutions. These employees, although in a new outfit, often slow down or resist the reforms. For example, some employees have carried to the companies their previous corrupt practices and inefficiencies (Owuor and Foeken, 2009).

***Underperforming water utilities:*** The water service utilities are characterized by high water losses, insufficient revenues to cover operating costs, dilapidated and poor functioning infrastructure, lack of investments, low billing and collection efficiency, chronic water shortages and failure to meet the existing demand, low coverage, and weak and corrupt institutional frameworks (World Bank, 2004).

**Weak CAACs and WRUAs:** The Water Act establishes an elaborate and clear management structure for water resource management and water service. CAACs have an oversight over water catchment areas but have no direct authority over the WRMA regional managers who oversee the allocation and use of water. Weak collaboration between these critical institutions is responsible for illegal water abstraction. Illegal water abstraction include those authorized but with no permit and abstraction is based on the quantities specified in the authorization; those that have authorization or a permit but abstract without regard to the limits allowed and those who abstract without application, authorization or permit. Although CAACs and WRUAs are instruments for devolving some function to the sub-basin level the devolution process did not reach the lower level entities: ultimate decision making unit (Mumma, 2005). As a result the devolved institutions have remained weak and ineffective and generally lack institutionalised mechanisms for coordination especially upstream- downstream interactions. Often WRMA is not obliged to take the advice and views of these community institutions. The process of creating these institutions is lacks transparency and is open to political patronage. The entire process is therefore subject to elite capture.

**Slow community integration:** While there is notable progress in the appointment of water service providers in urban areas, appointment of community water service providers in rural set-ups has not gone at same pace and few community-based companies have signed service provision agreements (SPAs). Regarding water resources, rural poor have not been integrated into the private land tenure and other formal regimes upon which the Water Act 2002 is premised. Migai, (2007) presents a compelling argument that failure of the Act to integrate customary practices on land rights and renders it ineffective in the achievement of the Millennium Development Goals. He concludes that attempts to incorporate community self-help water systems into formal legal frameworks are not likely to yield major benefits.

**Inaccurate and Unreliable sector data:** While some progress has been made in data, collection and management, through the effort of current reforms, the data on coverage, access, functionality of water and sewerage systems and water resources vary depending on source. Most of the data used in the reforms are from the 1998 JICA after care study. The aftercare study objectives were: Most abstractors do not have measuring devices for determining water use. Only 30% surface water abstractions have measuring devices while groundwater is 50 per cent MWI (2012). Data on water demand and use is however lacking.

**Table 22.1:** Status of hydrometric stations in Kenya

Drainage basin	No. Registered	No. Operational			
		1990	%	2001	%
Lake Victoria	229	114	49,8	45	19,7
Rift Valley	153	50	32,7	33	21,6
Athi River	223	74	33,2	31	13,9
Tana River	205	116	56,6	66	32,2
Ewaso Ng'iro North	113	45	39,8	29	25,7
National	923	399	43,2	204	22,1

**Source:** GoK (2006).

### Conclusions and recommendations

The water sector has been in constant reforms over the past fifty years. A key element of these reforms focused on creating an institutional framework to improve access to water while conserving the water resources. At independence availing water to all citizens at reasonable distance by 2000 is perhaps the most ambitious target of the reform agenda. Because this target was never met, successful policy and legal frameworks avoided setting any clear cut target. The 2002 reforms were initiated partly to address the failure in meeting this target while responding to international requirement for Integrated Water Resource Management as articulated in various instruments.

Regarded one of the most aggressive reforms in Africa, the reforms ushered a very complex institutional framework which became a barrier in advancing the reforms. Rather than establishing a modern institutional framework,

the Water Act only helped to perpetuate the old culture of corruption and lack of transparency. The problem arises mainly from the way the reforms were managed. First the reforms were driven by the Ministry which was itself a candidate for reforms, a situation that created conflict of interest. Further, existing institutions were assigned new mandates while retaining the same personnel. Often these personnel frustrated the reforms since it is difficult to teach old dog new tricks.

Over the year, public investment in the sector has increased considerably. Yet there are no commensurate outcomes in either water resources or water services and sanitation. Instead the per capita water availability declined from a high of 1853 M3 per year in 1969 to a paltry 503 m3 per year in 2010. Translating the reforms into management practices remain the biggest problem in the realisation of positive outcomes. Broad participation of all actors although acknowledged has remained weak throughout the entire process. This meant weak ownership by important stakeholders leading to slow implementation. Further, over concentration of the reforms in the Ministry of water excluded other players both state and non-state limited its acceptance.

Nonetheless, important lessons have emerged through these reforms. First, a complex institutional arrangement does not necessary yield the desired results. Second, reforms take very long time to be concluded and sufficient time should therefore be allowed before introducing new ones. Most importantly winning the support of all stakeholders including those who are the immediate target of the reforms is an important guarantee for success.

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# 22

## **Policy Transformations in Africa Illusions, Dreams, Visions and Realities**

*Joseph Misati Akuma, Enna Sukutai Gudhlanga & Ezekiel  
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### **Background**

The African continent and her development is arguably a case study in contradiction as poverty and wealth exist within the same space and time almost in equal measure. As literature attests, Africa is a continent where wealth is unfathomable in the midst of glaring decreased life expectancy, high mortality rates, illiteracy, resource maladministration and rigid stratification by gender, age and socio-economic status. By and large, the poor apparently have remained poor and sometimes poorer for decades while the rich continue to become richer by the minute. This scenario unfolds in the midst of elaborate country and issue-specific development blueprints. However, these blueprints for the most part have been seen to be more theoretical and hence mere state obligations rather than practical ones with tangible benefits to the man in the street. In the foregoing state of affairs, it is, therefore, possible to pick out illusions, dreams visions and realities that shape development in Africa, albeit with inter-state differences that in turn, and partly so account for differential development across the continent.

### **Illusions**

On their part, illusions imply the false impressions created by state on the part of the public to the effect that government have at heart the needs of its citizenry. The politico-economic elite have easily achieved this through dramatized rhetoric, policy formulation and political engineering statements, the latter through negative ethnicity in order to whip ethnic support and identity. Although coated with patriotism and visionary blueprints-theoretically speaking-these illusions remain largely what they are across generations. How for example does one explain poverty of more than 50% in much of Africa, approximately five decades after

Independence? The answer lies in looking at the illusions that have been created by the elite in the minds of the poor.

The foregoing illusions aim at achieving ethnic exclusion-dividing the society between us and them, so to speak. Although policies and laws exist towards national integration and cohesion, negative ethnicity in Africa is part of her development undoing. The political arena where policies are formulated-policy making is a political process-has been reduced to a mere theatre for political drama, mudslinging, infighting and corruption. Most important, the political arena has been used effectively for the enhancement and perpetuation of elite interests and unquenchable thirst for power, property and fame. In the circumstances, development is hard to come by, which partly explains the development malaise in much of the continent.

Moreover, the illusions blind the public and make them to have the false belief that progress and personalized or ethnic rewards are a stone-throw only to wait into the indefinite future. This has led credence to the English adage, a trickster will always get someone to trick. The falsehoods are peddled, told and retold, albeit with new sugar coatings and flavor, nonetheless with the difference remaining the same-to hoodwink the public into believing in the illusions and help the peddler not only to remain in power, but also accumulate wealth. In the meantime, development is relegated to the periphery and the public continues to suffer in the hands of unscrupulous elite.

### **Dreams**

Dreams, defined by the Oxford Advanced Learners' Dictionary (7th Ed) as series of images, events and feelings that happen in our mind while we are asleep, imply in part what we want to be, but unfortunately what prevailing circumstances do not allow. Africans have many dreams, that unlike the actual dreams that happen while we are asleep, the former happen in broad daylight. Many African would like to emulate the nations of Western Europe and North America in every measure including livelihood options, mannerism and generally way of doing things. This is tantamount to having affinity to leisure without the means to enjoy it.

The fore going is perhaps partly the reason behind the rush for green cards to the western world where hope is pegged on the illusion that personal future and prosperity are nowhere in Africa, but the west. Consequential from the discussion, Westerneuropanization and Northamericanization have led many Africans to put aside the African Spirit that requires holding one another's hand as we move along. The resultant individualism has bred insatiable quest for property and power to the exclusion of all and sundry. This partly explains why development in Africa can as well be a case study in inequality. In the absence of policies that guarantee tangible benefits to the common man, many Africans are likely to dream up to the grave.

### Visions

Visions, scholars do concur are forward-looking statements about how we plan to use resources to achieve set goals in a definite future incited by the need to move from where we are to another more desirable level of development. African countries have come up with several blueprints that have visionary ingredients, but that however rarely go past the paper work that they are. In Africa, we have the Kenya Vision 2030 (Republic of Kenya, 2007; Mwenzwa & Misati, 2014), Nigeria Vision 20: 2020 (Eneh, 2011), Zambia Vision 2030 (Republic of Zambia, 2006) and the Tanzania Development Vision 2025 (United Republic of Tanzania, 1996) among many others that are country-specific. There are also continent-wide blueprints such as the African Youth Charter (AU, 2011; 2006) and the New Partnership for African Development (NEPAD) (NEPAD, 2003). While it has proved most difficult to achieve the ideals of such development visions, the blame is largely laid on western colonialism and imperialism through donor conditionalities particularly those prescribed by the IMF/ World Bank.

It is widely acknowledged that colonialism dispossessed Africa of many resources and is therefore part of the reason that can explain the present development problems in the continent (Rodney, 1972; Peet & Hartwick, 1999; Larrain, 1989; Gleave, 1992). That notwithstanding, the crop of African leaders who took over from colonialists were no better than the colonialists. The new leaders inherited used and manipulated colonial institutional structures of subjugation and perfected them as self-serving instruments (Kanyinga, 2001). For example in Kenya like much of the continent, they appropriated the land left by colonialists to their advantage,

most of which they have left fallow many decades into self-rule in the midst of a large squatter population (Mwenzwa & Bunei, 2012). It is instructive to point out that development that is hinged on such economic relationships cannot be the panacea for African progress.

The foregoing underutilization of land and other resources in addition to misallocation of inventive talent are partly to blame for food insecurity in most African countries. Regarding water resources, one may be tempted to ask the million dollar question-how many cubic liters of water do rivers Niger, Congo and Orange drain into the Atlantic Ocean every day unused? How much water do rivers Nzoia, Nyando, Yala and Sondu Miriu in Kenya empty into Lake Victoria unutilized? How much water drains from the River Nile into the Mediterranean Sea unused every year? How many more flow from River Okavango and into Moremi Game Reserve in Botswana unused or underutilized? How many more cubic liters of water do rivers Tana and Zambezi empty into the Indian Ocean underutilized? It is notable that some of these rivers snake their way into other water bodies through areas that are regarded as the most food insecure in Africa.

Considering such resources among others, it can only be concluded that many African leaders are an emblem of hypocrisy, particularly so when they blame the west for their self-inflicted ills. It is therefore a lame excuse to blame colonialists and imperialists for underdevelopment in Africa when in actual fact we are not utilizing the resources we already have. Our visions therefore, despite the good ingredients and intentions that they may have, cannot be realized in the absence of a paradigm shift in the way resources are appropriated. It is inexcusable to leave large tracts of agriculturally viable land fallow and at the same time talk of food insecurity. In addition, it is wrong to leave such large volumes of water to drain into oceans and seas around the continent when much of it can be harnessed for agricultural production to alleviate food insecurity.

## **Realities**

Realities represent the actual circumstances that we find ourselves in despite our illusions, dreams and visions-the true situation that we must confront and maneuver to achieve progress for ourselves, families, communities and the general society. Some of the realities are to be contained in the various visions that African countries have come up with, while others are largely

Manifested in the way we govern resource utilization. When resource governance becomes questionable, the probability that development will be realized becomes remote. When the political leaders are put on their defense to account for public resource use, they are known to coil back into their tribal cocoons, plead innocence and offer the usual lame excuse that their community is the target of political witch-hunt. Unfortunately, their communities join in the fray in support of their son leading to negative ethnicity with the possibility of violent conflict.

One of the realities that cannot be gainsaid and which has adversely affected development in Africa in corruption particularly that is perpetuated by the politico-economic elite. While development blueprints and budgets may be specific with regard to priorities in the allocation of public resources, the paper work and the reality rarely walk along. Many are times when political expediency and individual interests override citizen welfare. Consequently, resources are diverted to uses that promise more political capital, the consequences on the tax payer notwithstanding. Such resource impropriety has worked to hurt development in specific countries and by extension the continent in general. Unless such trends are reversed and resource utilization closely monitored and regulated, meaningful development in much of Africa will be hard to come by.

Another striking reality in Africa is negative ethnicity and sometimes clannism and nepotism, which have been seen to breed bad blood between citizens and eventually conflict over political power and natural resources. As a result, in much of Africa, conflict is more or less the governance archetype, which has worked to adversely affect development. Take the example of the Republic of Somalia and Sudan where civil war has persisted for more than two decades. In the former, people share not only ethnicity, but also religion and other cultural practices. That notwithstanding, people revert to their clans and engage in endless war against other clans, apparently oblivious of the consequences on the general development of the country. Indeed, in Somalia, foreign elements have been enlisted to help fight the enemy for reasons that have nothing to do with development. The foregoing is not unique to Somalia but also in other conflict-prone African countries including Egypt, Ethiopia, Kenya, Uganda and Mauritania. Others include Nigeria, the Democratic Republic of Congo, Chad, Central Africa Republic, Libya and Congo (Brazzaville) among others.

The continent can as well be a case study in political maladministration and veiled dictatorship in the name of preserving national security. Although the foregoing has gradually been changing especially with the advent of multi-party politics in the continent in the late 1980s and early 1990s, there is still stiff resistance to the institutionalization of plural politics in many African countries. Such include Gambia, Ethiopia, Uganda, Zimbabwe and Chad among other countries. In such countries, whereas democracy is embraced in its theoretical form, the actual practice even in individual political parties is significantly curtailed. The reality of the foregoing is that it has and continues to cascade up the political ladder to national political arena.

The resultant political maladministration and political suppression tilts the political playground in favor of the incumbent. The result is that the ruling elite will always have its way particularly in elections that are either won unfairly or openly stolen. Recourse in judicial institutions yields little for the loser who immediately engages the winner de-constructively till the subsequent elections. Although it is in order for the opposition to keep the government on their toes, constructive engagement is rarely the case in much of Africa. Indeed, when the opposition gets the reign of power, the difference between the incoming and subsequent government is hardly felt (Gakuru, Mwenzwa & Bikuri, 2007). The whole exercise can therefore rightly be summarized as hunger for power that has little to do with development.

Moreover, in much of Africa, there is an almost institutionalized dependency syndrome particularly on the west for development resources. This happens in the midst of unexploited and idle natural resources such as rivers, forests, wildlife and minerals among others. The culture of handouts and looking up upon the government and donors to provide support to families and communities has worked to largely kill local initiative and innovation that would enhance local self-reliance. By and large, many farmers for example have abandoned traditional crops that can ensure food security for exotic ones that are more market-oriented.

The ensuing scenario is one in which farmers are forced to use a lot of agricultural chemicals that in the long-run work against soil fertility and productivity. Indeed, the environmental degradation and biodiversity loss that accompanies commercial agriculture is felt far and wide. In the circumstances, food production is put at the periphery as gender relations

in agriculture are tilted to the advantage of men especially so when agriculture is mechanized and commercialized.

Although there is massive production to feed the market, feeding the family is left to the market forces of demand and supply that are known to work imperfectly especially in times of scarcity. This partly explains the perennial food insecurity in much of Africa particularly in drylands despite enormous resource endowment. Nonetheless, the future of African development is not as bleak—there is a ray of hope and the continent can develop if it endeavors to implement unpopular but forward-looking policies in line with their resources, dreams and visions, while safeguarding against illusions.

### Synthesis

Flowing from the foregoing discussion, it is crystal clear that Africa's development largely lies in her hands. Indeed, the exposition leaves no room for suppositions, trial and error kind of development approach. Rather, there is need for the continent to embrace the realities that it faces and come up with tangible policies that would see Africa develop like it ought to. Consequently, a paradigm shift regarding policy formulation and implementation is not optional. Otherwise, Africa cannot continue being reduced to a litmus paper to test policies that are obviously not in tandem with her challenges, needs and priorities. As such, there is much to be done internally for the continent to develop cannot be gainsaid. It is therefore prudent at this moment in time to propose some measures that partly spring out of the box and that are regarded as prerequisites for Africa's sustainable development.

First, borrowing from the tenets of globalization and the interdependence that has come to be embraced globally, Africa would still need to borrow from elsewhere if her development targets are to be achieved. While borrowing is synergetic and therefore should be encouraged, it should not be reduced or equated to cut and paste, but sieving to ensure only best practices that are applicable and viable in the African continent are emulated. In the borrowing, perhaps Western Europe, North America and the Asian Tigers would be apposite. Before the borrowing though, Africa needs to put her house in order and exhaust her fishing waters before fishing offshore.

Second, something has to be done with regard to the negative ethnicity and suspicion that pervades the continent. It is this suspicion that is partly responsible for civil strife across the continent. Such negative ethnicity is particularly perpetuated by the politico-economic elite driven by sectarian interests. Given the negative impact on development that such negative ethnicity continues to elicit in many countries in the continent, time is rife for a round-table meeting for Africans leaders-political, economic, academia and the like-to draw counterstrategies. Part of the effort would perhaps involve constituting-as it is already happening-an African standby force for the purpose of quelling conflicts in the continent. But before then, it is important to put in place other mechanisms that are conflict prevention-oriented to ensure either it does not take place in the first place or minimize its destructive impacts.

Third, it is undeniable that the politico-economic elite in Africa are the principle perpetrators of mega corruption, largely through the use of proxies. These dealings are known to divert resources from public and into private uses. Given the effect that this has on development and citizen welfare, there is need for concerted efforts to strengthen anti-corruption institutions and the law in order to fight the vice effectively. In this scenario, transparency and accountability in the management and use of public resources should be made real as opposed to the mere vocabulary that they have remained hitherto. The starting point should perhaps be to ask the question: How much financial resource do public institutions in Africa lose to corruption annually?

Fourth, policy development in Africa is phenomenal, safe for implementation which remains largely wobbly. For example, independence challenges still bedevil most African countries including poverty, ignorance, disease and illiteracy, several decades into self-rule. What is the panacea in this regard? How can things be done differently? The direction to be taken in this regard is perhaps to see what policies are visible given the resources available to individual countries. Such would be a paradigm shift from the IMF/World Bank prescriptive models that take all African countries as though they were one homogenous group with identical needs. This should be accompanied by an elaborate monitoring and evaluation and subsequent correction of identified weaknesses, while strengthening best practices. The era of trial and error should be made a thing of the past if Africa has to develop.

Fifth, in the continent, wanton destruction of environmental resources has reached proportions in which reversal cannot be optional. Such has not only led to loss of biodiversity, but also climatic shifts that threaten the very livelihood of man responsible for the destruction-an apparent and unconscious destruction of self!The Tragedy of Commons hypothesis is almost a reality in Africa especially regarding deforestation occasioned by commercial harvesting of firewood, charcoal burning, logging, industrialization and urban sprawl. The waste generated by industries is not only an eyesore, but has the effect of further dwindling environmental benefits. A paradigm shift in the handling of industrial waste is not discretionary unless we want to reduce Africa particularly her urban areas into one big dumpsite.

Finally, in the midst of adversity, it is important that development practitioners and policy makers alike develop the urge for more and better understanding of African needs, challenges and priorities through embracing the ideals of participatory democracy. In this regard, research and particularly applied research using participatory methodologies is highly advocated for. It is appreciated that development problems do not only mutate, but also new ones emerge across time and space. This way we are able to identify community-level felt needs and therefore avoid the top - down prescriptive models that have largely proved not so useful in the past.

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Typeset by EUSER

Printed by EUSER in cooperation with MCSER, Rome-Italy

ISBN 9788890916205

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