HUMAN DEVELOPMENT AS A PATHWAY TO TRANSFORMED AND PEACEFUL SOCIETIES

TRENDS FROM KENYA'S UNGOVERNED SPACES

KEY INSIGHTS

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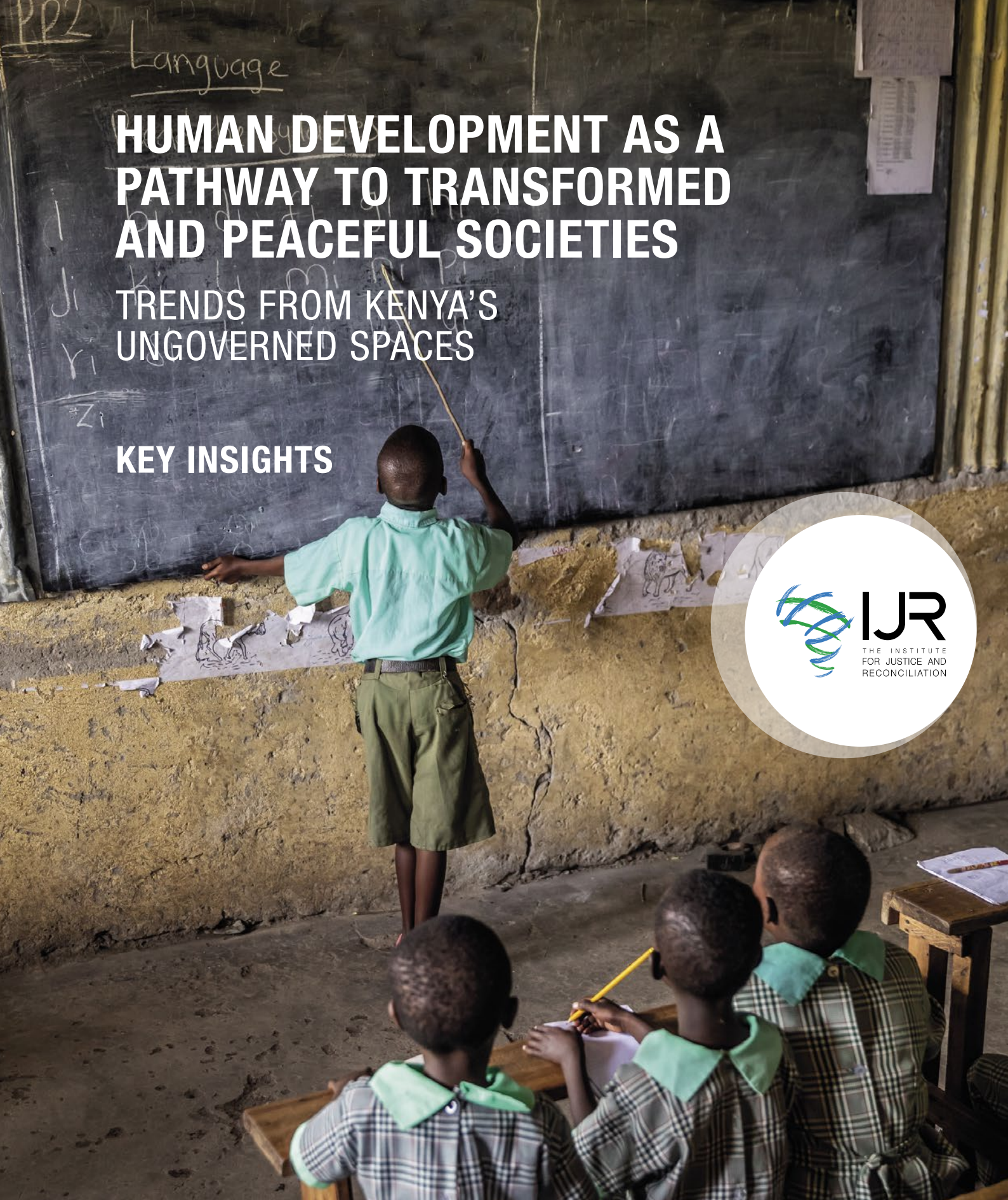
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KEY INSIGHTS

Moses Onyango and Jaynisha Patel

This document shares the key insights of a research paper by the Institute for Justice and Reconciliation. Read the full paper **here**.

SYNTHESIS: A PATHWAY TO INCLUSIVE GROWTH AND SECURITY IN KENYA

Although Kenya has made important gains in economic growth, these gains have for the greater part not translated into meaningful development gains for its most marginalised. Massive disparities between rich and poor underscore the country's failure to devise an inclusive growth model. Ineffective state institutions characterised by ethnic patronage, rent-seeking and other forms of unchecked corruption have hobbled efforts to alter patterns of economic distribution. As a result, public wealth has not been prudently managed or equitably distributed, with several opportunities to lay the foundation for human development having been missed. Although productive sectors such as agriculture have played an important role in social development and in thus alleviating national poverty, these sectors remain susceptible to patron–client and distributive politics and to climate shocks. This emphasises the need for advancing individual agency as a central imperative for sustainable, inclusive growth and development.

The unequal nature of society, as well as the state's inability to enforce its authority, has created alterative centres of power that have resulted in the proliferation of violence. Political violence (often related to elections) emerging from slums such as Kibera, violent-extremism hotspots in the North-East region, and pastoral-community conflicts in North-West Kenya highlight the important nexus between inclusive development and peace (or the lack thereof). The drivers of these conflicts can be traced to the political and economic marginalisation of communities and regions, as well as a weak state that has neglected to govern certain spaces.

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On occasion, these voids are being filled by isolated pockets of efficiency within the state (when pushed hard to act) collaborating with vibrant CSOs and the international community. Together, they have been integral in providing human-development aid,

expertise and administration. In recent years, political elites have sought to undermine non-state actors in view of the threats they pose to patronage systems, thereby effectively jeopardising important sources of human development. In the light of this, it will be important for Kenya's growing private sector and CSOs to pursue impact-driven relationships in order to enhance the important work done by these two groups of non-state actors.

A major cornerstone of the 2010 Constitution is the devolution process. This refers to a system of devolved governance to 47 county governments which are then responsible for operational functions such as healthcare, education, and transport infrastructure. The values of devolution are underpinned by a particular commitment to progress the inclusive development of marginalised communities, especially through the more equitable distribution of resources. This paper has taken stock of recent developments in three different communities that are socially, economically and sometimes even politically marginalised. It has sought to provide a sample of typical Kenyan contexts that are instructive in terms of understanding the relationship with human development and peacebuilding in the country. It concludes that continued marginalisation and the inequitable distribution of resources have perpetuated tensions and violent conflict within these communities.

In particular, residents of Kibera, Africa's largest slum, experience high levels of violence related to gangs, election cycles, and ethnic tensions. Overseeing this complex conflict system is weak state security

that has shown little capacity to prevent escalation. Extreme population density, material deprivation, and deplorable living conditions have exposed Kibera's population to exploitation by violent groups and manipulative political actors – both of which thrive on the material desperation. These fault lines have been exacerbated by the spread of COVID-19 as well as by restrictions of movement put in place to prevent its spread.

Continued marginalisation and the inequitable distribution of resources have perpetuated tensions and violent conflict

The trend of migration out of Kibera risks spreading violence as instigators of violence, including the people (or groups of people) under the influence of political actors, relocate to other counties in search of economic survival. It is not yet clear what impact these internal migrations will have on medium- to long-run stability in Kenya, but it remains a concern that election-related violence might become more widespread as more people move from Kibera to rural areas or other urban centres. Without meaningful development and improvements to security-sector reform, residents of Kibera will remain open to capture by ill-meaning actors.

Kenya's historically marginalised pastoralist communities continue to endure neglect by the state. These communities are characterised by low levels of human development. Consequently, education levels in these communities are very low. Intercepting these realities is the changing

climate and growing scarcity, which have forced pastoralists to adapt their methods of survival. This has resulted in an upward trend of violent conflicts related to water, grazing land, and the material importance of livestock. As light arms become more accessible, armed conflicts threaten to intensify the severity of disputes and the number of fatalities. These outbreaks increase in election years, once again bringing to the fore the concern that more widespread pockets of election violence will occur in 2022.

Without a focus on human-centred interventions, the destabilising threat of the conflict system will continue to undermine national and regional peace

As poor policy implementation continues to dictate the provision of law enforcement in the region, the quality of state security remains insufficient. Pastoralists often engage in cross-border raids and obtain light arms using porous borders. Previous initiatives to prevent the spread of light arms, such as those by the Eastern Africa Police Chiefs Cooperation Organization and the Mifugo Programme, have failed. It is important that research be undertaken to understand the reasons for such failure so that a more sustainable solution can be crafted.

In this region, the state, as the main provider of development, has prioritised infrastructure projects, such as an airport and a highway, that ignore the needs of pastoralists. Moreover, some of these projects encroach

on pastoralist grazing land. Ultimately, therefore, such state-led development projects unintendedly create friction between local communities and the state.

There has not been meaningful consultation with communities by the state as to what their main needs and priorities are. When it comes to the sort of development pastoralists perceive as necessary for their advancement, a local researcher found that schools and health clinics are at the top of their priority list.

Promoting human development is important in building the basic capabilities of pastoralists. Education and skills development are essential for inclusive development, helping to ease competition for unskilled jobs in industries (such as the oil industry) that are expanding into the northern parts of Kenya. Without a focus on human-centred interventions, the destabilising threat of the conflict system will continue to undermine national and regional peace.

When it comes to the economic marginalisation of women, it is particularly imperative that policymakers apply an intersectional lens. This is especially relevant to women in Kenya's North-East region where climate change and economic downturns are showing signs of disproportionately affecting them. For instance, women must travel further and in harsher conditions to obtain water for their households. In addition, women and girls have less access to healthcare, while material desperation is forcing families to sell their young girls into marriages in exchange for a dowry. Climate-sensitive solutions for women in the region are therefore imperative in preventing further marginalisation and

harm. Climate-education programmes in areas like Mandera ought to be considered as an important step towards reducing vulnerabilities.

Human-development deficits have exposed marginalised communities to forms of material desperation that work to drive conflict systems

Ultimately, human-development deficits have exposed marginalised communities to forms of material desperation that work to drive conflict systems. Without meaningful and far-reaching investment that progresses the basic capabilities of society, vulnerability to capture by the political elite remains a considerable threat to stability. Without inclusive consultation with communities, development projects risk further alienating marginalised communities, ultimately compounding their grievances with the state. Furthermore, without intersectional policy considerations, shocks like the climate crisis and economic downturns risk further diminishing the agency of women. At the heart of these considerations is the importance of upholding equity, one of the core values espoused in the Kenyan Constitution.

RECOMMENDATIONS

For the Government of the Republic of Kenya

1. **Eliminate the various sources of inefficiency within its administrative arm at all levels of government.** In doing so, it should prioritise integrated budget planning, effective monitoring and evaluation processes, transparent, merit-based recruitment procedures, and robust, outcomes-based performance evaluation. This will help ensure that economic-growth and social-development programmes are implemented with technical know-how and greater transparency so as to achieve more equal gains across the country and within vulnerable groups.

2. **Prioritise expenditure that creates agency at the community level.** The government should target its funding at outcomes that are sustainable by assisting communities to adapt and thrive in all circumstances. It is therefore imperative that the CRA upholds the values of devolution, which include fairness and equity, by developing strategies that are based on socio-economic need rather than population size or political affiliation.

3. **Strengthen the rule of law in underserviced communities.** In settlements such as Kibera, the government must take more responsibility for the establishment of law and order. This should form part of a two-pronged approach which consists, first, of improved enforcement capacity that includes community policing, and, second, employment creation as a disincentive to committing crimes for survivalist reasons.

4. **Prioritise bottom-up consultation in order to address community-development needs and so reduce the potential for conflict.** This is especially needed in the North-West and North-East regions of Kenya where pastoralists are growing increasingly hostile towards state-led development that is not beneficial to communities and is sometimes even harmful. Accordingly, research should precede policy, and

local benefits should be assessed against broader international benefits.

5. **Enhance cross-border collaboration to ensure regional stability.** This is particularly important when it comes to cooperation with Ugandan authorities on issues such as the spread of small arms. Previous initiatives such as those by the Eastern Africa Police Chiefs Cooperation Organization as well as the Mifugo Programme proved unsuccessful in limiting such spread. Consequently, the reasons for this failure need to be determined so that renewed, sustainable cooperation can take hold.

6. **Apply an intersectional lens when it comes to economic marginalisation, particularly as it relates to the position of women.** This has special relevance for climate-sensitive developmental approaches that have an impact on food insecurity. CSOs and local communities must be consulted to prevent further harm.

For civil society

7. **Enhance grassroots research in order to understand the nuanced contextual needs for effecting inclusive development.** This is particularly the case in respect of neglected areas, such as marginalised populations in the slums, women, the youth, and pastoralist communities in the ASAL. Such research needs to focus in more depth on systemic approaches to education, health, access to resources to protect livelihoods, and agricultural matters,

such as grazing and clean water. It is imperative that research precede policy. CSOs should collaborate with research institutions in producing cutting-edge research that informs policy.

8. **Build capacity and upskill people from marginalised communities.** This will be necessary to reduce competition in the unskilled labour market, especially as light arms continue to spread among communities facing growing scarcity. It includes anticipating the expansion of industry, such as the oil industry, into areas that are home to marginalised communities. Ensuring the advancement of basic capabilities for these communities can help de-escalate tensions born through competition in contexts where livelihoods are at stake, while also increasing the opportunity cost of participating in violence.

9. **Build CSO partnerships with the private sector.** This is a potential avenue for overcoming efforts to stifle civil society and NGO operations. Enhanced collaboration between civil society and the private sector can help advance work that supports human development. Through programmes borne by corporate social responsibility, collaboration can capacitate NGOs, which are a significant provider of human development. In addition, through collaborative advocacy aimed at the CRA, a unified voice calling for distribution based on socio-economic need (instead of political persuasion) can help ensure that resources reach marginalised communities.

10. **Prioritise a better understanding of how devolution and economic downturns impact internal migration, social cohesion and political violence.** This will be of particular importance in anticipation of the next Kenyan general election. As violent instigators migrate out of slums like Kibera, they take with them violent attitudes and can be mobilised by politicians come the next election. This risks creating new pockets of violence in Kenya's 2022 election.

The present paper has demonstrated that Kenya has made important progress in forging human-development frameworks and policies. However, implementation and a lack of intersectionality are obstacles to equitable progress. Through a greater effort to ensure more equitable and inclusive development and the advancement of the basic capabilities of society, root causes such as inequality and scarcity will not only improve the material lives of Kenyans, but also relieve some of the causes that deplete social capital, ultimately threatening social cohesion and peace. This cannot be achieved without support from a committed and fair government that is unwavering in its commitment to deliver equitable progress to Kenyans.