

Moving beyond the rhetoric: the challenge of reform in Kenya's drylands

It is now acknowledged that Kenya cannot achieve its development targets unless there are appropriate investments in the Arid and Semi-Arid Lands (ASALs). Covering two-thirds of the country, the ASALs can make a significant contribution to national development. Failure to integrate them into the national economy is perhaps the main reason for the failure of national development since independence. Investing in the ASALs is now a constitutional imperative that is binding on the government. The institutional foundations for integrating the ASALs into national development are also now in place. What remains to be overcome are the persistent negative narratives about the ASALs that have traditionally held back their development, and for all concerned actors to translate the policy reforms into actual benefits for the ASALs and the country as a whole.

Policy pointers

- **Development actors need** to see the ASALs as areas for development not humanitarian relief.
- **New established structures** for devolved government require technical and political support.
- **Capacity building for** communities and institutions is essential if they are to effectively engage with the new opportunities.
- **The devolution of financial** and human resources needs to follow the transfer of responsibility.

The margins to the centre

Although they cover more than two thirds of the country's landmass, include nearly one third of the national population, and are situated strategically along the borders with neighbouring countries, the people living in the ASALs of Kenya have suffered historical marginalisation. This has been reinforced by national development policy as well as attitudes at the highest levels of government. The ASALs have been characterised as low potential areas that could only be developed on the basis of returns generated from the so-called high potential areas. The 1965 Sessional Paper on *African Socialism and its Application to Kenya* states: *'One of our problems is to decide how much priority we should give in investing in less developed provinces. To make the economy as a whole grow as fast as possible, development money should be invested where it will yield the largest increase in net output. This approach will clearly favour the development of areas having abundant natural resource, good land and rainfall,*

*transport and power facilities, and people receptive to and active in development.'*¹

Over the past decade it has become evident to the political leadership that it is never going to be possible to develop the country if more than 80 per cent of its land mass is not at the centre of the development process. In June 2003 the National Rainbow Coalition (NARC) government published the *Economic Recovery Strategy for Wealth and Employment Creation 2003-2007* (ERS).² In a significant departure from the practice of previous national development policies, the document provides comprehensive coverage of the ASALs, devoting the entire Chapter 8 to the area and its issues.³

The most significant policy measure in favour of ASAL development arrived with the creation of the Ministry of State for Development of Northern Kenya and other Arid Lands (MNKOAL) in April 2008. Not only did this put in place a political framework for mainstreaming ASAL issues into government planning at the level of Cabinet,

A new Ministry to focus on the unique challenges in these areas

it demonstrated an acknowledgement by the government that it had hitherto failed to deliver development to these areas. In announcing the creation of the Ministry, the President stated:

When I took over the leadership of this country, I pledged to commit more resources for the development of the Arid and Semi-Arid areas of our country, which have, in the past, suffered neglect due to inadequate resource provisions and poor infrastructure. In the Cabinet I am announcing today, I have therefore created a new Ministry for the development of Northern Kenya and other Arid Lands to focus on and address the unique challenges facing these areas.

A changing policy and institutional context

By the time the MNKOAL was created, Kenya's Vision 2030 had been published and been under implementation for nearly a year.⁴ The Ministry set about reviewing Vision 2030 to align it more closely to the needs of Northern Kenya and other Arid Lands. *The Vision 2030 Development Strategy for Northern Kenya and other Arid Lands* now constitutes an integral part of the five-year Medium Term Plans for implementation of Kenya Vision 2030. The Ministry's review was informed by the conviction that, in order for the ASALs to fully benefit from and take advantage of the interventions envisaged in Vision 2030, their historical marginalisation must be addressed through some form of affirmative action. The implementation of Vision 2030 might otherwise perpetuate and worsen their marginalisation.

The adoption of the Constitution of Kenya 2010 marked an important threshold as it institutionalised a major shift in the narrative about the ASALs. Article 56 of the Constitution provides for affirmative action to redress historical marginalisation, providing constitutional backing for the strategies in the *Vision 2030 Development Strategy for Northern Kenya and other Arid Lands*.

Other provisions of the Constitution that strengthen the position of the ASALs include provisions on devolved government, the objects of which include: 'to protect and promote the interests and rights of minorities and marginalised communities' and 'to ensure equitable sharing of national and local resources throughout Kenya.' The Constitution defines marginalised communities to include 'pastoral persons and communities, whether they are (i) nomadic; or (ii) a settled community that, because of its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole.' The Constitution also creates an Equalisation Fund 'into which shall be paid one half per cent of all the revenue collected by the national government each year.' The Fund, which shall run for at least 20 years, shall be used 'only to provide basic services including water, roads, health facilities and electricity to marginalised areas' in order to bring the quality of these services in those areas to the level generally enjoyed by the rest of the nation.⁵

By far the most important achievement of the MNKOAL however, and the climax of reforms in favour of the ASALs, is the adoption and launch of Sessional Paper No. 8 of 2012 on the *National Policy for the Sustainable Development of Northern Kenya and other Arid Lands* (known as the ASAL Policy).⁶ This Policy, which has been in the works for nearly two decades, marks a high point in the quest for an appropriate policy framework for ASAL development in Kenya. The adoption of the ASAL Policy and the establishment of the National Drought Management Authority, the ASAL Secretariat, and other components of the ASAL institutional framework (such as the National Council on Nomadic Education and the Livestock Marketing Board), should now effectively secure the mainstreaming of ASAL development into national economic development planning.

Policy to practice

With Sessional Paper No. 8 of 2012 on the *National Policy for the Sustainable Development of Northern Kenya and other Arid Lands* and the *Vision 2030*

Article 56 of the Constitution of Kenya 2010

The State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups –

- (a) Participate and are represented in governance and other spheres of life;
- (b) Are provided special opportunities in educational and economic fields;
- (c) Are provided special opportunities for access to employment;
- (d) Develop their cultural values, languages and practices; and
- (e) Have reasonable access to water, health services and infrastructure.

Development Strategy for Northern Kenya and other Arid Lands now in place, the foundations for integrating the ASALs into national development are secure. The marginalisation of the ASALs has been a reality for so long however, and the mind-sets that perpetuated it are so deeply embedded, that it is likely to take more than a favourable policy and institutional framework for the ASALs to receive their due consideration and realise their full potential.

Numerous challenges exist that may frustrate the full realisation of the reforms with regard to the alleviation of poverty, reversing environmental degradation, reducing conflict, and building sustainable peace in Kenya's ASALs. Among the major challenges are: 'elite capture' of the devolution process particularly at local level; the lack of citizen capacity to engage with and drive the process for self-determination; the dominance and intransigence of government mind-sets; and inward looking agendas and constitutional contestation by political leaders. The need for reconciling conflicting or non-complementary provisions within other policies – many of which are driven by powerful political and economic interests – may also affect the implementation of the positive policy provisions for the ASALs.

Policy implementation is a major challenge across the board in Kenya, but is likely to be even more challenging in the ASALs given their long history of policy marginalisation and the entrenchment of negative perceptions about these areas in policy and other circles. It will be necessary for all concerned actors, including civil society, communities and development partners, to stay vigilant and advocate for the proper implementation of ASAL policies and institutions. Although devolved government offers an opportunity to strengthen local planning and implementation of development projects and processes – as a result of elected governments that are closer to and potentially more accountable to the people – this will only happen if devolution truly works for the ASALs.

Recommendations for action

The policy and institutional reforms outlined in this brief constitute a significant development for the ASALs of Kenya and the people who live in them. They embody a major shift in governmental attitude and approach to the development of these areas. In adopting the policies and establishing the institutions, the Government of Kenya has signalled a commitment to mainstream ASALs into national development and address their historical marginalisation. Strategic actions and interventions on the ground are now needed so that the citizens who live in the ASALs can truly benefit. Specific actions include:

- **Attitudinal change on the part of major development actors** – government, humanitarian relief agencies, international development NGOs, civil society and the private sector need to see



Figure 1 Map of Kenya's arid and semi-arid counties

the ASALs as development areas, and not just emergency and humanitarian aid locations.

- **Capacity building for newly established structures of devolved government** - the development of technical skills and political strategies for the effective performance of their functions are urgently needed in counties in arid and pastoral areas. Affirmative action of this sort will ensure informed engagement with the national government and other development agencies, and the implementation of appropriate development approaches.
- **Capacity building for communities and their institutions** is needed, especially in planning and monitoring, so they understand and internalise the opportunities offered by the new policies and institutions for public participation, and can develop skills and strategies for effective engagement.
- **Ensuring devolution of the financial and human resources** necessary for implementing the powers and responsibilities transferred to devolved governments.

It will also be important for positive alliances to be built with other groups across the country struggling to overcome the impacts of similar historical marginalisation – learning from their good practices as appropriate. Appropriate monitoring and evaluation frameworks and procedures will need to be established and implemented. Learning and sharing processes – through exchange visits and reflection forums – will also be needed within counties and at the national level. And finally engaging with Parliament to maintain a focus on the ASALs will be crucial, through the establishment of appropriate frameworks including standing committees.

Only then will it be possible to realise the hope expressed by the MNKOAL in the *Vision 2030 Development Strategy for Northern Kenya and other Arid Lands*, namely:

Once that has been achieved, Northern Kenya and the ASALs will in effect become a 'normal' part of the

country, requiring no conscious deliberation or attention because their particular needs and circumstances will have become part of mainstream thinking and planning. The region will still be different – in its ecology, livelihood, cultures, and aspirations – and those differences will be valued and respected. But they will no longer matter.

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About the project

IIED, in partnership with University of Peking in China, the Revitalising Rainfed Agriculture Network and Rainfed Livestock Network in India, and the Arid and Semi-Arid Lands Secretariat of the Ministry of State for Development of Northern Kenya and other Arid lands in Kenya, is implementing a one-year project entitled *New perspectives on climate resilient drylands development* (2012/13). Funded by the Ford Foundation, the project is researching the assumptions, arguments and evidence that underpin national and global narratives on the drylands in order to formulate more progressive perspectives based on scientific evidence and traditional local knowledge and experience. The views expressed in this briefing, however, do not necessarily reflect the position of the Ford Foundation.

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Notes

- ¹ Sessional Paper No. 10 of 1965 on *African Socialism and its Application of Planning in Kenya* - p.46. ■ ² The party that dislodged the independence party Kenya National African Union (KANU) from power in the elections held at the end of 2002.
- ³ Ministry of Planning and Economic Development, *Economic Recovery Strategy for Wealth and Employment Creation*, 2003.
- ⁴ Kenya's Vision 2030 is its development plan covering the period 2008-2030 (*Kenya Vision 2030: A Globally Competitive and Prosperous Kenya*). ■ ⁵ The Constitution of Kenya, 2010. ■ ⁶ Sessional Paper No. 8 of 2012 on *National Policy for the Sustainable Development of Northern Kenya and other Arid Lands*.

