



# The Future Search

Bulletin of the Institute of Economic Affairs. Issue 6, November 2007

## A Bridge to the Kenyan Dream!

### A critique of Hon. Raila's vision

As the country prepares for its 10<sup>th</sup> general elections on 27<sup>th</sup> December 2007, the three emergent presidential candidates have released their presidential visions with an effort to articulate the country's development priorities, as they view them. The political party that they ascribe to have also released their party manifesto's detailing the policy proposals the party will pursue should they ascend to power.

It is important to note that a vision document and a party manifesto are inherently different. The former usually is a personalized inspirational statement that highlights the main hinges on which policy should turn, guided by a candidate's values and world view. The latter takes an institutional form, outlines prospective legislation and details the strategic direction the winning party will take should they win sufficient support in an election to serve in government. Despite these differences, one, usually the vision should inform the other i.e. the manifesto. The tragedy in Africa's leadership however is that vision statements are usually substituted for platitudes. Winning parties also have a tendency to either ignore, indefinitely delay, or even outrightly reject manifesto policies which were popular with the public before elections. Instead personal idiosyncrasies, biases, and preferences of the leader have tended to become significantly more important.

It is from the foregoing that IEA-Kenya has found it necessary to interrogate Hon. Raila's country vision titled 'A Bridge to the Kenyan Dream' by; undertaking a SWOT analysis of the vision document to identify the underlying assumptions and comment on their legitimacy/whether they are factual; analyze the vision's relevance to the current state of Kenya and to the emerging trends; review the applicability of the vision/ implementation strategy i.e. whether practical, sustainable as well as review policy and financing concerns and strategies. The analysis also assesses whether the vision document informs the party manifesto or whether there are any contradictions. It is envisaged that the work will enable Kenyans better understand Hon. Raila's vision for the country and ODM's strategy. The work will also raise critical questions that the party and the candidate should consider reviewing.

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## THE VISION AT A GLANCE

In the document, 'A Bridge to the Kenyan dream', Hon. Raila outlines the main ideas that inform his candidacy for the presidency. The agenda for leadership includes;

1. Eradicating poverty and eliminating inequality between and within regions, ethnic groups and marginalised constituents.
2. Delivering a new constitution within the first six (6) months.
3. Devolving powers to the communities.
4. Developing infrastructure and housing.
5. Fighting corruption and enhancing security.
6. Implementing land reforms.
7. Establishing a social welfare programme.
8. Introducing free secondary education.
9. Introducing a national social health insurance scheme.
10. Increasing women and youth participation at decision making levels.
11. Promoting the private sector.

Hon. Raila's main focus is institutional reform, what he calls 'the reconstruction of the country' as well as instituting a social programme.

The Vision exhibits strong manifesto tendencies in the manner in which it attempts to respond to policy issues. This analysis shall therefore treat it in its dual personality

## THE ISSUES AND THE ANALYSIS

### 1. ERADICATING POVERTY

*"It will be a presidency of ideas and ideals. It will be ambitious in achieving its economic goals."*

#### The Promise

The vision guarantees social justice, social emancipation and a redress of the imbalance between the powerful and the weak using a team of skilled people to oversee the "re-engineering of [the] economy". The following systems will be established to ensure economic stability remains a platform for growth:

- Develop infrastructure and housing as a matter of priority.
- Tax fairly and spend wisely to raise living standards and achieve high and sustainable level of employment.
- Review external debt commitments and initiate an effective debt relief management strategy.
- Implement a comprehensive human resources development policy inclusive of all sectors and with a national profile.
- Establish and coordinate sustainable safety net intervention programme.
- Encourage savings and investments and discourage wasteful tastes that drain surplus and undercut capital accumulation.
- Enlarge energy investment.
- Implement reform proposals of the land commission and seek remedy for the historical injustices of land grabbing.
- Spearhead an ICT revolution.

#### Commentary

The vision seeks to address the above problems though it doesn't give any specific targets or a time frame.

#### Box 1: Striking Features on Inequality in Kenya

- **Income:** The 10% richest households in Kenya control more than 42% of incomes, while the poorest 10% control 0.76% of income.
- **Unemployment:** for the age group 20-24 years, there is about 274,000 unemployed women in urban areas compared to 73,000 men.
- **Gender:** About 93% of women in NEP have no education at all, compared to 3% in Central Province.
- **Mortality:** About twice as many infants die before their first birthday in Nyanza compared to Rift Valley i.e. 133 and 61 per 1000 live births.
- **Health:** In Central Province, there are about 20,000 people for every doctor while in NEP there is one doctor for every 120,000 people.
- **Education:** Every child in Central province attends primary school compared to about one out of three children in NEP.
- **Water:** The proportion of households with piped water in their houses in urban areas is five times that in rural areas, about 19.2% and 3.8% respectively.

*Source: Pulling Apart: Facts and Figures on Inequality in Kenya. Society for International Development (SID), 2004.*

**Questions** voters should ask about the Vision with respect to the economy include:

1. In reference to table 1, what specific measures will be put in place to address income inequalities?
2. Can targets be provided for the proposed economic

undertakings to enhance accountability given that the programmes are capital intensive?

3. How will the proposed infrastructure and housing development be financed?
4. How will the proposed social welfare programme be financed? Assuming that about 20% of very poor Kenyans were targeted for a cash voucher of KSh 35/- a day, it would cost the government about KSh.90 billion annually
5. How will the proposed land reforms be implemented and still satisfy Kenyans without using the Ndung'u report due to the fear of renewed land clashes?
6. The energy crunch; what are the investment and expansion proposals?
7. Tax evasion is a major challenge that adversely affects government revenues. What measure will be put in place to curb it?

*"Give us the chance to live a decent life: with the fundamental needs of food, water, clothing, shelter, security and basic education met by our own efforts and the assistance of government"...  
The People's choice*

## CONSTITUTIONAL REFORMS

*"National harmony from effective power-sharing and accountability"*

### A. PARLIAMENTARY SYSTEM

#### The Promise

- Deliver a new Constitution within the first six months which will primarily reflect the Bomas draft
- Submit the draft together with the ODM Manifesto.
- Enhance a parliamentary system vis-à-vis the presidential system.
- Introduce genuine power-sharing with a prime minister

#### Commentary

The parliamentary system is regarded as the panacea for the existing governance problems in the country. The Constitution of Kenya Review Commission (CKRC) while summarising the views of Kenyans with regard to a new constitution reported that on the existing political system "everyone thinks that the President has too many powers...They are convinced that there is a great need for more control and accountability. [Also they wanted] government...brought closer to the people. They wanted decisions that affect them made by people they trusted and could have contact with. Many people complained about the Provincial Administration...They called for it to be abolished." (*The People's Choice*, 2002 at 12).

During the constitutional review process, the Bomas Draft among other things created a PM post to share power with the president and limited the number of executive ministers. The PM was to be the head of government thus coordinate the work of the ministries, prepare legislation, preside at cabinet meetings and be responsible to parliament. However, the Wako Draft reduced the proposed PM's powers to create a figurehead while maintaining a powerful presidency.

### **Box 2: Presidential or Parliamentary or Semi- Presidential System**

A **parliamentary system** is distinguished by the executive branch of government being dependent on the support of the parliament, often expressed through a vote of confidence. There is no clear-cut separation of powers between the executive and legislative branches. There is a clear differentiation between the head of government (being the PM or premier) and the head of state (often being an elected president and largely ceremonial). The PM and cabinet exercise executive power on a day-to-day basis. Countries: UK, India, Ethiopia and Israel.

A **presidential system**, also called a congressional system, is one where an executive branch exists and presides separately from the legislature, to which it is not accountable and which cannot ordinarily dismiss it. A president is usually chosen by the people to be the head of the executive branch, which is unipersonal - members of the cabinet serve at the pleasure of the president and must carry out the policies of the executive and legislative branches. Countries: USA, Indonesia and most African countries.

A **semi-presidential system** is one in which a PM and a president are both active participants in the day-to-day administration of the state. It has a popularly elected head of state who is more than a purely ceremonial figurehead and cabinet, although named by the president, is responsible to the legislature, which may force the cabinet to resign through a motion of no confidence. How the powers are divided between president and PM varies greatly between countries. In France, the president is responsible for foreign policy and the PM for domestic policy. A few countries (e.g. South Africa) have powerful presidents who are elected by the legislature.

Source: [www.wikipedia.org](http://www.wikipedia.org)

The 2005 referendum campaigns and results made it clear that the constitution making process had become deeply entrenched in political struggles over power and positions among political elites that were structured along ethnic lines. The "rejection of the draft at the referendum was clearly the triumph of politics over policy. [It] was more of a vote of the political health of the ruling coalition than it was on the merits of the draft constitution" (*Githu* 2006).

Thus, the vision will face an uphill task in delivering the new constitution. In addition to other expected challenges, estimates indicate that if a new constitution based on the Bomas draft was to be delivered, it would cost the country KSh. 70 billion to implement.

**Questions** voters should ask about the proposed new constitution:

1. How will Kenyans' constitutional fatigue be overcome assuming that more consultations may be required before its enactment?
2. How will stability be maintained while implementing the constitutional changes particularly due to the huge paradigm shifts that are proposed?
3. Will the new Constitution be a comprehensive review or will it constitute minimum review proposals? Might it not be wise from history and example to apply minimum reforms which may be less antagonistic? (Contrast with the EU constitution experience.)
4. Considering the fact that the process has been hostage to partisan interests in the past, how will it ensure inclusion for legitimacy purposes?

*"We don't want power concentrated in the hands of one person"... The People's choice*

## **B. DEVOLUTION (UGATUZI)**

*"An instrument of universal empowerment"*

### **The Promise**

- Devolve powers to the regions and local levels
- Reform the local government to empower communities.
- Disperse power to communities and individuals not just councils.
- Transfer power to communities with strong democratic and accountable in local governments.
- Restructure and entrench CDF by raising budgetary allocations and ensuring transparency and accountability in its administration.

The devolution is done because this will;

- i. Strengthen national unity by recognising diversity as valid and acceptable.
- ii. Protect the interests of minorities and marginalised groups.
- iii. Ensure equal sharing of national resources between national and district governments.
- iv. Increase accessibility of government and widening the spread of public services.

### **Commentary**

The devolution as envisioned in this document is the kind of regionalism adopted under the Bomas Draft (see Box 3) where the regional authority will have legislative and executive powers only over local matters.

### **Box 3: Devolution in the Bomas Draft (Chapter 14)**

The District is the principal level of devolution. The smallest unit of legislative and executive power is a viable district, which protects its community and minorities within it.

The Draft recommends two levels of devolution:

- Legislative at national level made up of the national assembly and senate.
- Legislative in the form of a District Council made up of elected representatives and a district executive committee responsible for the implementation of the district programmes.

The principal role of a regional government is to coordinate the implementation of the activities of districts; the Senate to provide an institution through which the devolved levels of government share and participate in the formulation and enactment of national legislation. Parliament is responsible for the enactment of framework legislation applicable to devolved levels of government.

The draft provides for 14 regions. Each regional government is to be formed by representatives from various districts. The local government is made up of elected representatives who through the local council manage affairs at this level. The provincial administration is to be scrapped and in its place, each district is to have an elected governor/administrator and a deputy to manage the affairs of their district aided by the council and the executive committee.

*Source: The Bomas Draft*

The proposed devolution is viewed as the solution to the problems attributed to the current centralised system of governance. The colonial government and subsequent governments zoned the country into high, medium and low production zones and allocated resources to those areas accordingly. This has resulted in years of neglect of some areas in the country (See Box 1). The state of underdevelopment is often cited as evidence of marginalization.

The independent constitution conceived majimboism (a form of devolution) as a safeguard against ethnic domination of the small tribes by the big tribes. The constitution provided for an elected National Assembly and Senate. It also provided for elected regional assemblies led by governors and a regional executive led by a civil secretary. Up to the 1970s, local councils were strong – collecting taxes,

constructing and maintaining schools, health centres, etc. In the 1990s, Majimboism became a call for ethnic exclusion. This led to some of the worst tribal clashes ever experienced in the country resulting in over 4000 dead and 300,000 people displaced.

*“Whole communities feel neglected or even targeted by government”... The People’s choice*

Consequently, this raises some queries on the feasibility of the proposed devolution.

**Questions** voters should ask:

1. How will the fear that devolution may result in balkanisation, intensify tribalism, inequity and revive tribal clashes be allayed?
2. What aspects of governance will be devolved - fiscal, administrative, legislative, political - to what extent and at what cost? And the provincial administration?
3. There are concerns that the initial cost of setting up the devolution structures would be prohibitive with a proposal to devolve at least 40% of national resources to the regions. Is this feasible with increased resources going to CDF and local authorities?
4. The Bomas draft proposes to devolve to 5 lower tiers of government. Are we not introducing new layers of bureaucracy that may not be necessary?
5. What will be the official unit of decentralization?
6. How will we ensure that there is coherency between the district administration and the constituency?

*Let us have more control over the decisions which affect our lives, bring government closer to us – and let us understand better the decisions we can’t make ourselves but affect us deeply”... The People’s choice*

### **3. CORRUPTION AND LEADERSHIP**

*“Lead in the interest of many, not the few”*

**The Promise**

1. Renew faith in politics and provide leadership based on consensus and fairness.
2. Establish a Truth, Justice and Restitution Commission (TJRC) to deal with past crimes of corruption.
3. Review the functions and efficacy of corruption institutions (KACC, Judiciary).
4. Introduce an independent, small Presidential Public Appointment Commission to ensure that appointments to public corporations are based on merit and reflect Kenya’s

ethnic diversity.

5. Introduce a Community Relations legislature to prohibit any discrimination based on ethnicity.
6. Use the criminal justice system to ensure convictions and appropriate punishment and provide whistleblowers with unqualified support.

**Commentary**

The Vision recognises the fact that corruption is the gravest public policy challenge facing Kenya today and undertakes to address it. For instance, the planned expenditure for Anglo-Leasing related activities in 2005 and 2006 were far too high compared to allocations for other programmes such as primary education, rural electrification, or agriculture (IEA 2006). The country suffers from high levels of official corruption in the public and private sectors. Despite the government’s promised zero tolerance on corruption, TI- Bribery Survey 2006 indicted that the level of corruption remained largely unchanged compared to previous years.

**Questions** voters should ask:

1. With the public perception that all leaders are corrupt, is there sufficient moral authority and credibility to fight corruption successfully?
2. How will the culture of tolerance to corruption in the political class and among ordinary Kenyans be dealt with?
3. What guarantees are in place to ensure the new leaders will not succumb to the appeal of corruption without amending some laws or establishing new institutions e.g. office of the ombudsman?
4. Will the establishment of the equality instruments not merely provide additional layers that fuel corruption?
5. The possibility of implementation of certain reports (the Ndungu and Kroll reports) has elicited adverse reactions from some powerful quarters, how will this handled?

*“We want an end to corruption”... The People’s choice*

### **4. SECURITY**

*“Fighting insecurity for a safer Kenya”*

**The promise**

1. Increase resources to law enforcement organs and train more police officers.
2. Be tough on crime and tackle the causes of crime.

3. Enhance community policing and neighbourhood watch schemes.
4. Regulate private security industry to work in partnership with the police.
5. Strengthen and speed up the criminal justice system.
6. Review the penal laws e.g. second offenders to get automatic life sentence.
7. Introduce strict firearms law.
8. Provide support for crime victims.

### Commentary

Insecurity has been escalating around the country, which has significantly raised both public and private expenditure. For example, between 1998 and 2003, government expenditure on security rose from 3.73% of the total public expenditure to nearly 6.92% during 2003/04 fiscal year. The country thus suffered the opportunity cost of not utilising such funds on development projects and the growth in government security expenditure on increased pressure for higher taxation (UNDP 2007).

The major security concerns include the resurgence of land clashes and militia groups (such as Mungiki, Kamjesh, Baghdad Boys and Chinkororo). In addition, drug trafficking and usage has been on the increase. The increase of illegal firearms in the country has fuelled the security crisis with both urban and rural centres beset by violent crimes.

The security institutions efforts to maintain security are hampered by inadequate resources and corruption. TI surveys have consistently placed the law enforcement network - judges, police, prisons, and the AG's office - among the top one-third of the country's most corrupt institutions. This has resulted in many vulnerable groups especially children and victims of rape and domestic violence not getting recourse to justice. In order to achieve the necessary security comfort, clarity should be sought in following areas.

### Questions voters should ask.

1. How will the proposed security reforms be financed?
2. Will there be a prioritisation of Kenya's security concerns relative to other countries?
3. What specific measures will be used to tackle the causes of crime?
4. How will the rule of law be re-establish?
5. Will Kenyans have to endure human rights violations such as alleged extra judicial executions or illegal renditions of suspected Kenyan terrorists?
6. How are the emerging security concerns such as human trafficking particularly child trafficking be addressed?
7. Some of the proposed system such as introducing strict firearms laws begs the question of whether we have lax

laws or whether enforcement is the problem.

## 5. SOCIAL SERVICES

### A. EDUCATION

#### The promise

- 1 Provide free quality secondary education.
- 2 Provide more teachers with better working conditions.
- 3 Ensure gender parity in enrolment and completion
- 4 Improve educational facilities
- 5 Provide a public university in every province
- 6 Rejuvenate village polytechnics

#### Commentary

There are regional, rural-urban as well as class disparities in education that act as barriers to enhancing and sustaining human security and human development in Kenya. The KIHBS shows that the incidence of poverty is higher in households whose heads have a low educational attainment.

The implementation of free primary education (FPE) programme has seen the transition rate to secondary education increase from 47% in 2002 to 57% in 2005 but a combination of factors including limited places in public secondary schools and poverty have led to a lower than expected transition rates making the country's education system highly inefficient (IPAR 2007).

There is an assumption that tuition fees constitutes a significant proportion of the total secondary school education and that its waiver would be a welcome reprieve to voters. This is actually less than 15% (estimated at Ksh.6,500 per annum) of the total fees paid in public secondary schools. Before Kenyans celebrate, they should seek clarity on the education promises.

#### Questions voters should ask:

1. How will the free secondary education and the development of more educational facilities be financed since it will cost 20 billion annually (KIPRA) ? Will it be sustainable?
2. How will the free secondary education be effected? In the past, schools have often ignored government policies on educational costs with impunity.
3. How will the issue of education be de-linked from all forms politics? Remembering that basic education is a basic right that should not be offered as an election promise.
4. Might it not be prudent to promise universal basic

education for all  
 Kenyans rather than free education?

## B. HEALTH

*“Universal health care is an urgent priority”*

### The Promise:

1. Abolish cost sharing in health centres.
2. Increase government spending in the health sector.
3. Introduce a National Social Health Insurance Scheme
4. Encourage population control strategies.
5. Strengthen the fight against HIV/AIDS.

### Questions voters should ask:

1. Part of the current government's refusal to assent to the NSHIS Act was financing. How will the proposed scheme be financed?
2. What preventive measures will be put in place to address the disease burden? E.g. providing clean water, good sanitation, food security.
3. What is the basic minimum health package that will be provided to all Kenyans at all times?
4. Where and how will funds be directed to research and development to address common health concerns?

## C. ENVIRONMENT

### The Promise

1. Put environmental concerns at the heart of government policy from housing and energy to global warming and international agreements
2. Make more use of carbon emission trading.
3. Strengthen regulations on industrial pollution.
4. Put in place measures whereby local communities share revenue from the core management of their natural resources.
5. Introduce plans for micro-generation of powers.

### Questions voter should ask:

1. How will a balance between environmental concerns and economic growth be achieved (tax on plastic a case in point)?
2. Considering that 4 out of 5 households rely on firewood for their cooking energy, how will the energy crisis be addressed and still conserve our natural resources?
3. What other measures are proposed on the issue of human wildlife conflict?
4. Will the application of safety standards be extended to the products Kenyans consume locally rather than limit it to exports and imports only (to deter competition)?

## 6. VULNERABLE CONSTITUENTS

*“Harnessing the [untapped] potential of the nation's future leaders”*

*“Inspiring young people...to dream great things”*

### The Promise

1. Ensure that there is a minimum 30% female representation in all public institutions
2. Revise all oppressive practices and laws that perpetuate gender discrimination and violence against them
3. Enhance the current youth policy
4. Introduce a new national youth leadership programme to train tomorrow leaders today.
5. Entrench the rights of young people in decision-making.
6. Promote sporting activities.

### Commentary

Though more than 50% of the Kenyan population is female and 78% under 35 years, these constituents are mostly marginalised and the Vision is trying to reach out to them. There have been improved opportunities for women in the current administration, but there is urgent need to alleviate serious gender disparities in education, health, agriculture and employment in the country. For instance, most single female-headed households dominate extreme rural poverty because the laws discriminate against women's independent ownership of assets, particularly land, thereby making them vulnerable in many ways. In addition, Kenyan women work 35% longer than their men folk but do not obtain equal returns.

Meanwhile, unemployment among the youth is high, while among those considered employed, a significant portion is underemployed. Moreover, 9 out of 10 jobs created are in the informal sector in the last 4 years. This might have led to less sophisticated and lower-skilled production systems, thus contributing to Kenya's low growth performance (*UNDP Report 2007*). The pledges by the Vision fall short and the vulnerable groups need further assurances.

### Questions voters should ask:

1. Generally affirmative action in Kenya is taken to mean better opportunities for women, however, there are many more vulnerable groups. How far and how many different constituents in society have to be considered in affirmative action proposals?
2. How will the promise for 30% female participation in all legislative positions be fulfilled after the rejection of the last affirmative action bill? Why not increase the

target of participation to 50%?

3. What proposals are there to address the concerns of other vulnerable groups like the disabled, and orphans and vulnerable children (about 2 million of them)?
4. What are the schemes to develop and enhance leadership and par-

*“We want children to have a future worth looking forward to - including orphans and street children”*

*“We want respect and decent treatment for the disabled”... The People’s choice*

participation of the youth in national issues?

group of Kenyans?

- 2 What incentives will be put in place to encourage research and development and innovation among entrepreneurs?
- 3 The problem of low wages is related to low productivity. What proposals are being considered to address the issue?
- 4 Major industries have been relocating to other

countries in the region, what will be done about this?

- 5 What measures will be put in place to facilitate technology transfer into the country? After, all in most instances, we need not reinvent the wheel to promote private sector development.
- 6 How will stakeholders be engaged in positioning Kenya regionally and globally?

## 7. PRIVATE SECTOR DEVELOPMENT

*“Being bold and entrepreneurial”*

### The Promise:

- 1 Establish a Citizen’s Charter stating guaranteed standards of service public officials must offer Kenyans.
- 2 Rationalise the tax system by broadening the tax base and establishing tax incentives for savings and development of private housing e.g. civil servants are to benefit from significant tax cuts.
- 3 Offer Kenya as a home for FDI to create more jobs, and maximise on regional integration to position the country as the key player in African political and economic development.

### Commentary

The Vision appreciates the fact the private sector operates under a generally hostile business environment, which has also undermined Kenya’s economic performance and potential for growth. This includes corruption, dilapidated infrastructure, inefficient courts and entrepreneurship and innovation unrewarded. For that reason, the sector requires more guarantees to optimise its development.

### Questions voters should ask:

- 1 The habit of awarding arbitrary tax breaks distorts the tax administration system. Will the system be maintained? Why target civil servants as opposed to other

## CONCLUSION

*“I am that bridge – the bridge that links the historic moments of our past to the golden tomorrow of our future”*

The Vision reveals social democratic leanings with the emphasis on government providing social services and the proposed institutional reforms. However, such an arrangement requires an efficient tax system and a high wage economy yet Kenya is still a peasant economy. The country’s productivity is low, and so is the spending since most Kenyans receive a minimum wage.

The underlying promise of the Vision seems to be the elimination of inequality among Kenyans of all classes, ethnicity and gender, which is considered as the main culprit in hindering growth and development and promoting corruption. The Vision promises to establish new systems,

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