Governance, Society and Development in Kenya

Edited by:
Paul P. W. Achola
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Contents

Introduction

The papers published in this volume were selected after careful review and preliminary editing, from seventeen papers presented at a National Conference held in Eldoret, Kenya in November 2002.

The conference whose theme was "Governance, Society and Development in Kenya" was sponsored by the Organization for Social Science Research in Eastern and Southern Africa (OSSREA), and organized by OSSREA - Kenya chapter.

The papers fall under three broad themes namely:

• Social Policy Frameworks

• Education and Research

• Gender and Health

The first five papers address various issues made under the rubric of social policy frameworks. The first paper, by Professor Eric Masindc Aseka examines the socio-political context in which Kenya's development strategies have been conceived and implemented spanning three regimes: colonialism, Kenyatta and Moi. Aseka highlights the limitations of the post-colonial state in terms of its failure to de-ethnicise politics, democratise political and social relations, and popularise political participation. Instead, the post-colonial state in Kenya seems to have institutionalised ethnic-based political dispensations and administrative incompetence due to the politics of patronage, economic stagnation and even decline on accent of graft, poor planning and over-reliance on foreign aid.

Not surprisingly, the political culture that has evolved in the post-colonial era Kenya, is one that glorifies personalistic leadership, sycophancy and pretensions to democratic practice in the form of botched elections sloganeering and demagoguery.

Aseka concludes that in effect the post-colonial leadership in Kenya has failed to evolve and articulate a constructive ideology for socio-economic development.

The second paper, by Professor Paul Acholla, reviews and critiques social change paradigms within which post-colonial states such as Kenya have had to operate.

In his view, the various paradigms are anchored in Western intellectual thought, hence require critical African reformations to assist in their productive application to the Kenyan context.

Achola is particularly critical of later-day globalisation paradigm, which is but a mask for modernisation theory with its Euro-Americocentric worldview. As a way forward, he proposes tapping the productive forces of Western culture and technology, and meshing them with homegrown values and technologies to create wealth and quality services for the benefit of African people.

In the third paper Dr Grephas Opata examines the theoretical underpinnings upon which development strategies of the Kenyan government were formulated. The paper begins by examining various development theories ranging from Adam Smith, Rostow, to the present day Bretton-Woods institutions.

He observes that all these theories are Socio-Darwinian and therefore largely beneficent to the more industrialized countries of the West. Opata argues that the Western theoretical formulations upon which Kenya's development strategies have been based arc inappropriate diagnostic tools for pin-pointing the root causes of under-development, hence irrelevant for engineering social programmes. He concludes that there is need for a shift in development strategies towards a participatory approach in which indigenous people take charge in identifying, formulating and acting upon their development needs. He therefore advocates for community-based development approaches with active grass-root participation.

The fourth paper under this theme is also contributed by Dr Grephas Opata. Opata gives a critical review of development administration and planning process in Kenya. He argues that the

country had opted for a centralised planning system which failed to address the root causes of poverty. Consequently a second strategy, District Focus for Rural Development was introduced. Opata highlights the limitations of the two strategies and makes proposals on how to improve development administration and the planning process.

In the last paper under this theme, Professor Kitula King'ei explores the dynamics underlying the relationship between the Kenya government and the people in the area of language policy. He observes that the government has excluded its citizens from language policy formulation. King'ei argues that although this has been considered a political rather than social issue this should not be the case; he recommends that the government should perceive language policy formulation as a right of every citizen.

The second theme, Education and Research, comprises four papers. In the first paper in this theme, Professor Samuel Gudu examines the role and state of research at universities in Africa. He argues that research is a core business of the university system and is therefore essential not only for the creation of new knowledge for purposes of supplementing and strengthening teaching, but also contributes to community development if the findings are disseminated.

He contrasts university operations in developed and developing countries. He argues that in developed countries the universities are well endowed with Financial resources, well-trained and motivated staff and superb research infrastructure. Hence they act as seats of knowledge creation and play an important role in research and development.

However, research capacity in universities in developing countries is low due to poor funding arrangements, lack of motivation for research, low morale among staff and lack of incentives to

researchers. Gudu concludes by proposing ways of stimulating research in universities in developing countries.

The second paper in this section is by Professor Tom P M Ogada who highlights the need for and examples of intellectual property policies for universities. He highlights the emerging importance of patenting in the business world. He observes that universities in developed countries are well informed on intellectual property rights. Experience from these universities show that significant income can be generated through commercialization of innovations and research findings from universities and research institutions.

He identifies the main stakeholders in the process of commercialization of innovations, inventions and research findings and argues that in order to develop an environment in which all the stakeholders can operate and co-operate meaningfully with each other, there is need to formulate an intellectual property policy for universities and research institutions.

Ogada discusses in detail the varying interests of the main stakeholders in the process of commercialization of innovations and research findings. Based on the conflicting interests, he outlines some of the most important issues, which an intellectual property policy should address.

Mr Martin Wasike examines the challenges facing the education for all (EFA) initiative in Kenya in the 21st century. He observes that ambitious noble goals set in Kenya for achievement of EFA by the year 2000 were not achievable due to adverse socio-economic factors. He argues that pushing this to the year 2015 without addressing these factors is likely to be futile.

The last paper under this theme ventures into an analysis of the relationship between sexual maturation and retention in Primary Schools. Professor Helen Mondo argues that poor management of sexual maturation in schools has a negative impact on retention in

schools since it contributes to school dropout among adolescent girls and boys. She recommends the establishment of programmes that empower both teachers and pupils to effectively manage sexual maturation as a way of curtailing school dropout.

The last theme of this book is Gender and Health. There is only one paper in this section and it addresses the HIV/Aids pandemic from a gender perspective. In this paper, Ms Nyokabi Kamau posits that the potential of women in the struggle against HIV/Aids has not been fully recognized and exploited. This lack of recognition makes women particularly vulnerable to infection and spread of Aids thereby defeating the efforts to contain the pandemic. She recommends that the potential of women in the fight against HIV/Aids should be recognized and that women be empowered for effective struggle against the pandemic.

1

Politics, Democratic Transition and Development in Kenya

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Abstract

At the core of the African leadership problem are several critical questions. The story of leadership is a saddening tale of an African state in crisis, a state without a sustainable leadership culture and one in which the management of political transition and social policy is basically shambled.

The paper analyses the social-political situation in Kenya. It highlights the limitations of the post-colonial state in terms of its failure to de-ethnisize politics, democratic, political and social relations and popularise political participation. In essence, the post-colonial leadership in Kenya has failed to evolve an articulate and constructive ideology for socio-economic development.

Introduction

The subject of democratic transition cannot be addressed outside the general debates on constitutionalism and nature of the state in Africa. The analysis of the state was given prominence in neo-Marxist discourse in the latter part of the 1960s and early 1970s although the notion of the state had been for long part of the Marxist political analysis. Even though structural functionalist analysis

abandoned the concept of state in favour of the term 'political system' arguing that the latter provided a better set of tools for analysing political development, there has been a resurgence of focuses on the state in political discourses in Africa. Marxist discourse perceived the state as an instrument of domination. It was neither an arena nor an impartial moderator of conflicting interests as was assumed in liberal paradigms underwriting structural functionalism and modernisation theory. Critical to understanding the state was the question of who controls it. It has been argued that the African crisis is a crisis of governance and hence a crisis of the state. It is characterised by political traditions that are bedeviled by serious transitional problems given that the African State was built upon autarchic foundations. These foundations varied from one country to another (Mbembe 2000:34).

State strata are connected in manifold ways to important factions of civil society with whom they share certain common economic and fiscal interests. The framings of social policy and its implementation follows certain political logics of control and self-perpetuation of regimes that kind of define state intervention in basic social conflicts of interests. The regime designs, manipulates and carefully implements social policy in a manner that is consistent with the preservation of existing power relations. Political systems therefore protect the support bases of the ruling regimes. They guard against possible loss of patronage which uncontrolled democratic transitions might engender. These tendencies therefore correlate with authoritarianism. Even the so-called democratic regimes have demonstrated disturbing authoritarian instincts. Possibilities of democratic despotisms emerging are very high.

The functions performed by institutions and its leaders within some nation-state are not innocent services to the nation-state but rather instances of calculated slippages designed to limit damage to core regime interests. They are manifestations of group interest

politics under the auspices of authoritarian maneuverings aimed at controlling or regulating the transitional processes in order to retain political power within the ruling cliques that have acquired the nickname, kitchen cabinet in Kenya. The problem of political transition in Kenya gives us a very good example of such self-preservative maneuvers in what came to be known us 'Project Uhuru' that generated a lot of heat in the then ruling party KANU culminating in the ignominious splinter in the party. Okech Kendo of the *East African Standard* talked of two projects: 'Project Uhuru' and 'Project Kibaki'. The project Uhuru was a democracy by acclamation while the project Kibaki was a democracy by declaration. The crony state with its networks of personalised rule was jolted by the resistance to this project beyond what it anticipated as intra-party differences on presidential nominations resulted in major political reconfigurations. These reconfigurations gave birth to the Rainbow Alliance that transformed itself into an opposition party, the National Rainbow Coalition.

An analysis of the Kenyan regime structure and its dynamics is required in order to enable us to understand its political responses to the challenges of transition from one regime to another. What resources, determinants and constraints were faced by the regime in view of the demands of an ever increasing demand for democratic transition whose depth and popularity had already been partly demonstrated by the oppositional project of the Rainbow crowd of politicians? Given that the state had already been badly battered by structural adjustment demands by the World Bank, IMF and other donor agencies and nations for a number of years and that its resource base was much narrow, the question of the capacity of the state arose. What was its capacity in dealing with the numerous problems posed by these transitional challenges and the rising politics of identity, which were reactions to excesses of a highly ethnicised bureaucracy? Trajectories of the state's ethnicisation of its

bureaucracy were disturbing. There was need for discourses of democratic transition to focus on processes of construction of political identify.

How are political decisions arrived at and what is the role of the political leadership and the state bureaucracy in development and in the fostering democracy and democratic transition? The ideology behind today's democratic transition is liberalism. We are therefore talking about liberal democracy and liberal democratic representative politics. The manipulation of the electorate using the money or ethnic card in itself reflects seeds of anti-democratic tendencies. These tendencies have influenced either the acclamation or declaration processes mentioned above. The crystallization of the ethnic perception of leadership virtually negates democratic processes when democratic rule is blindly equated with desires and rule of the majority.

The problem of ethnicity derives from the devastating effects of peripheral capitalism, which were not addressed even after decolonisation. In the establishment of the colonial order, the colonial state was not only exclusivist but also brutal to its African subjects. The colonial state was a legal institutional complex that framed and set in motion particular political identities (Mamdani 2001: 20). It was in this sense not a nation created to serve African interests and neither was its successor state that was basically a variant of the same oppressive state machine able to address those interests with any commitment. Democracy is a system of government that seeks to give expression to the ideals of liberty, equality and fraternity in the process of governance. The notion of fraternity that was central in the French interpretation of democracy has fatally been violated by the post-colonial regimes in Kenya. The *Ndugu zanguni* and *Harambee* cliches of Kenyatta, and the *Nyayo* 'philosophy' of Moi with its call for "peace, love and unity" ended up as mere populist coatings of political demagoguery. There is need to differentiate

between cultural and political identities. Fraternity in actual fact was meant to embody the production, deployment and management of politics of identity and negotiations over differences of social groups and their attendant interests, rights and quests that are critical to identity-based politics. There is need for a democratic framework to address concerns of specific identities and formulate a clear socio-economic blue-print whose policy outputs will lead to social integration. The governance styles of Kenyatta and Moi polarised the Kenyan society and fatally wounded the body politic they were meant to serve in accordance to the oath of office they took to defend the constitution.

In competition or struggles over resources, especially in situations of scarcity, collective demands tend to be predicated and organised on shared interests. Fraternity without which there can be no nationhood is a desirable and extremely valuable variable of democracy. As a value, it implies the existence of a national community. Political identities may originate from the cultural or the economic domain (Mamdani 2001: 20), but we are far from seeing ourselves as one national community in the face of the absence of a leader in our post-colonial history who has driven us along that path with commitment and integrity. It signifies the need for amicable resolution of differences in identity politics in the arena of governance whose social expression should be in the form of elevating social justice to national priority and institutionalising consensus building.

Human systems are embedded in old ways of behaviour and cultural dispositions; that is why the state is itself a cultural entity that should negotiate with its citizens a new national culture with its ethos that foster a sense of nationhood. As a social institution, the state is a site of contestation, an entity embedded in complex relations of reprocity and conflict with different social groups (Mamdani 1996:26). Its leadership needs an astute statesman and social manager

and not just a nationalist. Political identities are consequences of how power is organised. The organisation of power defines the parameters of the political community, playing out the logic of social exclusion or inclusion. It also differentiates the bounded political community internally (Mamdani 2001: 22).

Transition from colonialism

Discourses of democratic transition must not be limited to the sterile discussion of regime change and must address the dialectics of power, culture and ideology. They must address the question of social practices in the public and private domains, including the household and the larger civil society with their respective stakes in the project of democratic transition. The colonial state was authoritarian in its institutionalisation of structures of economic control, deprivation and exploitation and also of political manipulation and marginalisation. These processes emanated from the usury function of the colonial state as a midwife of imperialism. The beginnings of a transition from direct coercion to more internalised forms of control was observable. The practice of power was situated within a continuation of colonial political culture and despotic aspects of ancestral traditions (Mbembe 2000: 37).

The state was a foreign agency that influenced the structuring of power among the various political elites. The material relations of capitalist production that it defined were themselves alienating. Transition to post-colonial rule in Kenya did not make matters any different. Political representation that was supposed to reflect the democratic delegation of power by citizens to their rulers was bastardised by electioneering and electoral practices that created and entrenched the phenomenon of rigging. This political monstrosity was to further alienate the people from the real social development goals they had envisaged under a new African-ruled government. Development ideology of the post-colonial regimes became chimerical.

A leader innovates whereas a manager administers. According to Bennis and Townsend a leader develops while a manager maintains. A leader focuses on people while the manager focuses on systems and structure. A leader inspires trust while a manager relies on control. A leader has a long-term view while a manager has a short-term view. A leader has his or her eyes on the horizon while the manager has his eyes on the bottom line. Leadership means getting what one wants to achieve from the targeted community. There is therefore a difference between leadership and management. Transitional processes need visionary leadership.

Social Responses to Politics of Exclusion and Inclusion

Politics of exclusion have multiple dimensions or components that cannot be fully grasped through liberal approaches that do not grapple with the subjects of exploitation, oppression and workers or peasants resistance. With the rise in Kenya of groups such as *Mungiki, Sungu sungu, Taliban, Amachuma,* and *Chingororo* among others, there is need to re-interpret the phenomenon of political mobilisation beyond political parties. Various mechanisms of deploying violence to seize power or to retain it have been devised sometimes using pre-existing social cultural repertoires. The above are organisations comprising a full range of leadership at the individual, group and organisational or cultural levels that are being used or misused to wage social struggles. Some peasant organisations are becoming a potential nucleus for democratisation through popular pressure for state accountability, fairness, participatory development, and maintenance of basic human rights, freedoms of expression and political choice (Moyo 2002:14).

However, undemocratic and highly violent groups, which do not demonstrate their respect for human life, have earned widespread social disapproval across the country. The growing antagonism

towards Mungiki for example and the negative image which its campaign for project Uhuru elicited led to its denunciation by Uhuru Muigai Kenyatta in his campaign for the presidency in Kenya. These groups emerged in concrete and historical material conditions that should be investigated and highlighted and a project of social intervention to address their needs incepted instead of merely wishing them away. Organisations have their fundamental material interests beyond questions of their leadership and management. The transitional process must consider the dangers posed by such organisations and use their management capacities, democracy and immense mobilization potential. This potential may be measured in terms of their strength and social appeal to the unemployed youth to offer them an alternative social vision in a project in which they see themselves as participants as well as beneficiaries. In the various communities of interest there were different levels of leadership, potential, perspective and capacity.

There is need to figure out the needs of citizens of all categories and re-interpret the question of rights and citizenship. Citizenship is a wide embracing concept and it involves roles which individuals must be made to play within the larger society rather than narrow occupational roles. Human rights are a feature of moral, political and legal arrangements and that is why constitutional reform is at the centre of political transition. It is hoped, therefore, that the Constitutional Review Commission of Kenya will be allowed to complete its work as part of the construction of a new political order and pave way for the emergence of a political regime which is accountable to the people. The present state's authoritarian instincts and oppressive practices may lead it into scuttling constitutional review efforts forgetting that human rights are a feature of moral, political and legal arrangements. These rights integrate individuals into society in which they are constitutionally established and defined. Citizenship is also a set of juridical rights.

However, beyond the juridical rights which citizenship confers, citizenship is also a form of behaviour that entails good political and social conduct. Citizenship has also ethical dimensions. Ethical principles, standards, norms and values are defined in three spheres. These are ideology, tradition and religion. Nevertheless, there has been very little ideological production by Kenyan politicians in their discourses on political transition. Is it because there exists a very serious philosophical poverty in the country? This is unfortunate in view of our attempts to foster a meaningful political transition in this country given that every culture has its ideas and beliefs that are ideological as much as it has its religious expression.

The state is a social entity that has been instrumentalised by various dominant social actors over the years as a means of maintaining hegemonic control over communities with same or different linguistic and cultural histories and social characteristics. The nation-state is a monopoly of organized violence and economic enforcement within territorial units (Buchanan 2000:105). The state being an oppressive apparatus and as such the provision of a right regime being a product of social struggle against the state, any transitional process worth its name must cater for serious ideological production of knowledge geared towards the rethinking of the state. Its institutionalisation of structures of economic control, deprivation and exploitation and also of political manipulation and marginalisation must be rethought. They must be counteracted in a clear blueprint of post-election framework action that goes beyond neo-liberal economic policy reforms imposed from above in the context of choiceless democracy (Moyo 2002:1-2).

The brutal deflation of the public and quasi-public sectors through corruption in Kenya must be stopped. This must be through the formulation of proper constitutional frameworks for land distribution, compensation for land lost, employment of qualified personnel on basis of merit, preservation of the environment,

provision of transport networks, education and health services among other critical concerns. The state must also influence the structuring of power among competing groups because of the conflicts that the various encounters generate.

The disjuncture between the state as a "sovereign entity" and the global economy with its operational institutions, international law and alliances based on military and other interest constellations has a constraining effect on leadership. This is basically through a complex process that if perceived may enable one to attempt a reasonable explanation of the nature, scope and limitations of the sovereign authority of the state in the era of globalisation. The impact of these disjunctures wrought by the Schumpeterian defined Structural Adjustment Programmes appears to have eroded the sovereignty of the state. Habermas's theory of communicative action calls for cognitive communication in which the terms of democratic transition ought to be seen as objects and events instrumental to strategic political action. He calls for purposive dialogue—a dialogue driven by purposive rationality that is goal-directed and emphasises technocratic values and regards other values as inferior.

The process of bureaucratisation has been guided by organisational theory, which conceives organisational rules, orders, and structures as both necessary and sufficient conditions for organisational efficiency. In Kenya, bureaucratic practice in the post-colonial era is riddled with leadership mal-practices because of an authoritarian legacy and lack of proper scientific management ethos and leadership culture. Policies implemented by the colonial rulers continued to contribute to conflict between various social groups in these countries. The colonial bureaucracy did not demonstrate impartiality and promotion of participatory forms of government (Kimenyi and Mbaku 1996:11). The colonial government did not treat each population group equally. Decolonisation actually increased conflict between ethnic groups as each fought to capture

the "evacuate structures of colonial hegemony". Advantaged groups that had been co-opted in the colonial administration to whom the colonial apparatus of rule were handed now spearheaded existing organisational structures to mobilise and maximize their political and economic objectives in an ethno-dimensional manner in Kenya. The domination of economic and political institutions by these groups led to the concentration of resources in certain regions and sectors. Such a concentration was to undermine effective implementation of policy reforms. Leaders came to exercise forms of monopoly of positions that allowed them to adopt systems that were inefficient and that served their interests. Below them, civil servants became nepotistic, tribalistic, corrupt and negligent and were protected by the leadership on grounds of commonality of tribe, religion or business deals. Management processes in Kenya are permeated by political games by leaders both in the public and private sectors, as many organisations are not properly institutionalised. Leaders and followers are both ensnared by the politics of patronage.

Ideology and Authoritarianism under Kenyatta and Moi

The Kenyatta State in Kenya was not established and governed in the liberal sense of the Westminster model of democracy. A liberal State has established constitutional mechanisms of providing certain services to its citizens and also undertakes certain functions in a rule-governed arena of political contest, clash of interests, social conflict, dialogue and negotiation, consensus building and conflict resolution or regime legitimization.

A pervasive venality surrounded most public transactions as the governed experienced simple predation in the Kenyatta and Moi states (Ngethe and Musambayi 1999:6). Institutions of violence became informalized and deployed for criminal activities. The failure of development was virtually the failure of the state and its state

actors. The state was embroiled in a crisis including the crisis of legitimacy, resource distribution and participation and there were many issues emanating from this crisis of governance including tribalism and corruption. The governance realm lost its legitimate authority, trust, reciprocity and accountability.

Trust is an important variable in social and political management. It is a normative consensus while an equally important variable in the name of authority is normative acceptance (Hyden 1996). Reciprocity entails social interaction among members of a community (Ngethe and Musambayi 1999: 7). These values were badly eroded in the social transactions involving key governmental bureaucrats, parastatal executives, individual expatriate merchants, foreign countries and multi-national corporations in the process of executing the Kenya government's Kenyanisation or Africanisation and nationalisation policies. Huge sums of monies were lost through corruption even though the economy was growing at a reasonable pace at that time.

The presidency under Kenyatta enjoyed great powers that a dash constitutional and extra-constitutional. Under the Constitution, the power of appointment of the Vice-President, Ministers and Assistant Ministers and the Attorney General was vested in the presidency (Sections 15, 16, 18,19 and 26 of the **Constitution of Kenya).** The president was also given constitutional powers to nominate not more than 12 members of parliament. He also had the powers to constitute and abolish public offices and also appoint their holders. Kenyatta used these powers to the advantage of his ethnic community. By doing so he therefore set the pace for the tribalisation of the bureaucracy and its agencies. His successor, President Moi was to pick up from there and replace Kenyatta's Kikuyunisation with a new thrust of Kalenjinisation of most bureaucratic structures. These tendencies had a polarizing effect on the Kenyan society to the extent that the political project of national integration has had a major

setback during the tenure of the two regimes. The ethnicisation of state institutions was to be a feature of the Kenyatta and Moi regimes. This was a negative form of institutionalisation. The regimes failed to foster a positive governance realm that was mindful of the general welfare of all Kenyans. What therefore could be the role of personality of leader in the exercise of leadership?

Kenyatta had an extraordinary personality. His character was complex and enigmatic as a national leader. One was struck by the force of his personality that he could project especially through his eyes while addressing a gathering. He was a spectacular public speaker who employed powerful imagery and proverbs. With his elephant-headed stick and his gold ring, with his fly-whisk that he occasionally flipped through the air to acknowledge greetings and cheers, Kenyatta curved for himself an image far beyond that of ordinary human beings. He was a leader with interesting patterns of social discourse and configuration of character.

When he assumed leadership of the post-colonial Kenyan state, Kenyatta realised that politics of agitation were somewhat the liquidation of colonialism and the African's accession to political power, that power had to be redefined to meet certain realities of development. It was not to be wasted in orgies of retribution, and so Kenyatta urged his fellow countrymen to forgive but not to forget past misdeeds perpetrated under colonialism. He championed the cause of national reconciliation although this was to be marred with many contradictions following his resolve to safeguard the security of the post-colonial state.

The transition from Kenyatta to Moi presents us with an interesting panorama of realpolitik played out in power plays of ethnic alliance and political scheming of interest groups. Chabal and Daloz (1999) view transitions in terms of the need to understand their historicity. The events surrounding the 1983 election revolved around institutionalisation and personality. It was not

institutionalisation versus personality, but rather personality-building going side-by-side with institutionalisation. This was because the new comer was lacking in personality. He had not had a chance to display that aspect of personality. Therefore personality building came in.

Moi perpetuated Kenyatta's presidential rule. Segal (1996:371) describes Kenya's political system as a presidential personal rule contested, allegedly fraudulent elections, co-opted and opposition parties. Ihonvbere (1996:352) talks of leadership and personalization of politics in the new movements. Kenyatta had an ethno-dimensional ruling cartel. There was created a multi-ethnic patronage system that sustained the political regime in the Kenyatta days from 1963 to 1978. The *harambee* self-help spirit and practice made it more costly for politicians to ignore civil society (Hyden 1996:40). Political restructuring under Moi led to the dismantling of Kenyatta's tribal cartel. Moi thus disbanded all ethnic associations in 1979. But despite the effort of Moi to dismantle ethnic organisations as a means of undermining state politics of the Kikuyu ethnic group that was dominant in the central region, the role of ethnicity in allocating resources continued to be dominant.

Dissatisfaction with the *Nyayo* State, as Moi's regime came to be known, was born out of dissatisfaction with its failure to deliver social services and its political repression. The consolidation of the *Nyayo* hegemony involved narrowing of the space for civil society activism, increased political repression that bordered on tyranny, constriction of popular participation in the political process and intensified corruption. The Kikuyu economic elite felt excluded from the economic opportunities associated with the *Nyayo* state project. This exclusion was interpreted to be for the benefit of an ascendant Kalenjin bourgeoisie. Dissatisfaction culminated in the infamous *'Saba Saba'* riots in events that followed the arrest and detention of Kenneth Matiba and Charles Rubia in June 1990. These leaders

came from detention virtually maimed, a state of affairs indicative of the inhuman conditions which detainees and prisoners were subjected to in Kenya.

Despite the personalization of power associated with the construction of the *Nyayo* hegemony, inefficiency and negligence characterised the leadership culture in the civil service. The poor state of most government offices in Kenya appears to explain the general breakdown in the delivery of services.

Moi therefore upheld Kenyatta's patron-client capitalism. He, like Kenyatta, did not articulate Kenya's development strategy within an explicitly ideological framework. Both of them remained locked up within the walls of the ideologically ambiguous notion of African socialism.

The dismantling of the Kenyatta State under Moi began immediately after the burial of Kenyatta. This unscrambling of a kingdom involved a certain stealth of operation with certain prime operators working behind the curtains where they undertook a thorough reappraisal of the prevailing political context of change and continuity and devised the looks of a future enormous Kalenjin empire. Moi sought to build a foundation where the *Nyayo* hegemony that was to be based on the legitimacy of *harambee* could take root. He began by initially taking on board certain key members of the Kikuyu elite and entrusting the day-to-day management of the affairs of the state to them. He also embarked on a public relations exercise to boost his image. His popularity rose on account of this move which included anti-corruption pronouncements and gestures. Based on this moral platform, Moi began to dismantle those aspects of Kenyatta's legacy that did not suit his own agenda. Bureaucratic and political elites who owed their positions to Kenyatta were gradually removed. They were replaced by his own appointees whose loyalty to him was not in doubt.

With the advent of multi-party politics in Kenya in 1991, the Nyayo regime had to contend with organized legitimate political opposition. With the threat of losing political control in the face of impending elections in 1992 and again in 1997, certain elites allied to the Nyayo regime instigated inter-ethnic clashes. This phenomenon of social violence and communal polarization further undermined the legitimacy of the Moi regime, jeopardizing its survival.

Conclusion

At the core of the African leadership problem are several critical questions that this study has devolved into. They include the central role of culture and ideology in the definition of leadership. This study has argued that leadership calls for social commitment to certain ideals. It is an opportunity to exercise responsibility and the need to forge alliances along economic and cultural lines in the Gramscian sense. The history of leadership is a saddening tale of an African state in crisis, a state without a sustainable leadership culture and one in which the management of political transition and social policy is basically shambled. Self-preservation, control and retention of power undermine electoral processes. Greater emphasis is placed on the actions and decisions of key political functionaries. Key political actors are identified in terms of their leadership failures to manage democratic transition in Kenya.

Political actors representing various interest groups have been known to hijack democratisation process as was the case in the constitutional reform debacle that brought into being the Inter-Party Parliamentary Group (IPPG) reform package in Kenya in 1997 following the threat posed by National Convention Executive Council (NCEC) in Kenya. There is no culture of public property management worth talking about in Kenya.

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2

Social Change Paradigms and Some of Their Societal Outcomes

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Abstract

This paper charts out social change paradigms, pointing to their consequent practical outcomes and inherent limitations and prospects. To make the presentation as clear as possible, the paper defines the concepts paradigm, social change and development. The main premise of the paper is that it should assist various scholars focusing on social change to locate their discourse within one or more social change paradigms, herein highlighted.

Introduction

The term paradigm is derived from the Greek word *paradigma,* meaning pattern or example (Jarry and Jarry, 1995). In more recent academic discourse the concept paradigm has been used in the perspective of Thomas Kuhn to refer to a community of scholars who share theoretical formulations, modes of scholarly investigation and *ipso facto* what constitutes knowledge (Kuhn, 1996). In this paper, accordingly, the concept paradigm is used to refer to distinct scholarly movements that propagate particular theoretical frameworks, investigative or research methodologies as the basis of knowledge creation and social action. The group of practitioners this paper focuses on are social scientists.

Social change refers to the difference between the current and antecedent condition of any selected aspect of a social institution, structure, or individual actors. The concept is thus, temporal in nature, in the sense that it describes transformations that have taken place in an entity of interest within a given period of time. Perceived in this manner social change encapsulates permutations that indicate improvement or those that indicate decline. It is pertinent to point out here that social change subsumes the concept of development, which after all is change that is positive, utilitarian and progressive.

Within social science literature the concept development is co-terminus with growth, whether of social institutions, consumer goods, wealth and happiness.

Given these definitions of the concepts paradigm, social change and development, what begs the question is their interrelationships. The definition of paradigm anchored it as a convention, a school of thought, and mode of investigation. In other words a process of serial reproduction governs paradigms. Where an emergent paradigm claims superiority over an extant one, then this new paradigm is essentially developmentalist. In the next section an attempt is made to trace the evolution of social change paradigms, their developmentalist premises and their social ramifications.

Emergence of Various Social Change Theories

Evolutionary Theories

The enlightenment and the intellectual ferment evolutionary theories nurtured led to both the French and Industrial revolutions. The attendant social conditions from these two revolutions elicited critical reflections from a number of European thinkers, notably Auguste Comte and Herbert Spencer (Spencer, 1997). Their theory of social evolution viewed societal change as a linear process consisting of three stages namely, primitive, agricultural and industrial. The industrial phase was considered the most developed form of human

community. Evolutionary theory of social change *ala* Comte was perceived to be incremental and long-term. A central ideological tenet of the evolutionary school was the assumption that change from a lower to a higher social stage by any community was the result of its intrinsic superior intellectual endowment and hence better accommodation of the vagaries of the environment. Evolutionary theory popularised social Darwinism, that is, a posture of cultural arrogance and self-righteousness on the part of Europeans in relation to people of other regions. In no time this ideological orientation led to European expansion and colonisation of peoples in Asia and Africa (Mazrui, 1968). The consequences of this colonisation in Africa, and Kenya in particular will be highlighted shortly.

Structural Functionalist Theory
A derivative of evolutionary theory, and one that constitutes the second paradigm of social change is structural functionalism. This theory took for granted the evolution of societies but advocated as its main concern the functions various institutions perform for the benefit of the whole society. Society was viewed as an integrated social system consisting of functionally interrelated parts (Parsons, 1964). The underlying ideology of structural functionalism was the primacy of social order and development. The ideological underpinnings of both evolutionary and functionalist theories of social change had the same consequences for the African colonies. Major among these were:

• Cultural legitimisation of European hegemony

• Adoption of European type bureaucratic organisations

• Imposition of money economy

• Exacerbation of social stratification

Many of the above processes were packaged in various schools of modernisation whose major premise was consistently uniform namely, emulation of the European path of progress. Essentially, modernisation theories are Eurocentric and their main weakness is failure to appreciate the role of local cultures and technologies in social change and progress.

Marxist and Neo-Marxist Theories
European colonisation of Africa, Asia and other parts of the world was guarded under a capitalist mode of production. Karl Marx, working out of Britain, had discerned some contradictions in capitalist mode of production within industrialising European countries (Marx, 1976). The case of India had also allowed him to observe the dominant relations between external capitalist classes and indigenous social classes in the colonies. He noticed that the structures and relations of domination that characterised owners of industry vis-a-vis the workers in industrialising European countries similarly governed the interactions between European capitalists and leading indigenous colonial classes (Marx and Engels 1965). That relationship was premised on inequality or, better, super-ordinate and subordinate roles and terms of economic exchange.

This praxis of inequality between foreign classes and leading indigenous colonial classes constituted a fundamental contradiction that found at least partial resolution in demand for decolonisation. In a number of countries, including Kenya, the emergent independence movement had to wage armed rebellion before meaningful change was realised. Conflict became the driving force of social change thus proving Marx's position. The indigenous advocates of decolonisation or political independence may not have necessarily promulgated Marxist principles and nomenclature, but their demeanour and activities were Marxist in tone and outcome.

The ideological premise of Marxist and neo-Marxist theories is the ubiquity of conflict or social strain in human relations and its initiatives to resolve this strain that result in social change. While Marx had perceived the resultant change to be massive (revolutionary), neo-Marxists point out that the resultant change can be gradual and piecemeal. The main thrust of this conflict perspective was the role of public leaders and state in engineering social change and development. It is significant in this respect that while the changes that revolt against colonialism ushered into vogue may not be regarded as revolutionary, at least in the Kenyan case, they were visible and important. Major among these were:

• Heightened awareness of social class or group differences

• Popularisation of the norm of equality or egalitarianism

• The need for state/public sector involvement in economic planning and its implementation

• The importance of active participation in politics as a means of influencing social change

• Trials with collective modes of production, social exchange and organisation.

Dependency Theory
When the rosy prospects of development spearheaded by the state began to wilt in the face of experience, a revision of conflict theory in the form of dependency theory of social change emerged. At core, dependency theory sought to explain decline in economic performance arising out of acute dependence of small ex-colonial states on the economics of states that dominate financial and commodity markets in which both are involved (Leys, 1996: 31). In this relationship, ex-colonies constituted the periphery while the major capitalist countries of the West, constituted the metropolitan centre. The terms of trade between the two centres were unequal, to

the disadvantage of the periphery. Economic stagnation, and even decline in the ex-colonies was attributed to this unequal external relationship; similarly, marked inequalities in wealth between groups in the ex-colonies were as the logical outcome of the same relationship.

While both conflict theory and its derived dependency theory attracted a visible following among scholars of social change and development in African countries, they suffered from serious flaws. Externalising reasons for economic and social stagnation and decline drew attention away from focus on the quality of leadership in African countries. It also overshadowed the need to look critically at local entrepreneurial capacity to create goods and provide services.

The inclination to lay blame for local problems elsewhere, created perceptions of hostility towards the advanced economics and a feeling of helplessness among actors in the so-called periphery. This sense of helplessness stymied prospects of collective action by groups of countries in Africa to form trading blocks that would give them bargaining power in the international and financial commodity markets. Instead, many African countries remained solo actors in the capitalist market while a few advocated dc-linking from capitalist trade relations.

Interpretive Theories
It is somewhat ironical that conflict theory of change including its dependency version provided the impetus for emergence of interpretive theories of social change. To be sure, the original thesis of interpretive theories was Weber's theory of social change. Weber had observed that behaviour is determined by cultural meanings people attach to what they do. A large number of writers emerged out of this view and they bequeathed to social sciences symbolic interactionist theory and phenomenological theory. Both theories share the view that social conditions or reality arise from meanings

persons give to their actions (Mead, 1934). Society is thus a social construction, an outcome of collective interpretations and negotiations.

Credit goes to the more radical thinkers of these two schools, such as Paulo Freire and Ivan Illich for their position that while interpretation of social situations is good, the primary purpose of such interpretation is to change social conditions for the better. They use the term 'conscientisation' to refer to this process of collective reflection, planning and action for change. The focus of these radical-action theorists is the less privileged but numerically large sectors of society. These less privileged groups are variously referred to as the peasantry, the labourers, the workers, and the wretched of the earth or simply the "people." The key message to them is that the ruling classes who lord it over them are dependent on the labour and sweat of the poor majority and that they need to understand and reverse this relationship.

A number of outcomes did emanate from the interpretive perspective of social change. Some of the related outcomes of this paradigm of social change include:

• Grassroots initiated policy formulation and social action, the so-called "bottom-up" approach.

• Self-initiated and directed community development programmes. Examples are the Israeli Kibbutz, *Ujamaa* in Tanzania, party cells in Cuba and the Lords Resistance Army in Uganda and any other form of decentralized development.

• Social movements such as the Vietcong in Vietnam, Chinese peasants under the Red-Army, current peasant revolts in Latin America, the Mau Mau movement in Kenya and Sudanese People Liberation Army in Southern Sudan.

The Theory of Globalisation

By a strange twist of irony, a new paradigm of social change emerged in the name of globalisation due to the decline in conflict and radical interpretative theories of social change. Two critical events preceded this decline, namely: the assimilation of communist East Germany into the ambit of capitalist West Germany in the name of German-Unification; and a few years later the disintegration of the Union of Soviet Socialist Republics (USSR) into fledgling capitalist states. These two events emboldened the United States of America as the leading capitalist super-power and its satellite Western European capitalist states to internationalise capitalism. The ideological garb in which this developmentalist process was embedded was labelled globalisation. As an ideology of development, globalisation means the integration of economic activity by units of private capital, particularly the multinational corporations, on a world scale (Giddens, 1994). In the theatre of globalisation, economic and cultural dominance resides in leading capitalist countries, many of them north American and west European. In essence globalisation is no more different from modernisation in which the archetypical state for emulation is a capitalist Euro-American one.

As discernible observers know, globalisation has produced a number of outcomes many of them undesirable for less industrialised countries. Obvious among these are:

• Suffocation of industries in less industrialised countries

• Enhancement of consumer culture without concomitant improvement in purchasing power

• Western cultural bombardment

• Inundation of local markets by cheap and inferior imports

• Greater dependence on food-aid

• Expanded impoverishment of the local people

Charting New Directions

Prospects of moving African countries forward in terms of positive social change or development require that we highlight the more obvious positive aspects of each of the social change paradigms discussed so far. In doing this some of the social change theories are grouped on account of their more or less similar outcomes. With respect to the modernist evolutionary and functionalist theories, their main legacy for development can be summarised as follows:

- Scientific innovations are important in the process of controlling and converting the physical environment to the service of humanity. This was the gist of the industrial revolution.

- Satisfaction of human needs revolves around the production of abundant goods and the provision of quality services.

- Three general resources are a prerequisite in the production of goods and services namely: capital, physical and human resources.

- The prime movers of societal development are a class of entrepreneurs or merchants or capitalists and scientific inventors and innovators.

- Certainly, one can hardly envisage the massive industrial progress of western European countries and the United States of America without at least taking into account the above factors.

The next batch of interrelated theories of social change namely, conflict and radical interpretative theories, have bequeathed to us the following poignant points:

- The reality of unequal terms of trade in the international world order and the need to correct this process if the whole humanity is to benefit.

- The importance of paying attention to class or group interests in the process of social change.

The need for, and importance of, autonomous (self-initiated and directed) social action whether at the community, regional or national levels. In current international configuration, this is encapsulated in the concept of "acting in the national interest." Social action is a key element in social change. Again, whichever ideological path of development one prefers, it would be foolhardy to ignore the points outlined above.

Finally, while the globalisation paradigm of social change is within the genre of modernisation theories, its emphases are somewhat different and include:

- The intricate interdependence among the world as a global village.

- The need to safeguard world security through military action if and when necessary to heightened peace role of the UN.

- The critical role of knowledge, especially through Information and Communication Technology (ICT), in the management of commerce and world affairs.

- The greater role of comparative advantage in the international commodity exchange and commercial markets for example, the African Growth Opportunities Act (AGOA) and Kenyan flowers for Europe.

It is pertinent to point out that uncritical advocates of the above advantages or features of the globalisation paradigm often pay scant attention to issues of inequalities in the international and national social order as identified by the conflict and radical interpretative schools of social change.

The incontrovertible fact of human experience, since the start of the Industrial Revolution in the 17th Century has been the vitality of capitalism as a mover of the production of wealth and scientific progress. In the same vein advanced capitalism without the necessary political controls *a la* United States of America has been associated with skewed distribution of the benefits of capitalist production.

The conflict school of social change has sensitised us to this contradiction. What seems plausible as desirable mode or path of social change in the African, and particularly Kenyan context is the kind of development that will create abundant wealth but concurrently guarantees its fair distribution (Leys 1996). In our view, capitalist production and socialist distribution can co-exist in a situation where there is political will to concretise this reality. The Scandinavian case is an illustrative example in which capitalist production and welfare state practices have resulted in some of the highest standards of living witnessed in human history. The example satisfies in many respects the Marxist dictum," From each according to his/her ability and to each according to his/her needs." Here indeed is an example where the premises of Adam Smith and Karl Marx converge.

Conclusion

This paper has traced a number of key social change paradigms that have steered the course of human progress since the start of enlightenment. Pivotal among these theories are evolutionary, functionalist, conflict, interpretative and globalisation theories. The key tenets of each theory have been highlighted and their major assumptions and weaknesses have equally been outlined. The paper has synthesized the main strengths of various social change paradigms and made an attempt to pin point those outcomes that hold the greatest promise for moving humanity forward, especially in Africa, on the path of socio-economic progress or development in popular parlance.

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3

Kenya's Experience with Development Theory and Policy Making: The Need for Policy Shift

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Abstract

Kenya attained political independence in 1963. The new government faced many socio-economic problems, since the majority of the people were poor and surviving mainly on subsistence agriculture. To overcome the challenges, the leaders needed to come up with proper strategies to improve the quality of life of the people.

The available statistical information concerning access to the basic necessities clearly indicated that the conditions have not changed much. Most of the people in the country are poor. It is obvious that the development strategies pursued have not been successful in tackling factors associated with underdevelopment.

The paper examines the theoretical underpinning upon which the development strategies were formulated, notes the shortcomings of these strategies and makes recommendations on what needs to be done in order to redress the situation.

Introduction

When Kenya gained political independence in 1963, the new government faced many problems. It therefore embarked on a mission to tackle various social and economic problems. In Sessional Paper No. 10 of 1965 entitled *African Socialism and its applications to Planning in Kenya,* the government set out to fight poverty, ignorance and disease (GOK 1965:4)

Over the last four decades, the government has pursued development strategies and policies in its efforts to fight poverty, ignorance and disease. This war against poverty has however not been very successful since the proportion of Kenyans living below the poverty line has been increasing steadily over the years. For example, the number of Kenyans living below the poverty line increased from 3.7 million in 1972/73 to 11.5 million in 1994. It increased to 12.5 million by 1997 and to 14 million by the end of 1998 (UNDP 1999). Currently it is estimated that over 50% of the Kenyan population live below the poverty line.

Poverty is essentially a manifestation of underdevelopment. Given the current economic situation in the country, it is clear that the development strategies and policies followed have not been successful in meeting the twin objectives of diagnosing the causes of underdevelopment and establishing the basis for rapid, stable, equitable and self-sustaining socio-economic growth. And, since development strategies and policies are derived from development theory, it is important to review the foundations of the development paradigm upon which the country's development strategies and policies have been derived. This would enable us understand the root causes of the economic quagmire in which the country finds itself today. The country's inability to fight poverty, ignorance and disease effectively may be due to the fact that the development strategies followed are based on wrong theoretical paradigms, poor implementation or both.

Theoretical Underpinning of Kenya's Development Strategies

Kenya has followed development strategies patterned on Western development models. The country's development programmes and policies have therefore been guided by the theoretical underpinnings derived from the Western World.

The emergence of capitalism and the advent of the industrial revolution in Europe, gave rise to a distinct form of western development thinking. Critically examining the western development theorists from Smith (1939), Rostow (1960), Kuzuets (1966), Arthur Lewis (1955), to the current International Monetary Fund and World Bank's structural adjustment programmes, their position and the interpretations they offer for economic growth or poverty reduction can safely be referred to as internal handicap paradigms of underdevelopment. This is so because they lay stress on internal factors, their main argument being that the phenomenon of underdevelopment is a result of factors that are essentially internal to the developing world. Patnaik (1986:16) has summarized their general position thus:

> "All countries started from a similar state of underdevelopment, but while some developed, others suffering from various handicaps lagged behind. The handicaps generally cited include: The size of population, the inhibiting role of the social institutions, absence of dynamic entrepreneurship etc

What is the context or rationale of the Western theoretical framework for development? We are of the opinion that this has racist undertones and can be traced to some of the justifications for colonialism. The British colonial policy was based on social Darwinism, which postulates that in development the white race is superior to others with the blacks at the bottom. This is best captured in Lord Selborne's observations thus:

> It is impossible for us, who once sprung from races which were in contact with Roman civilization before the Christian era, to look at the question from the same point of view as the Bantu races who are totally different... Speaking generally so far as we can foresee the Bantu can never catch up with the Europeans, whether in intellect or mental endowment. Whiteman is the racial adult, the blackman is the racial child (Sieray 1995:8).

In the same view, Cecil Rhodes asserting the superiority of the whiteman observed:

> I contend that we are the first race in the world, and that the more of the world we inhabit the better it is for the human race. If there be a God, I think that what He would like me to do, is paint much of the map of Africa British red as possible (Magbune 1986:13)

Western development theory evolving at this time was heavily influenced by the racist undertones referred to above. Specifically after the Second World War, this racism attitude took on an economic dimension. Economic development was visualized as a ladder with poor traditional pre-capitalist societies at the bottom and urbanized, industrial capitalist societies enjoying high mass consumption, at the top.

In the period of de-colonization after the Second World War, the theoretical spirit of development programmes encouraged by the former colonial masters rested on these modernisation ideas of an economic development ladder. The ideas were formulated into the stages of economic growth and modernisation theories that tried to delineate stages in the process by which societies progress from an underdeveloped to a modern developed state (Todaro 1993). Thus, whether we are talking about the stages of economic growth theory, the neo-classical structural change paradigm, the modernisation

paradigm or the current IMF/World Bank sponsored structural adjustment programmes, the foundations of their rationale is the same.

Kenya, like most developing countries has over the last four decades pursued development programmes premised on these modernisation ideas of economic development ladder. For instance, Kenya religiously followed policies derived from the stages of Social Growth Theory, in the 1970s, the structural change and modernisation paradigms in the 1980s and the Structural Adjustment Programmes starting in the late 1990s. However, over this period, the war against poverty, ignorance and disease has not been successful. This failure is not surprising since the policies pursued seem to have been premised on inappropriate theories of development.

Some Outcomes of Western Development Theories for Countries like Kenya

If we may take an example, following policies derived from the modernization paradigm of the 1980s, the main cause of underdevelopment was perceived as being lack of capital, knowledge and other inputs. Thus, one of the principal tricks of development necessary for take-off into self-sustaining growth was seen as the mobilisation of foreign savings in order to generate sufficient investment to accelerate economic growth. Since Kenya and other developing countries had relatively low levels of new capital formulation, there was need to fill the shortfall either through foreign aid and or private foreign investment by multi-national corporations.

Looking at the issue of foreign capital in Kenya retrospectively, it is clear that it has had negative effects on the economy. Under proper arrangement, foreign borrowing and investment can be beneficial by providing the resources necessary to promote growth and development. In the Kenyan case, given the arrangements under

which foreign capital has come in, the costs associated with it have greatly outweighed the benefits. One of the main costs has been the accumulation of a large external debt, which has in turn created problems of debt servicing. By the end of the year 2002, Kenya was indebted to the tune of US$46 billion. This essentially means that every Kenyan, including children have an individual loan of KShs. 86,000 (US$ 1,147) which is increasing annually.

During the cold war era, the capital constrain rationale was used by the North to justify massive transfers of capital to the developing nations, Kenya included. This assistance did not overcome or help to attack the forces of underdevelopment. In most cases the assistance was used to keep very oppressive and undemocratic regimes in place, mainly for ideological and political reasons. To ensure the implementation of otherwise improperly conceived development programmes, the former colonial authorities aided the establishment and maintenance of a class of leaders who were basically looters. The leaders thrived on corruption, bad governance and nepotism. This seriously undermined the development process since it is very difficult to achieve sustained social and economic development without proper leadership.

Economists have observed that rather than relieving economic bottlenecks and filling investment gaps, aid and private foreign investment by Multi-National Corporations (MNCs) has not only widened existing savings and foreign exchange resource gaps, but have also helped to create new ones (Rodney 1989; Todaro 1993). Given the experience over the last four decades, one is constrained to conclude that donor countries give aid and MNCs invest in developing countries primarily because it is in their political, strategic and economic self-interest to do so and not because they are interested in the development of these regions.

With the collapse of the Soviet Union, the ideological and strategic reasons for giving aid reduced drastically. Thus, in the mid 1980s, debt-ridden developing countries could only obtain foreign capital, if they got a clean bill of economic health from the International Monetary Fund and the World Bank. This clean bill of health meant implementing tough reform programmes and stabilisation policies. For example in Kenya, these policies included the retrenchment of large numbers of employed persons and costing of essential services such as health and education beyond the reach of the majority of Kenyans. This exacerbated unemployment and poverty levels.

The IMF/World Bank package of conditionalities has rightly been viewed as primarily designed to maintain the poverty and dependence of developing nations while preserving the global market structure of the industrial nations in the North. In a lucid critique of the IMF and its conditionalities, Pastor (1989) has argued that the institution functions within a first-world dominated global trading system. It is thus the chosen instrument for imposing imperialist financial discipline upon poor countries and thereby creating a form of international patronage or debt slavery in which the balance of payments problems of developing nations are not resolved but rather perpetuated. Pastor argues that IMF encourages developing countries to incur additional debt from international financial institutions while it blackmails them into anti-development stabilisation programmes.

In essence, we note that the theoretical formulations upon which the country's development strategies were based failed to diagnose and address the root causes of the problem of underdevelopment. As a result, the policies derived from these theoretical underpinnings became too deficient to generate development programmes that would benefit the majority of Kenyans. Due to this, the enthusiasm with which the government started at independence to fight poverty, ignorance and disease has not born much fruit. Most Kenyans

continue to experience varying levels of deprivations. This essentially calls for a policy shift with respect to development programmes and strategies.

The Need for Policy Shift

A critical examination of the current development strategies reveals the inability of those concerned to explore the structural roots of poverty in society. Given the spirit of the theoretical basis of the development strategies, it is not surprising that they did not seriously address the root causes of poverty and underdevelopment; the aims seem to have been focused on maintaining the status quo of the economic dichotomy of rich and poor nations.

There is therefore need to formulate a development philosophy based on our heritage, culture, resource endowments and our abilities. This implies that we need to develop and nurture new institutions of governance and development administration different from those patterned on donor-driven and colonial arrangements. This would enhance people-driven participatory development or people-centered development strategy.

Sustained human development can be best achieved when people are given not only a central role but also good knowledge over the development process. In the past, development planning functions in Kenya have tended to reside at the national and regional levels and decisions passed downwards, the so-called "top-bottom approach". This needs to change. The District Focus for Rural Development strategy that was meant to bring about change flopped. We therefore call for the establishement of proper decentralized planning mechanisms that lead to local participation in the development process.

Secondly, we propose a refocus and emphasis on community based approaches in development. Local participation is central to rural development. This calls for the setting up of institutional and

organisational mechanisms for people's participation in the development process at the local level. A first step in achieving genuine participation is a process in which the expected beneficiary of development programmes become aware of their own situations, the socio-economic realities around them, of their real problems and what measures they themselves can take to begin changing their situation.

Lastly, the country needs to be conscious in dealing with the donor community and their prescriptions. The donors should be made to support programmes that meet the needs of the country. Programmes tailor-made to suit donor demands without serving the interests of the country should be rejected.

Conclusion

The chapter had examined the development crisis that Kenya finds itself in today. At the core of this crisis are critical questions concerning the theoretical basis of the country's development strategy. We synthesize the development planning policies and make recommendations on what needs to be done to redress the situation.

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4

Development Planning in Kenya: A critical review for the period 1963-2000

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Abstract

Sincc the attainment of political independence the Kenya Government has experimented with two systems of planning and development administration. Initially the country adopted a centralized, top-down system that failed to stimulate development. In the mid 1980s the country shifted to the district focus for rural development strategy. This chapter analyses each of these strategies, highlights the limitations of each and points the way forward

Introduction

We could look at planning as an exercise of forethought in attempts to select the best means of achieving specified ends. Essentially, it is a science of decision-making. It involves the formulation of conscious efforts to increase the validity of policies in terms of present and anticipated future environment. The planning tool is required to raise the rationality of decision-making, specify objectives and find the optimal means of achieving stated objectives.

Development planning is the application of the planning tool to stimulate and guide the development process. In Kenya, the term development planning has been used to describe the conscious government efforts to influence, direct and in some cases control

changes in the principal economic variables with the aim of achieving pre-determined set of development objectives.

As Kenya gained political independence, the new government was faced with many problems. With political independence in their hands, the government now embarked on a mission to tackle the social and economic problems facing the people. The majority of people were poor, uneducated, living in poor housing conditions and surviving mainly on subsistence agriculture. The newly independent nation was therefore faced with a major challenge. It had to come up with proper strategies to improve the quality of life of the people.

The independent government, like most newly independent countries, promised to take up the challenge facing the people. For instance, it declared that it was to wedge a spirited war against poverty, ignorance and disease in an effort to uplift the living standards of the majority of the people. This, it was noted, required a co-ordinated and spirited effort.

The country opted for comprehensive, long range planning as a technique to stimulate development. This practice was encouraged and reinforced by the former colonial masters. The latter were of the view that if the new leaders did not have plans that clearly spelt out strategies for national development, the loans and grants that they would receive would most likely go to waste. These plans were not only to justify but also to guide the use of the loans and grants from Europe. This paper examines this practice of planning in Kenya, identifies the shortcomings and problems in the process and makes recommendations on what needs to be done to improve the planning process in the country.

Development Planning in Kenya

In Kenya, the practice of planning for development began before independence. It started with the commissioning of the British Colonial Development and Welfare Act of 1945. This act guided the preparation of plans for post War economic recovery. However, it was on the attainment of political independence that planning as a process to foster development was firmly established.

The basic document that was released by the first independent government to guide the process of development planning in Kenya is the *Sessional paper* No. 10 of 1965 entitled 'African Socialism and Its Applications to Planning' in Kenya. This document, which was drafted under the direction and input from the World Bank and donor community, placed the management of the development process squarely in the hands of the government. It established and justified the principle of state direction of the development process. In this regard the document notes:

> The best of Kenya's African social heritage and colonial
> economic legacy must be re-organised and mobilised for a
> concerted, carefully planned attack on poverty, disease and
> lack of education in order to achieve social justice, human
> dignity and economic welfare for all. This cannot be
> realized without planning, direction and control. The
> government has a duty to plan, guide and control the use
> of all productive resources. (GOK 1965:22)

At the encouragement and advice of the former colonial authority and the donor community, the Kenya government adopted a centralised planning system whereby planning for development was done at the top and decisions passed downwards. Emphasis was placed on central or top-down planning, the development process being guided by the production of five-year development plans. A Ministry of Economic Planning and National Development was set UP for purposes of co-ordinating planning. Since then, this ministry

has been responsible for the supervision, direction and control of economic policy and development planning. From the onset, the planning process was carried out in such a way that development plans for all rural areas in Kenya were prepared in Nairobi, the capital city. The planning was not initially linked to any decentralized decision-making or local participation and no specific plans were made for rural areas.

Although districts were at times asked to contribute to project formulation, there was no *modus operandi* for doing this with the result that contributions from districts were nothing more than long lists of improperly conceived project ideas drawn up by ministry employees based at the district level. In cases where districts made good project proposals reflecting the needs of the local community, if these did not agree with the priorities at the headquarters, they were simply ignored when funds were being allocated for development projects. Commenting on these plans, Delp observed:

> "They were not plans in the sense of proposing a course of
> action in light of local resource endowments, identified
> needs, problems, constraints and potential opportunities.
> Furthermore they were not prepared at the district level
> but by provincial and headquarters staff" (Delp 1980:16)

Given such a planning strategy which did not have mechanism to examine seriously and address the root causes of rural poverty and focus on the needs of the rural poor, the enthusiasm with which the government started at independence \to address the problems of underdevelopment, did not bear much fruit. Most Kenyans living in the rural areas continued to experience varying levels of deprivation. There did not seem to be any meaningful progress in the war against poverty, ignorance and disease in rural Kenya. Despite the expenditure of large sums of money for rural development, the economic situation of most peasants in the rural areas was deteriorating with every passing year.

The inability of the government to stimulate development in the rural areas despite expenditure of enormous resources stimulated the organisation of an International Conference on Rural Development in Kericho town, Kenya, in 1966. This conference was attended by government officials, researchers, expatriates and donor representatives. The main theme of the conference was on the management of rural development. The recommendations of the conference urged the Kenyan government to give greater priority to the rural areas in development planning, to shift the decision-making focus from the headquarters to the field and to adopt more innovative approaches to rural development. An attempt to implement the recommendations of the Kericho conference led to the establishment of the Special Rural Development Programme (SRDP) in 1967. This was a pilot programme in rural development involving six divisions in specific districts in the country.

The initial step in starting the SRDP was to select a number of areas in which pilot experiments were undertaken. It was envisaged that if the strategy succeeded in the pilot regions, the process would continue until it covered the whole of rural Kenya. A survey was conducted to identify six divisions covering eight per cent of the Kenya population for the pilot initiative. Plans were developed for these areas over a period of twenty months with the involvement of the local communities. Special funds earmarked for implementing their activities were provided by the Kenya government and the donor community.

The SRDP had the following four specific objectives. (Opata 1999:122)

a) to increase rural income and employment opportunities;

b) to develop methodologies for inducing self-generating development activities elsewhere in the country.

c) to improve the capacity of the Kenyan civil servants operating at the rural level; and

d) to develop regional planning techniques appropriate to the
   Kenyan context.

An underlying principal of these objectives was that rural
planning and management improvement objectives at the local level
could be institutionalized within the established administrative
structure. An important element of this programme was the
involvement of the rural people in planning for their development.
The programme sought to involve people in discussing the problems
in their areas, in generating project ideas and in designing projects
to address the specific rural problems in each area.

However, due to several problems, the SRDP, which had extended
to cover most of rural Kenya, was suspended after phase one. One
of the main reasons for the suspension was that the programme was
empowering people at the local level. People realised that with the
government co-operation, they would easily overcome their
deprivation, hence the root causes of poverty.

The other problems identified included shortage of suitably
trained and experienced local administrators, poor co-ordination of
activities across ministerial lines, disagreements between civil
servants and university based researchers assisting the project due
to clash of interests, inability of government planners to prepare
integrated area-specific plans and the tendency of outside donors to
shape the plans to fit their own funding priorities (Maleche 1982).

The SRDP experiment clearly demonstrated that the ruling
political elite was not interested in implementing measures that were
likely to empower the rural populace. This resistance of both the
bureaucracy and political elite to the empowerment of the local
communities may be seen as one of the main obstacles to effective
rural development planning in Kenya to the present day. This
resistance is understandable since empowering the peasants would
tilt class relations to the disadvantage of the ruling elite. In this regard
we note since the prevailing class relations inherited from the colonial

regime are inimical to the development needs of the local communities, any rural development measures that maintain the statues quo can at best be considered as merely cosmetic.

Due to this resistance, the SRDP which was meant to spur rural development through soliciting local level participation and initiatives, failed to take root. The government was still not willing to give power to the people and involve the beneficiaries of development in the decision-making process. Thus central control still remained.

Looked at in retrospect, one can argue that the move towards centralised planning adopted after the attainment of political independence was part of a larger political trend towards increased government control on almost all aspects of the lives of Kenyans without any genuine development objectives. This dictatorial system had been established by the British colonialists. Subsequently different regimes have inherited and strengthened it.

Such a system of governance has been counter productive to the objectives of rural and national development since the people have not been allowed to articulate their problems nor has any one been willing or ready to seriously listen to views and suggestions. Rural, urban and regional development planning has been from the top with the guidance of the office of the President. At the local level there was and to some considerable extent there is still a strong provincial administration with development administration being firmly in the hands of the District Commissioner who is answerable to the President and not to the people. The result of this has been deepening poverty, especially in rural areas where the majority of the people live. Whenever the people express anger at the government's inability to address the problems of underdevelopment in rural areas, the government has usually responded to such complaints by appointing committees to study the situation and make the necessary recommendations.

One such committee is the Ndegwa commission of 1979. This was set up specifically, in an effort to diffuse the worsening poverty situation in rural Kenya. The commission however did a commendable job. It outlined the problems inherent in the planning process at the time. It noted that the inherited colonial arrangements of development administration was structured in such a manner that it led to the absence of integrated rural development efforts. The responsibility for rural development seemed to lie generally with every one in the administration, but with nobody in particular. The local people were completely ignored. In this regard the commission observed:

> The relations between the provincial administration and the technical ministries in the field are an area of weakness inherited from the past. The provincial administrations claim they have responsibility without power, as regards the actual implementation of local programmes and projects, directly controlling neither the staff involved nor their budgets. This technical ministries have power, but no responsibility for overall policy (GOK 1982: 37).

The commission in its recommendations strongly argued for local people's participation in the development process. It observed that if the country is to develop, then plans were needed that are sufficiently specific and reflective of the resource endowments, development potential and constraints of each region or location. It stressed that plans, programmes and projects formulated at the centre without local input were not likely to meet local needs. In this regard the committee noted:

> "The process of planning, both plan-making and plan implementation must be extended down to the level of the district and even divisions, where the administration comes to grips with local realities. At present this is not really the case" (Ibid, 47)

Although the commission's report was comprehensive, it did analyze the prevailing situation and make specific recommendations. Despite the shortcomings in the planning system as pointed out by the Ndegwa commission, the government did not act to resolve them. And although the government accepted the report, no effort was made to implement its recommendations. Thus, most of the rural development problems remained unresolved up to 1980s. By 1982, the standard of living of most Kenyans had deteriorated to the extent where it threatened political stability. The government decided to review the situation again by appointing another committee headed by Philip Ndegwa. The main focus of the committee was on the management of development resources. The committee borrowed from the Kericho conference report (1966), the Ndegwa Commission Report (1971), and Special Rural Development Programme (1976) and came up with a new strategy for development planning and administration in Kenya, "District Focus for Rural Development" strategy — which is simply the application of the principles of decentralized planning at the district level.

Consequently, the government embarked on the implementation of the 'district focus' strategy in 1983. In essence, the District Focus Strategy asserts that district based projects should be identified, planned and implemented at the district level. In inaugurating the strategy, the Kenyan president expressed its political rationale thus:

> "First the people will be directly involved in the identification, design, implementation and management of projects. This will make development more consistent with the needs and aspiration of *wananchi* (people). Secondly, the decision-making structure will centre around the districts themselves. This will minimize the delays that often characterise central decision making system" (GOK 1982:4)

The main objective of the district focus strategy was to broaden the base of rural development, enlist local initiatives in the development process and tap the involvement of the beneficiaries of development in planning and decision-making. This was echoed in the sessional paper on the strategy thus:

> "The responsibility for planning and implementing rural development has been shifted from the headquarters of ministries to the districts. This strategy, known as the District Focus for Rural Development is based on the Principle of a complementary relationship between the ministries with their sectoral approach to development and the districts with their integrated approach to addressing local needs... The objective of this strategy of shifting increased responsibility to the district is to broaden the base of rural development and encourage local initiative in order to improve problem identification, resource mobilisation and project design and implementation." (GOK 1986:14)

By 2004 the District Focus for Rural Development strategy had been in operation for over two decades however, very little progress has been made in terms of spurring rural and national development. A critical examination of the rural and national planning strategy reveal the inability of the planning authority to explore the structural roots of poverty in society, and the unwillingness to acknowledge the degree of marginalisation and social disenfranchisement that characterise this poverty.

After all these years in operation the District Focus for Rural Development strategy is still beset by incongruities in the administrative structure, lack of proper management of development resources, and absence of genuine community participation and local initiatives. In an analysis of the structure and operation of the strategy in Kakamege district, Opata (1999) has noted.

"The DFRD strategy operates in such a way that it does not directly and adequately address itself to the problems of underdevelopment in rural areas. Furthermore, it has not evolved an effective mechanism in tapping local or community participation in rural development efforts... There is no properly established mechanism through which the local people can be or are mobilised to participate in development activities. The prevailing situation is one in which on one hand we have the bureaucrats at the divisional and district headquarters, holding their meetings and preparing district development plans that take little cognizance of the real poverty situation in the village, and on the other, we have the rural people struggling with poverty, with very little, if any, assistance from the established planning machinery. (Opata 1999:151)

Community Efforts

Since at independence there were no mechanisms for community participation in government projects and given that the official planning process did not seriously address the problems of poverty in the rural areas, the question one may ask is how did the peasants try to overcome their problems? One of the ways in which the rural people in Kenya sought to bring development was through the *Harambee* effort, which according to Mbithi 1974 is essentially a traditionally sanctioned informal co-operative work group structure. It denotes a way of life founded on indigenous social institutions.

Harambee is a Kiswahili word which literally means "pull together". As a concept it means collective effort and embodies ideas of mutual assistance, joint efforts, mutual social responsibility and community self-reliance. In the traditional setting, it was applied in day-to day life in such ways as collective neighborhood house building, bush clearing, planting, weeding, harvesting and

fundraising. Thus the traditional base for self-help movement was mainly farm-oriented, geared towards community food self-sufficiency and shelter provision (Opata 1999)

In the traditional society it took many forms. For instance among the Kamba, Mbithi (1974) describes how group help occurred. Groups involved tended to be kinship age groups where discipline was based on kinship obligations and age-group solidarity. "Thus married women of one clan would bring along water, firewood, thatch grass, etc to the home of one of their members and contribute one shilling each to give to their "sister" for the immediate often unspecified use' (p. 176) These movements assisted peasants in meeting some of their needs during the colonial period.

On the attainment of political independence, one of the ways in which Kenyans operationalized their nationalism was through the *Harambee* movement. The movement was characterised by local level identification of needs, local level mobilisation of resources and local level implementation of projects which appeared to solve local needs (Mbithi 1974).

Harambee self-help projects are characterised by community members working collectively towards a common goal. The cooperative work on communal projects begins with a community initiative to meet a recognised local need by selecting, planning and implementing a community project. Self-help emphasises small scale, community concerns such as schools, health clinics, wells, cattle dips, community halls, feeder roads, culverts, fish ponds etc. It heavily relies on local organisation and leadership for making decisions, generating resources and mobilizing community members in constructing or carrying out projects.

In the years following the attainment of political independence, the activities of *harambee* movement made tremendous contribution to the growth of the economy. For instance in 1967 alone over 3,600 community facilities such as piped water, wells and protected spring

and fish ponds were completed, 119 piped water supplies installed and 410 wells and protected springs built. In addition 1,659 fish ponds were built and people's contribution to self-help in terms of labour, cash and materials this year alone was approximately 2 million Kenya pounds (GOK:1974)

Several studies have indicated that Harambee activities through the mid 1970s constituted about 30% of all capital formation in rural areas (Ngethe 1977), Mbithi and Rasmusson 1977). Official figures between 1967 and 1978 indicate that approximately Kes.48,138,000 was raised through cash, labour and material contributions to Harambee projects over the 12 year period (GOK 1972, 1977, 1978). The president of Kenya in referring to the *Harambee* movement stated:

> *"Harambee* is a basic Kenya institution ... *Harambee* initiatives are the grass-roots of the people, indicating what they want and what they are prepared to do to achieve it. The *harambee* spirit is one that we must take seriously as the cornerstone for local resources mobilisation" (GOK: 1985).

A government report commenting on the performance of Harambee movement noted:

> "Statistical facts presented in this narrative summary cannot convey the excitements and enthusiasm of the people themselves. The story of working together, of detailed planning, of hours and hours of manual work given freely and joyfully, of the collection of shillings from persons to whom each shilling represented a real sacrifice - statistics cannot give a true picture" (GOK 1967:207)

Here indeed were the roots for self-reliant approach to national and rural development that needed to be strengthened and nurtured towards a genuine attack on rural poverty. However, this was not to be. As the movement grew, it was soon on a collision course with

bureaucracy and the established central planning machinery. This was because the movements' activities were characterised by selection of project priorities in disregard of government plans and their use of traditional patterns of interaction. For instance Frank Holmguist's analysis of self-help groups in Kisii district characterised self-help activities as — "preemption'. What struck him in his analysis of the role of self-help groups in policy implementation was their peculiar disregard for official planning channels. This disregard should be seen against the background that official planning failed to address pressing local needs and to involve the community in project design and implementation.

With time the government objected to several aspects of the movement. In particular the government objected to (Mbithi 1974: (i)   the very high degree of autonomy of self-help groups (n) the potential for manipulation of these groups for private political ends by some leaders (iii) the waste of resources in poor project selection and (iv) the over subscription of this movement by the poorest, most needy and marginal rural groups. Thus steps were taken to put the movement under the established planning mechanisms and comprehensive regulations and control imposed, in the process killing the initiatives of the local communities.

Instead of providing the movement an enabling environment for it to flourish and using it to establish viable mechanisms of community participation, the government institutionalized the movement, in the process muzzling local initiatives. The *harambee* movement was politicised and messed up. The government of National Rainbow Coalition (NARC) finally abolished the movement in the year 2004.

With local efforts through the self-help movement having been abolished, the only channel available for district and rural planning has been the official channels through the provincial administration. These channels have failed to address the root causes of poverty

and to involve the peasants in planning for their development. As a measure towards reforming the current planning system, we here make four observations:

Participatory planning and participatory democracy are two sides of the same coin. You cannot have one without the other. This underscores the importance of democracy and local democratic institutions in the development process. When democracy is in hands of ordinary citizens, it can conquer poverty by ensuring economic growth with equity. This also implies that development programmes that skirt around political issues have limited potentialities or chances of success. Thus for decentralisation to succeed, we need to give importance to the political process of changing attitudes and opinions and giving people tools to become effective pressure groups. Local democracy is best achieved when people participate in the systems of which they form part and where the marginalised, the minority or otherwise disadvantaged are also empowered and encouraged to participate. It is a process of power sharing and building up confidence, self-esteem and security.

When planning becomes participatory and decentralized, in most cases it becomes localized especially in terms of issues taken up in sharing powers to tackle them. It involves devolution of powers of the political organisations from top to lower levels. In essence, participation in development hinges on decentralising responsibilities both administrative and financial. Therefore, willingness and ability of political organisations to devolve power from the top and flexibility in advocating local priorities affect the prospects of the community's participation in planning.

For successful rural development, there is need to involve the rural masses in the analysis of problems, identification of causes, setting of priorities and design of programmes for implementation. External assistance is necessary but it should be tailored to local needs and not the reverse.

Any rural development programmes that do not include the active participation of women may not easily succeed in tackling poverty in rural areas.

Conclusion

The attainment of political independence in Kenya brought ambitions, hopes and aspirations to the people. To achieve this a proper strategy of development was required. The Kenyan experience with both the centralised planning system and the district focus for rural development brings to mind the challenges of decentralising development administration under a rigid political regime. From this experience we learn that the implementation of proper decentralisation strategy calls for the discarding of the traditional way of regulatory mentality. It exhorts the administration to give the necessary leadership in self-help programmes and demand a new kind of co-operation among all technical agencies that have development responsibilities in the rural areas. It requires the creation of condition by administration that will ensure that community development evolves from a government programme with people's participation to people's programme with government co-operation.

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Language as a Governance Issue: Reflections on Kenya's Contemporary Language Situation

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Abstract

Using Kenya as a case, the paper explores the dynamics underlying the relationship between the government and the people in as far as the choice and use of language is concerned, given the demands of a modernising and democratising society. The central argument is that since language choice is a deliberate political process, it often fails to take cognisance of the popular views, demands or needs. The discussion incorporates the socio-cultural perspective on language and society advanced by Mikhail Bhaktin (Swinglewood 1998) and stresses the crucial need for making language planning and policy-making an all-inclusive process rather than the reserve of the central government. Examples on various modes in language choice and use in the social and official domains are given to provide back-up qualitative data. The paper concludes that the community's or individual's linguistic rights are an aspect of governance issues and ought not to be subsumed under the lofty ideals of nationalism, globalisation or liberalisation.

Introduction

The paper explores the role of language in the relationship and interaction between the rulers and the ruled in a modern, multicultural and democratic society by making reference to Kenya's experience. The overall objective is to demonstrate that language choice is a conscious political decision and process which does not always reflect the wishes of the democratic majority or take into account the prevailing scientific knowledge on the subject. As a result of the politics surrounding the formulation and implementation of national language policies, wrong choice of language has often been made, camouflaged, paraded and defended as the most beneficial and pragmatic decision for the country. By examining the issue of language practice and attitude in governance using examples from the socio-cultural, political and legal perspectives, the discussion concludes with a call for the recognition of the fact that language is a basic human, cultural, linguistic and political right for every individual and community at both local and national levels. This basic tenet should be reflected in all aspects of governance because language planning is a governance issue.

The formulation of national language policies in Africa differs in both style and content from one state to another. Some have meticulously planned policies such as Tanzania, Ethiopia, Eritrea and Zambia while for others, such as Somalia and Uganda, it took the guts of the dictatorial regimes of Siad Barre and Iddi Amin Dada respectively, to lay down policies on language by decree. Barre replaced the use of French and Italian as official languages with Somali in 1972 while Amin decreed Kiswahili to be Uganda's national language to the discomfort of the politically and economically dominant Baganda whose linguistic hegemony had elevated Luganda and resisted the promotion of Kiswahili for many decades. For other states, the policies depend largely on the whims of the political leaders of the day and consist mainly of nothing

more than a series of political pronouncements made from time to time. For instance, the initial language policies made by Tanzania and Kenya in the years following independence relied heavily, if not entirely, on the charismatic leadership and personality of the founding presidents Mwalimu Julius Nyerere and Mzee Jomo Kenyatta respectively. While Tanzania's policy was formalized and legalized following the adoption of the '1967 Arusha Declaration', which launched the national socialist programme, Kenya's policy was only guided by occasional presidential political wishes and announcements that Kiswahili ought to be used in the National Assembly business. Thus Kiswahili was made a co-official language with English thereby consolidating its importance.

Tanzania unlike her neighbour Kenya, enhanced the implementation of her policy by integrating language policy in the national development plan and manifestos of the ruling party TANU (later CCM) and, more importantly, by setting up language development and research institutions such as the Institute of Kiswahili Research (1964) and the National Kiswahili Council (1967). On the other hand, Kenyan leadership has never passed any language - related legislation and even the constitution is silent on the subject. To make it worse, the country still lacks a comprehensive national cultural and language policy and it is yet to establish official national language institutions such as institutes of research or language academies.

Language Policy and Social Engineering

The recent revelation by UNESCO that the world is about to lose over 3000 languages (about 50% of all known human languages today) is an issue worth reflecting on here (Ochieng 2002). The report released in 2002 shows that 10% of the endangered 100 languages in Africa are Kenyan. This is a serious situation considering that Kenya has only about 40 languages and a loss of

10 of them would, in effect, mean losing 25% of all the country's languages. The "endangered or extinct languages" were listed as Suba, El Molo, Oropom, Lorkot, Yaaku, Sogoo, Kore, Segeju, Omotic, Kinare, Bong'om and Terik.

Who is to take the blame for this colossal socio-cultural loss? Although "urbanization and lack of parental guidance" have been singled out as some of the major causes of linguistic death in Kenya today, the government can not escape blame altogether. While it is not the first time that Kenya has lost languages since we have had cases of such languages as Kizimba , Boni and Dahalo, all from the coast, which disappeared from the language map sometime between the 17th and 18th centuries, the prospect of watching 10 languages die off is a major concern. Of course, languages such as Suba and Ndia which are said to have been assimilated by Dholuo and Gikuyu respectively, are at an advantage since their native speakers are still living and have started efforts to "resurrect" them. In that sense, therefore, can the government be blamed and to what extent? The answer is, Yes. This is largely because the government has done little to encourage the use of local languages outside the home environment in such sectors as formal education, information and broadcasting and publishing. Since the different languages still play an important role in the lives of the various communities, time has come to invent ways and means of developing and even conserving them for the current and future generations.

The disappearance of indigenous languages in Kenya presents serious social, cultural and political challenge. Socio-politically, the loss of one's home or native language means that one will be forced to learn, adopt and use a new language belonging to another community. This means loss of self-identity, dignity and sense of belonging for the affected individual or communities. As the UNESCO 2002 Mother Day Language Report notes, native or indigenous languages are "the most significant for our early

emotional and cognitive development" because it is through these languages that we learn our universe, are socialised into our families and the world in general.

Kenya is a typical example of a post-colonial African state which is still groping for a cultural identity. Recently, a member of parliament sought the permission of the House to table a motion to regulate the country's first ever "national dress". This issue generated a lot of interest and attracted a number of editorials from the local print media. People wondered, what kind of dress the Member had in mind, for whom, for what purpose and what occasion.

Although they play different roles in the life of a nation, it is important to note that a national flag, an anthem, a court of arms or a language are not just mere symbols of nationhood. They all have symbolic and practical meanings and function as they represent a sense of identity of a nation and its spirit of nationalism on the one hand, while on the other, especially, in the case of a language, they provide an important avenue for interpersonal and social communication at the personal, community and national levels.

Golda Meir, the former Israel Premier underscored the importance of an indigenous national language in the life of a nation-state by aptly stating: "English was certainly a fine language but Yiddish was the language of the Jewish street, the natural, warm and intimate language that united a scattered nation" (Bakari 1978:1). Only a native language can succeed in mobilising the masses at the grass-root and national levels for nation building by helping cement a deep sense of nationhood. This is crucial in a country such as Kenya and other African states where the creation of a nation-state is a relatively new socio-political entity. This statement would hold also true of even older nations such as China, France and America.

Arising from its colonial experience and influence, Africa has inherited a foreign linguistic and cultural burden. For instance, loreign languages are often used to label the continent. This foreign

cultural past has led to a lack of a sense of nationhood since these states have not been founded on the basis of indigenous languages. The prestige of these foreign languages has been enhanced by the high economic and political roles they play in the national life of Kenya where, for instance competence in English is a prerequisite for being elected to parliament.

It is important to state that in the ordinary sense languages are not only tools for communication. What is more important however, is the role that society assigns a language since it is this role that often gives a language status, privilege and often, power and symbolic importance. The latter functions of a language are the basis of its acceptance in a multilingual country such as Kenya. In order to succeed in the role of uniting and creating a sense of nationhood in speakers of other different languages the language must shed signs of political and economic or cultural dominance over the rest. This is why Kiswahili has endeared itself to Kenyans because its native speakers are neither politically dominant nor economically and culturally threatening to the other local communities.

It is through Kiswahili that Kenyans have been able to tolerate and respect their linguistic diversity and suppress inter-ethnic intolerance based on popular stereotypes often perpetrated against various communities such as Luo, Gikuyu, Kamba, Somali or the Maasai. Ethnic stereotyping have been politically exploited to discriminate against or ridicule certain communities. However, practical experience has proved that the unfounded beliefs are often based on ignorance of the communities concerned.

Most, if not all, of Africa's 54 or so countries which are just emerging from decades of colonial rule and exploitation, have had to face the politically tricky question of developing a language policy and implementing it. Even for the so-called monolingual states such as Somalia, Burundi and Rwanda, choice of the official and national language has always ended up causing political discomfort for the

state (Fishman 1966). A great number of these states have opted for the easiest and most politically expedient alternative which was to adopt the colonial language for official communication in order to scuttle the problem of multilingualism inherent in most of these countries. The proponents of this perspective have argued that choosing a local indigenous African language would have promoted tribalism which was harmful to nationalism and patriotism. This was the most "rational" decision to resolve the issue. Thus, African states adopted English, French, Arabic, German, Spanish and Portuguese as their official and, in a number of cases, national languages.

However, a few years down the line after independence, a number of African states, Kenya included, began to see the folly of ignoring the development of their indigenous languages in preference to the foreign ones. They realised that while the latter were suited for international relations, commerce, diplomacy, science, and technology, only the local languages could effectively be used for everyday communication in mobilising people for nation building. In this connection, states such as Tanzania and Kenya resolved to use Kiswahili as the national language while Ethiopia adopted Amharic. In fact, the former made a bilingual policy in which both Kiswahili and English were to serve as co-official languages within the Republic. A few others e.g. Cameroon adopted both English and French as official languages.

Language as a Tool for Socialisation

According to the well-known cultural theorist Mikhail Bakhtin, language is the socio-cultural life-line of a society. It gives the individual an instrument for self-examination through critical monologue with the self and dialogue with others in the society. He states:

> In order to live and act in a given social environment, one needs to dialogue with others. This dialogue is never fixed but is always in a state of constant activity. It is polyphonic, that is, multi-dimensional and open-ended (Swingewood 1998:114-115).

In a political sense, a national of a given politically-organised society should live and act by participating in and influencing happenings there. The subject can only do that by asking questions, responding to, criticising, heeding or agreeing with decisions made by the government of the day that directly or indirectly affect his or her life. In order to play these roles, the citizen must be able to operate in the language or languages in question.

Language choice and planning in a multilingual and multicultural state such as Kenya is a complex issue which takes into consideration political, cultural and socio-economic interests of the nation, among other crucial factors. Unfortunately, the process of choice and planning as well as implementation is often beset with a number of obstacles some of which arise out of widely believed fallacies regarding language and society (Whiteley 1974;King'ei 1998,2001). The most prominent among these mistaken beliefs are:

a) that multi-lingualism is an obstacle to nationalism and in such a case, the best way out is to adopt a foreign language which will be politically neutral and will help cement nationalism,

b) that having a mono-lingual situation naturally leads to strong nationalism.

All these stereotypical perspectives were embraced strongly in the first decade of independence in Kenya as well as in most other African countries. However, research and practical experience have helped dispel these unfounded assumptions For instance, it is a fact that multilinguism is the norm rather than the exception in most of the world's nations. Nationalism has nothing to do with language

but is influenced or enhanced by other factors. Populous nations such as China (1.3 billion) with 56 language groups is more nationalistic than Zimbabwe with 30 or so groups and a population of just about 27 million. Similarly, Cameroon with nearly 400 language groups is more nationalistic than most other African states with fewer groups.

Secondly, since the disintegration of one-language states such as Somalia, Burundi and Rwanda, it is seriously doubtful whether the sharing of one language, religion or culture is the most important basis for nationalism. Thirdly, the rapid economic and technological advancement of countries using indigenous languages for education such as Russia, China, Italy, France, Japan, Germany and more recently, South Korea, Taiwan, Hong Kong and Singapore, to mention the most prominent examples, proves that there is no sound justification for Kenya and other African states to continue promoting the use of foreign languages to the exclusion of the indigenous ones in official as well as social domains.

Language must be planned just like economics or other social development efforts. Planning is an aspect of a wider scheme of social engineering (Mazrui and Mazrui 1998:85). The task of language planning is the exclusive role of the political establishment in a country. It is the political leadership that decides what role to assign to what languages and for what goals. This is called language status planning which may then be followed by the development of the languages according to the status given to each of them. Among the most important factors that influence status given to a language is the need for political and social integration, national unity, media for formal education and technological transfer.

Of course, there are many other factors involved in national language planning. It is an on-going and often complex process which calls for review of policies and stand-points from time to time. In the case of Kenya, a trifocal language policy was adopted

right from the colonial period and this situation, more or less, persists with little modifications. English is at the top of the apex as the language of official business, international communication and formal education. Kiswahili is placed in the middle as the medium of national communication while the rest of the indigenous languages are vehicles for interaction in the rural and ethnic communities. The question that comes to mind, therefore, is what motivated Kenya's language status planning in the colonial and post-colonial era? Was it the national interest or the interests of the ruling elite as state agents in collaboration with international influence? Did they consider cultural development or just economic and commercial goals?

The argument often heard that English had to be picked because it is an international language which is the medium of science and technology is a weak one as has been adequately demonstrated by the level of development already achieved by other nations who preferred their own indigenous languages over foreign ones. These countries were guided by the philosophy that foregrounds local culture over borrowed economic models and privileges, home-grown economic, scientific and cultural solutions to imported quick-fix ones. Thus, most of Europe, South East Asia, India, Far East and the Indian sub-continent have modelled their development initiatives along non-western paths and achieved what will take Africa many decades if not centuries to achieve. Obviously, in its rush to maintain the neocolonial state of affairs in order to remain close to her former colonisers for political and economic reasons, Kenya down-played the importance of Kiswahili which could have easily been elevated to a co-status with English as the national and official language.

The Politics of Language

At national, regional and international levels, issues regarding languages are always steeped in politics. At the former two levels, speakers of a given language tend to jostle and canvas for the promotion of their language since they view it as a strong political tool for accessing state power, a step that guarantees them a share of national resources. Therefore, speech-community or language groupings become rallying forces for mobilising political support for ruling and aspiring leaders. In Kenya for instance, although Kiswahili has been the language of national politics, such politics is often shaped at the grass-roots where the language of interaction is the local vernacular.

Thus, most of the leading figures, nationalists included, drew and continue to draw the greater amount of their political clout from their rural home areas by using their local languages to appeal to their fellow tribes people. Therefore, with the possible exception of a few, notable leaders and political crusaders campaigned in their mother-tongues except in the urban areas where leaders such as Jomo Kenyatta, Tom Mboya and Pio Gama Pinto used Kiswahili. In this scenario, we have Kenyatta using Gikuyu in Central Province, Ronald Ngala using Giriama, Paul Ngei using Kikamba, H. Anganine using Kimeru, Odinga using Dholuo, Shikuku and Muliro using Kiluhyia and Lubukusu respectively, Moi using Kalenjin and so forth. The point at issue here is not to portray multilingualism as a negative political aspect but to question the tendency to play down the importance of the national language, Kiswahili, in preference to ethnic languages.

The deliberate use of the mother tongue by a national leader is calculated to create a strong collective political identity and affinity between the leader and the community in question. It is an accepted Political norm in Kenya today to hear such leaders speaking in first Person plural in referring to their communities as, "our people",

"my people" etc. It is also a fact that in Kenyan politics, an artificial socio-linguistic and cultural divide has been mentally inculcated in the collective mind of ordinary Kenyans to identify politically, only with certain language groupings against the rest. Since independence in 1963, Kenyans have thus been galvanised into such tribal constellations as GEMA (Gikuyu, Embu, Meru Association), Mijikenda Association, New Akamba Union (NAU), Luo Union and, more recently, Kalenjin, Maasai, Turkana and Samburu (KAMATUSA), etc. Some of these organisations started off as non-political welfare groups but developed into full political entities with time. Thus, many parties were formed and operated along ethnic lines in the 1960's. Examples include Akamba Peoples Party (APP) and Kenya Peoples Union (KPU). The latter was dominantly Luo. All these examples represent a picture of a system in which language is used as a point of political reference for political elite to achieve desired political goals. Currently, Kenyans have been socialised to think in terms of illusionary dichotomy between "big" and "small" communities with each side being persuaded to suspiciously view the other as posing an unspecified political or economic threat. This political culture based on socio-linguistic differentiation has bred a lot of inter-ethnic division and animosity which has been enhanced with the advent of the multi-party era in the 1990's.

Language in Parliament

In Kenya and Uganda, English is the parliamentary language unlike in Tanzania where only Kiswahili is used in parliamentary business. But this discrepancy notwithstanding, language policy in Kenya is not clearly defined in this sector. For instance, while candidates for parliamentary and civic elections must demonstrate competence in both languages in speech, competence in writing is mandatory only for English and not Kiswahili.

In the actual practice, only English seems to be the sole language of the House leaving Kiswahili to enjoy a nominal status. The preparation of all motions, bills, reports, notices, announcements, contracts, tenders and other official parliamentary documents are done in English notwithstanding the fact that the majority of Kenyans (over 70%) speak and understand Kiswahili, thus making English the language for a tiny minority. The under 20% who may speak English still do so as a learned foreign language in which their competence is often tried to the limit.

By demanding competence in English for parliamentary candidates, the ruling political elite deny ordinary citizens the opportunity to contest for national leadership thereby excluding them from the national political process. However, the most important thing to bear in mind is that by adopting Kiswahili as a language of parliament, Tanzania and Kenya have demonstrated the linguistic potential of an African language and, as a result, this step has enriched and modernised Kiswahili in the political and parliamentary registers.

In Kenya's legal profession, English rules supreme since the legal culture and practice, including the mode of dress for all court officers at the bench and the bar, are derived directly from the British tradition. The second reason is that the law is prepared, written, studied and administered in English from whose tradition Kenya's law also draws its legal precedents for authority. Since English is basically a foreign language spoken by a minority in Kenya, its continued use in the legal and official domains, in effect, serves to alienate the law and the state from the majority of the citizens. In East Africa, the Tanzanian experience has shown that Kiswahili is quite rich in the political and legal domains and it can easily replace English as the language of the courts of law, governance and commerce (King'ei 2000). In the legal technical terminology, there is a large area of overlap between the scriptures (Biblical and Sheria) and the African traditional or customary law (Bakari 1978:5). It is

in this light that many Kenyan leaders have recently appealed to the Constitution of Kenya Review Commission to make every effort to de-mystify the process of reviewing the constitution by first simplifying the legal jargon in which the law itself is written and to translate the final document into Kiswahili and other local languages. This will enable the majority of Kenyans access the constitution and, in fact, identify themselves with it more easily.

Conclusion

This paper has attempted to demonstrate that language choice and use is governance issue because it is determined by the prevailing political leadership. The leadership, on the other hand is influenced by a number of considerations in its formulation of a national language policy which include the strategic national economic and political interests as defined and understood by the power elite. The overall objective of many post-independent African states such as Kenya is the self-perpetuation in power by the ruling elite. In Kenya's case, preference for English and other foreign languages over the local ones can be seen in the light of the above considerations. In addition, these foreign languages are often regarded as stylistically and semantically more complex and therefore, more suited for official, scientific and technological communication, an assumption which has long been proved to be unfounded.

Kenya and the rest of Africa can not do without foreign languages but it must be borne in mind that those languages can not replace the local ones as instruments for communication at the national level or as vehicles for cultural development and national building. Foreign languages will only enhance communication vertically among a small elite class while the indigenous languages will truly remain effective tools for mass integration at the horizontal level. While English and other foreign languages may assist Kenya in meeting

her needs for formal education, scientific and technological development, it is seriously doubtful that these languages can play any important role in the effort to enhance nationalism, political cohesion or the lofty ideal of cultural decolonisation. But again, it all boils down to the question of governance.

Recommendations

Three possible options for the way forward for Kenya and other ex-colonial African states are discernible.

• A bold step should be taken to develop several widely used local languages as medium of education and for official communication as in South Africa.

• Kiswahili should be elevated and developed to be a viable vehicle of education and national communication as in Tanzania

• The third and perhaps the best of all the alternatives, is, as has been recently advocated (Prah 1998), to develop and empower local languages while promoting and technologising regional languages like Kiswahili to create huge economic blocks for technical and commercial advancement. It is in this light that Kenyans have provided for a bi-lingual language policy in the draft national constitution which in the second chapter sets out the nature of the Republic of Kenya. Section 9, states:

  (i)   The official languages of Kenya are Kiswahili and English, and all official documents shall be made available in both languages.

  (ii) The national language of Kenya is Kiswahili.

  (iii) The state shall respect and protect the diversity of language of the people of Kenya and shall promote the development of Kiswahili, indigenous languages, sign language and Braille (2002:4).

This policy statement in the prime law of the land is a major landmark in the promotion of Kenya's multi-lingualism and the recognition of language rights as basic human rights. Indeed, these rights are expressly guaranteed under section 63, which states:

(i)   Everyone has the right to use the language and to participate in the cultural life of their choice...

(ii)   "...persons belonging to a linguistic community may not be denied the right to use their language or to form, join or maintain a linguistic association.

(iii) No person may be compelled to indicate or define his or her ethnic or racial affiliation.

These constitutional provisions underscore the fact that Kenyans have now realised that language rights are human rights and as a result, the government is duty-bound to reflect this reality in all its policies and regulations. Language issues are governance issues and so are other socio-cultural issues. For instance, the provisions remove the official and social stigma and discrimination that was often levelled against Kiswahili, the national language and other indigenous languages.

These legal provisions will lead to the elevation of other indigenous languages and especially Kiswahili for use in the official and national domains. Kiswahili is set to assume a regional and eventually continental status as the most widely accepted African *lingua franca.* The legal recognition is crucial in the development and dissemination of the language.

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6

The Role and State of Research in African Universities

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Abstract

Research is an integral part of a university system, hence a core business for any university. Universities therefore must emphasize and develop policies that entrench the culture of research.

This paper examines the state of research at universities in both developed and developing countries. Universities in developed countries have been seats of knowledge and have played important roles in knowledge creation, dissemination and development. These institutions are better endowed with financial resources, have well trained and motivated staff and have superb research infrastructure in place.

In contrast, in universities in developing countries, research capacity is underdeveloped due to poor funding arrangements, shortage of skilled staff, low morale amongst staff, lack of incentives to researchers etc. The paper proposes ways of stimulating research in universities in developing countries.

Introduction

Research is an integral part of any university system universally. In a broad-spectrum, universities employ academic staff to teach and conduct research. More often than not the research component is unambiguously entrenched in the acts governing many universities. Such acts usually empower the universities not only to create new knowledge for purposes of supplementing and strengthen teaching, but also to disseminate research findings to target users as a way of contributing to community development. The Moi University Act, for example, clearly stipulates that the University shall develop and transmit knowledge through research: The statute provide for promoting and making financial criterion for establishing facilities for research.

Importance of Research in Universities

The following are some of the important roles played by research in the enhancement of academic development in universities:

• External research funds help universities to expand physical facilities.

• Overall research funds accords the universities international recognition.

• Research enables universities train high quality manpower.

• Research enables universities participate fully in community service.

• Research enables university staff, especially academic, acquire promotion.

• Research provides employment to research assistants/associates and this helps in expanding the university workforce.

State of Research at Universities

Universities in developed countries have been seats of knowledge and have played important roles in research and development, handling more researches as compared to the scenario in the developing world. The main reasons being better endowment with financial resources, well trained and motivated staff and the superb research infrastructure in terms of libraries and the prevalent digital environment.

The developed countries spend between 5% and 10 % of their Gross Domestic Product on research compared to between 0.25% and 1% by the developing countries. They also have a strong private sector support for research of up to 30% of the total university budget. Furthermore, government policies provide motivation for industries to invest in research: tax rebates are usually provided on funds spent on research, coupled with clear policies on sharing of royalties emanating from research benefits and patents. Substantial annual University Research budgets, well organised research offices that assist academic staff in locating funding sources and training staff on writing competitive proposals are the norm rather than the exception. The research offices have also formed a nexus with the donor community Added to the high demand by the university authorities for research and publications, the academic staff strive to sharpen their performance.

State of Research st Universities in Developing Countries

The quality of research in developing countries is low quality and has been steadily declining. Furthermore there is also low demand for research and publications, hence the less prominence given to it. This has, by and large, led to disinterest in research within the university fraternity.

Added to these are constraints on time, owing to shortage of qualified staff, hence high teaching loads. All these factors and lack of facilities and incentives for researchers have led to low morale among staff and underdeveloped state of research in universities in developing countries.

Way Forward for Resaerch in Universities in the Developing World

The universities must emphasise and develop research policies that entrench the research culture. This can be inculcated by demanding research publications from staff e.g. a minimum of one refereed publication per year and /or a minimum of one research project in three years per staff or group of researchers. The recruitment of the Heads or Chairmen of Departments and the Deans of Faculties or schools should emphasize research capabilities.

Provision of financial resources and facilities for research should also be more certain and regular. This is only possible with a substantial annual allocation of funds to the universities' research budgets. Added to these, are an aggressive soliciting of external funds and active lobbying for government financial. Provision of start-up research funding, particularly for young researchers in their early stages would also stimulate research in universities in developing countries.

Another factor necessary for the stimulation of research is the development of information and communication capacity: developing first-rate libraries and enhancement of easy access to the Internet for researchers access the information super highway.

Universities in developing countries can also stimulate research by developing strong research management offices. This would be achieved through:

- Training of staff on competitive research grants
- Market intelligence
- Formation of research consortia
- Creation of centres of excellence
- Aggressive use of networking and taking advantage of the Internet in order to solicit for donor funding.
- Nurture multi-disciplinary research

The universities should also strive towards attracting external research funds as such funds would:

- Provide supplemental funds to develop research infrastructure
- Allow for research linkages
- Often come in convertible currency
- Ease of obtaining employment

It is also important to learn the art of writing competitive funding proposals. While external funding for research is an additional income to the staff and to the university, their sources are not only diminishing but the competition for the funds are also stiff. This is addition to the ever significant changes in the funding agencies.

Components of a Competitive Research Proposal

A winning research proposal is necessary to attract funds whose sources are also diminishing. A good research proposal should therefore have the following components:

- Abstract (Summary)
- Introduction
- Statement of Problem or need

- Project description
- Budget
- Budget explanation/notes
- Special considerations
- Curriculum vitae
- Appendices

Conclusions

In view of the discussions above the following were noted:

- Research is integral part, hence a core business of the university system.
- Research enables the expansion and the development within the universities
- Research is a source of income to the University/staff
- Research at the universities abroad, especially in the developed countries are quite advanced
- Research in the developing countries is rather weak
- Universities need to develop internal policies that uplift research
- Training staff to attract external funds is imperative
- Research is for the development of a country

7

The Need for and Examples of Intellectual Property Policy for Universities in Africa

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Abstract

Universities and research institutions are major stakeholders in patented or commercialised innovations and research findings. This is because these institutions provide the infrastructure for the researcher or inventor to operate.

The paper highlights the importance of intellectual property policy for universities and research institutions. It is observed that universities in developed countries are increasingly becoming more informed on intellectual property rights. Experience from these universities show that significant income can be generated through commercialisation of innovations and research findings. The commercialisation of innovations, research findings and effective utilization of the benefits has also been established as the best way of developing sustainable university-industry links.

It is noted that the performance of universities and research institutions in developing countries, particularly those in Africa, in patenting and commercialization of Research and Development (R

& D) activities is very poor. This situation must change if these institutions are to contribute to the development process.

The paper identifies several stakeholders in the process of commercialisation of innovations and inventions, who have their own interests and expectations. The interests of the various stakeholders are discussed in detail. Based on the conflicting interests, some of the important issues which an intellectual property policy should cover are identified.

Introduction

"Intellectual Property has been transformed from a sleepy area of Law and Business to one of the driving engines of a high-technology economy"

New York Times, 5 April 1999.

The above quotation shows the increasing importance patenting is achieving in the business world. If in the past, economic development was seen in terms of the battle to control land and natural resources as well as market, now the battle is over exclusive rights on new ideas and inventions. This is stimulating patenting activities such that today, some 650,000 patents are filed each year worldwide. Universities in developed countries are increasingly becoming more informed on Intellectual Property Rights. Experience from universities in developed countries show that universities and R&D institutions can generate significant income through commercialisation of innovations and research findings. The commercialisation of innovations, inventions and research findings and effective utilisation of the benefits, has also been established as the best way of developing sustainable university industry-links. This process is therefore being recommended for universities and R&D institutions in Africa.

There are several stakeholders in the process of commercialisation of innovations, inventions and research findings. Each of these stakeholders has their interests and expectations, which in most cases are in conflict with each other. In order to develop an environment in which all the stakeholders can operate and co-operate meaningfully with each other, there is need to formulate an Intellectual Property Policy for universities and R&D institutions.

In this paper, the interests of some of the stakeholders in the process of commercialisation of innovations, inventions and research findings are discussed. Based on the conflicting interests, some of the common important issues, which an Intellectual Property Policy should cover are identified. As a practical example, the intellectual property activities of the Cornell Research Foundation of Cornell University, USA, is briefly discussed.

Need for Intellectual Property Policy in Universities and R&D Institutions

In August, 2000 the author of this paper attended a workshop in Gaborone, Botswana on Financing and Management of Engineering Education in Africa. The Workshop was organised by UNESCO in collaboration with the African Network for Scientific and Technological Institutions (ANSTI). The participants noted with concern that:

1) There are dwindling finances from African governments for the financing of engineering education.

2) The alternative traditional sources of funding for engineering education within the continent have been over-stretched and remain inadequate.

3) There exists in general, weak linkages between industry and the faculties of engineering and technology in universities.

4) There is a lack of drive and innovativeness to optimise on the use of resources within the faculty laboratories and workshops to produce and market engineering products.

5) There are local opportunities beckoning for the provision of consultancy and other professional services but these have remained unexplored and unfulfilled.

Although the above concerns were noted with respect to engineering education in Africa, the situation is similar in all areas of most African universities and R&D institutions. Whereas institutions in developed countries have been generating a lot of income through R&D activities, the performance of universities and institutions in developing countries, particularly those in Africa in patenting and commercialisation of R&D activities is very poor. According to Traore (1999) there were only 643 patent applications between 1964 and 1999 from 15 OAPI countries, namely: Benin, Burkina Faso, Cameroon, Central African Republic, Gabon, Guinea, Mali, Madagascar, Mauritania, Niger, Senegal, Chad and Togo. This can be compared with, for instance, The Massachusetts Institute of Technology (MIT), which had 1500 patents involved in licensing process from 1980-1995.

This situation must change. Universities and R&D institutions in Africa must actively get involved in Consultancy, Research and Development which can be provided by individual staff, departments, research groups or an institution-wide multidisciplinary team. Despite the brain drain of experts from Africa, universities and R&D institutions in the continent are still endowed with some of the best trained and qualified personnel, whose skills could be utilised to generate income for the institutions. This would enhance the realisation of their training as well as R&D missions. It would also contribute effectively to the industrial development of their countries and above all, reduce the loss of experts to more developed nations. From the experience of

universities and R&D institutions in developed countries, significant income can be generated the following activities:

- Royalty and fees from licensed patents from staff innovations and inventions
- Consultancy
- Research contracts
- Universities owned companies and joint ventures
- Provision of patent information services for both researchers and industries
- Provision of business incubation services for own innovations and inventions.

For such activities to be properly managed, universities must have a clear Intellectual Property Policy to govern the conflicting interests of the various stakeholders, whose interests must be considered during the commercialisation of innovations, inventions and research findings. For the purpose of discussion, it may suffice to list the following stakeholders:

- University and R&D Institutions
- Researcher or inventor, research assistants, students and guest researchers
- Industry
- Sponsor
- Technology transfer centre
- National patent offices
- Government and the public

University and R&D Institutions

The university is a major stakeholder in patented and/or commercialised innovations, inventions and research findings. This is because the university provides the infrastructure for the researcher or inventor to operate. The university also pays the researcher salary. In some cases university may also provide funds for research and above all there is also the goodwill in being associated with the university; this may help in obtaining sponsorship and research contracts and also during the process of commercialisation of the innovations and inventions. For these contributions the university may expect the following

- Ownership of the innovation or patent

- Income from the licensing of the patent

- Right to decide on the industry to whom the technology can be sold

- Right to decide on the extent of the rights to be given

- Rights to refuse commercialisation of an innovation if the process is in conflict with the mission and objectives of the university

- As a potential source of income, the university may not want a licensee who fails to commercialise the innovation from the university

Researchers, research assistants and students

In most cases contract research are obtained through the efforts of the researchers. The research activities, in most cases are undertaken with the support of research assistant and students. Sometimes in the case of a big project, a member of a given research group or department may be temporarily released from teaching activities in order to concentrate on the project. Because of these contributions, there may be the following expectations:

- Ownership of the innovation or patent by the main researcher
- Claim of income by the main researcher, his assistants and research group or department

On the other hand, the following problems may be encountered in the process:

- Sometimes the researcher may be required to enter contractual agreement with the industries, and if the researcher is not competent in this, there could be legal complications and financial loss to the university.
- The need for the researcher to publish the results must be catered for his professional and career development but potential innovations and research findings must be guided against *"premature disclosure"* as this may hinder patenting of the invention.
- An industry may provide employment to a research assistant who together with researcher have been involved in the development of an innovation with a commercial potential. In this case the industry would get the technology free of charge and through a backdoor.
- Whereas the researcher and his research assistants are employers of the university, the issue of the treatment of a student may become tricky where.
- Generation of the IP has required substantial use of institutional resources.
- Generation of the IP has resulted from the use of pre-existing intellectual property owned by the university.
- The intellectual property belongs to a set of IP generated by a team of which student is a member.

- The IP has been generated as a result of funding provided by or obtained from the institution.

Sponsor

The sponsor which, may be government, industry or a research institution provides funds for research and development. Sometimes they may also provide facilities for research and may also participate in a joint research and development. For these the sponsor may expect:

- Ownership of the innovation

- Absolute right over the license

- Confidentiality

- Further assistance in the implementation of a commercialised innovation

Technology transfer centre

As already been mentioned, for effective and efficient commercialisation of innovations and research findings, a university requires a technology transfer centre, which operates more or less autonomously. The Technology Transfer Centre undertakes patent search for novelty of the innovations, pays the cost of processing patent applications, marketing and commercialisation the innovation as well as negotiation of the licenses and royalty. For this, the centre expects to have control over the following:

- disclosure of innovation and research findings by the staff

- negotiations and signing of research contracts

- the process of commercialisation of the innovation

- the negotiation for royalties from the licence

Above all, the Technology Transfer Centre would expect to recover the costs incurred in processing the patent application and commercialising the innovations. The centre may also expect further income from the royalty.

Licensee
That is the industry or institution, which purchases the licence for a patented innovation. He pays for the technology and therefore may expect: absolute right and the right to commercialise the technology or not.

Government
The government provides funds for infrastructure, research and other services including funding of the operations of national patent offices. It therefore expects that:

• Innovations and research findings would be used for the development of the country

• No useful innovation will be kept unutilised

Conclusion
It is clear that some of the expectations of the stakeholders arc in conflict with each other. To avoid possible lengthy legal undertakings, there is need for an institution to develop a clear and comprehensive intellectual property policy to harmonise the interests of various stakeholders. Kabudi, (2002) mentions the following issues, among others:

• Disclosure of innovation and research finding

• Ownership

• Contract projects

• Sponsored projects

• Inventions from joint research and development

• Rights of inventions by research assistant, students and fellows

• Distribution of income

- Marketing and choice of a licensee
- Patent processing costs
- Commercialisation of innovations
- Types of licenses
- Responsibilities of the inventors

Cases of intellectual property service and policy
The case of Cornell Research Foundation of Cornell University is an example of intellectual property service and policy, hereby briefly discussed.

Mission and functions
The Cornell Research Foundation (CRF), is the Business arm of Cornell University, USA. It provides services on Intellectual Property Rights and commercialisation of innovations and research findings to all Cornell University employees. It is responsible for obtaining appropriate patents or copyright protection on all Cornell-owned intellectual property. The Foundation's mission is:

- to actively foster creativity and inventiveness in Cornell University,
- support the educational and research mission of Cornell University,
- enhance and protect the intellectual property interests of Cornell University and that of its employees and
- manage these interests for the benefit of Cornell Research and Educational Enterprise and its inventors.

To achieve this mission, CRF undertakes the following functions:

- Determination of the patentabilily of the innovations and inventions
- Evaluation of the commercial potentials of the innovation and inventions

- Obtaining appropriate intellectual property protection
- Locating suitable commercial development partners and R&D collaborators
- Marketing Cornell's intellectual property
- Negotiating and management of licences for Cornell intellectual property

Intellectual Property Policy for Cornell University

To effectively realise the patent functions of Cornell Research Foundation, Cornell University has an Intellectual Property Policy. It is based on the University's primary obligation, that is the pursuance of knowledge for the benefit of the society. Amongst others, the policy regulates issues concerning disclosure, ownership, royalty distribution, marketing, sponsorship, licensing and commercialisation. These are briefly summarised here below:

Disclosure

All staff of Cornell university are obliged to disclose their inventions and research findings to Cornell Research Foundation, and to assist in all phases of patent processing.

Ownership

The Cornell Patent Policy provides that all patentable inventions conceived or first reduced to practice by Cornell faculty and staff in the conduct of university research , belong to Cornell and must be reported to Cornell's Office of Patents. All faculty staff of the University, including research assistants, fellows and students, who provide services under sponsor agreements and others who utilise university resources in furtherance of their research, arc obliged to assign the right of their inventions to Cornell University Foundation (CRF).

Distribution of income

The Cornell Intellectual Policy defines the distribution of the royalties. The following scheme is a guide to royalty distribution.

```
                    ┌─────────────────────┐
                    │  GROSS ROYALTIES    │
                    └─────────────────────┘
                              │
                              ▼
                  ┌───────────────────────────┐
                  │ Less assignable patent and │
                  │ licensing costs            │
                  └───────────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │   NET ROYALTY       │
                    │   INCOME            │
                    └─────────────────────┘
```

INVENTOR'S SHARE		
50 %	<	US$100,000
25 %	>	US$ 100,000

Cornell Research Foundation
Operation and un-recovered patents and marketing costs for all inventions 35 %

REMAINING NET ROYALTY INCOME

Shared by:
Unit and Sub–unit
Inventor's research programme
60 %

Cornell University
40 %
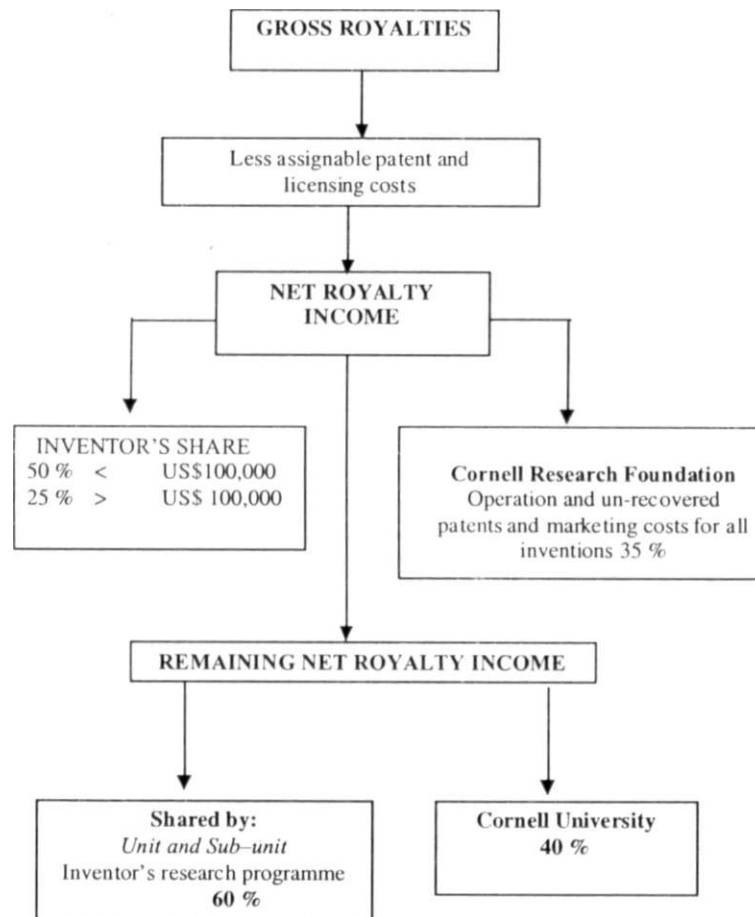
The income generated from the licence and royalty is shared by the inventor, Cornell Research Foundation, Cornell University and the inventor's research group and programme. Normally, CRF pays for all the costs of patenting and commercialising the innovative idea. These costs are recovered from the licence or royalty, before the distribution of royalty.

Federal funding
The US government acquires certain rights in any invention made using its funds. Although such rights rarely inhibit the commercial potential of the inventions and finally, funded invention must be reported to the funding agency and must be acknowledged in the patent application.

Corporate funding
Any research contract between Cornell University and a corporate sponsor has an intellectual property clause, which stipulates the rights the sponsor, if any, will have in any resulting inventions. Although Cornell always retains ownership of any patentable invention developed at Cornell, the rights licensed to a sponsor can range from none to exclusive.

Research contracts
The university also has a policy to any intellectual property that may result from research contracts. Professors are always made aware of the intellectual property clauses governing research contracts, in order to avoid unnecessary legal tassle from damages.

Research contract negotiation
Cornell's Office of Sponsored Programs is solely responsible for negotiations and entering into sponsored research contracts with companies and government agencies. However, CRF is responsible for approval of the intellectual property portion of such contracts.

Premature disclosure

All researchers are obliged to inform Cornell Research Foundation of any publications or planned publication that may disclose an invention. This will determine the time frame for Filling a patent application form if a decision is made to do so since „premature disclosure" may bar patenting.

Licensing

Cornell Research Foundation has put in place systems for effective market evaluation of any inventions and research findings. It maintains contacts with literally hundreds of companies that have potential commercial interests in Cornell technologies. CRF strives to license companies that, amongst other criteria, appears to have the best chance for establishing and maintaining a good relationship with the inventor and his research group. Often, this may mean additional research support and consultancy services. A primary goal for CRF licensing activity is to ensure that Cornell University technology will be brought to the market and benefit the public.

Experience of Cornell Research Foundation

Through Cornell Research Foundation, Cornell University has established that:

• Patents are effective means of deriving economic values from research development and for enhancing support of research activities. Hundreds of Cornell University staff, researchers and their research programmes currently benefit financially from their patented and licensed technologies.

• Patents are often the best ways of developing and disseminating a technology. Unless a patent exists, it is unlikely that industry will make investment in the process of developing and commercialising a product and many inventions will simply „sit on the shelf and benefiting no one.

• Patents are typically essential as a basis for starting companies based on university inventions and discoveries.
• The process of obtaining a patent and marketing it to the industry provides a highly effective means of developing a meaningful interaction between university and industry and strengthening University-Industry Links

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8

Basic Education for Development in Kenya: Realities and Challenges to the Education for All (EFA) Initiative In The 21st Century

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Abstract

One of the most recent commitments is that of attaining the goal of Education For All (EFA) by 2015. Based on the earlier spirit of the 1990 Jomtien Conference that targeted EFA by the year 2000, the new initiative aims at providing quality education by 2005 before addressing itself to the major question of EFA by 2015. Like the previous commitments, this new initiative is faced with serious challenges especially coming at a time when the country is confronted with a myriad of problems. Chief among these are; a depressed economy, increasing population, and HIV/ Aids. These are some of the issues addressed in this paper as part of the context within which the critical challenges of EFA can be examined. The paper argues that unless serious and aggressive policies are undertaken as a matter of urgency, EFA might tum out to be another pipe dream. In the light of the above, the paper proposes certain measures, which can help the country, attain the said goal.

Introduction

That education has a direct relationship to both human and national development cannot be overemphasized. This is the main reason why all countries of the world are ceaselessly investing in the education of their citizens despite serious socio-political and economic problems they have had to contend with. Although education has been the norm in all societies throughout the history of mankind, education as a vital tool for human survival took a different course altogether when United Nations Organisation declared it a human right in 1948, in its Universal Declaration of Human Rights. Education continued to be re-emphasized in subsequent pronouncements. In recent times, the 1989 Convention on the Rights of the Child made education a basic and compulsory right for every individual (UNICEF 1999; Achola & Pillai 2000).

The modern world is undergoing very rapid changes. These have largely been brought about by the process of globalization, which has affected the socio-political and economic aspects of our lives. Of special mention is the power of technology, which has in recent times revolutionized the world. Technology has profoundly affected people's way of thinking and their behaviour. Indeed, the modern man and woman are living in a runaway society. In order to adjust and adapt to these new challenges, humanity has to be well equipped in terms of education. Although this is imperative for all human beings in the world, Africans in particular need to take this seriously and invest heavily in quality education to give an assurance of renewed vigour necessary for facing the world with confidence.

The African continent is singled out because it happens to be the least developed in the world. The continent is also confronted by a myriad of problems as will be revealed later. In a nutshell, Africa's rise to the challenges of the 21st century is largely going to depend on its investments in quality education for its people. A well-educated population actively involves itself in initiating, sustaining

and accelerating social and economic development (World Bank 2000). Investment in education ensures higher socio-economic development through higher labour productivity and enhanced partnerships in the processes of development. Apart from this, education (especially of girls) will result in higher productivity in non-wage activities that improve household welfare by reducing fertility, infant and child mortality rates, improvement in health by influencing nutritional and healthcare practices as well as national cohesion (World Bank 2000; Achola & Pillai 2000; UNDP 2002).

Although all sectors of education are important in matters of development, available evidence shows that educational benefits in quantitative terms are much more manifest at elementary level (Abagi 1997). This then leads to a moral question when deciding on educational investments that ought to be guided by the maxim of the greatest good for the greatest number. Accordingly, developing countries, Kenya inclusive, need to put greater emphasis on the provision of basic education for purposes of achieving broader developmental benefits for their people.

Basic education usually refers to educational activities that cover the initial cycles of formal schooling as well as non-formal education and adult literacy programmes. It is an education that is intended to meet basic needs for human survival namely; the knowledge, skills, attitudes and values necessary for the improvement of the quality of lives as well as assist its recipients continue learning in life. Although the Ministry of Education, Science and Technology (MOEST) in Kenya would like to see basic education encompass the first twelve years of formal schooling (MOEST 2001), this paper focuses on the primary level of learning which has been shown to contribute immensely towards the development of human societies.

The primary level of schooling is critical in educational processes as it forms the foundation on which future learning activities are built. The pedagogical influence at the primary level introduces the

learner to reading habits and intellectual curiosity. Primary education has also been shown to yield higher rates of return necessary for human survival than what is provided at secondary and tertiary levels (Achola and Pillai 2000). As such, the Kenyan government continues to invest heavily in primary education. Its commitment to the success of this sector makes it allocate 87.2% of its social spending on basic education alone (UNDP 2002).

The interest in the provision of basic education by a number of countries and donor agencies especially since the 1960s brought the sector into the global agenda in the late 1980s. This led to what has come to be known as the goal of education for all initiated during the World Conference on Education For All (WCEFA) held in Jomtien, Thailand in March 1990. This gathering provided an opportunity to participating countries across the world to commit themselves towards the provision of basic education for all deserving individuals especially those of the Third World by the year 2000. This paper highlights the realities and challenges to the EFA initiative in the 21$^{\text{sl}}$ Century.

EFA: From Jomtien to Dakar

The provision of education for all deserving cases in Third World countries in general and Africa, in particular, has experienced a long and chequered history. Both the colonial and missionary literacy programmes were on the whole quite inadequate. The reasons for this failure are beyond the scope of this paper. But it suffices to state that only a very tiny fraction of eligible Africans benefited from the colonial system of education and therefore the system failed to provide EFA. It did not therefore come as a surprise when almost each African country made serious commitments to provide adequate educational opportunities on attainment of independence. In the case of Kenya, illiteracy was identified as one of the three main enemies to be fought as a first step towards sustainable development for the

country. This was the spirit behind the Addis Ababa Conference on education held in May 1961, which among other things, deliberated on the provision of basic education. Participants committed themselves to the provision of Universal Primary Education (UPE) by 1980 (Sifuna and Otiende 1994).

After Addis Ababa, other major conferences followed with more or less similar goals. A number of gains were recorded on the continent as a result of these initiatives. For instance, while primary enrolment in sub-Saharan Africa stood at 11 million in 1960, this increased to 53 million by 1980. It is important to note however, that in spite of this achievement, serious problems still persisted. The number of illiterates continued to increase in spite of many promises in subsequent meetings. For instance, while Africa had 100 million illiterates in 1961, this figure increased to 140 million in 1970 and 156 million in 1980 (Sifuna and Otiende 1994). Some of the reasons for this deteriorating trend are, poor systems of governance by dictatorial and repressive governments that domesticated corruption, economic crises precipitated by poor economic performance and the oil shocks of the mid 1970s as well as the problems of debt repayments.

The setbacks towards UPE outlined above prompted the holding of two important conferences by African educators in Nairobi and Lagos in 1974 and 1976 respectively. During these meetings, multi-lateral donors came out clearly in support of basic education with the Lagos conference emphasizing the need to expand and improve primary education. But as the 1970s came to a close, basic education remained a far cry as the African target for UPE proved unrealistic through the normal school system. Other countries in the world had not faired any better. The universal formal education during the 1980s Proved illusory as the general decline in education all over the world became evident. The decade became one of lost opportunities in

matters of development (Gichuru 1998). It was against this depressed background that WCEFA was held in 1990.

The global realities that the conference had to grapple with were:

- more than 100 million children, including 60 million girls had no access to primary schooling,

- more than 960 million adults, two thirds of whom were women, were illiterate and functional illiteracy was a significant problem in all countries,

- more than a third of the world's adults had no access to printed knowledge, new skills and technologies that could improve the quality of their lives and help them shape and adopt to social and cultural change, and

- more than 100 million children and countless adults failed to complete basic education programmes; millions more satisfied the attendance requirements but did not acquire essential knowledge and skills (Inter-Agency Commission 1990: 155).

The WCEFA had three principal objectives, namely:

- To highlight the importance and impact of basic education and renew country commitment to avail it to all.

- To forge a global consensus on a framework for action to meet the basic learning needs of children, youth and adults.

- To provide a forum for sharing experiences and research results to invigorate on-going and planned programmes (WCEFA 1990).

The vision of education, which resulted from Jomtien, **included** emphasis on basic education, early childhood care and **development,** and learning during adolescence and adulthood. The conference thus established six key goals:

- expansion of early childhood care and development, especially for the poor,

- universal access to and completion of primary education by the year 2000,

- improvement in learning achievement based on an agreed upon percentage of an age group (e.g. 80% percent of 14-year olds) attaining a defined level,

- reduction of the adult illiteracy rate to half its 1990 level by the year 2000 with special emphasis on female literacy,

- expansion of basic education and training for youths and adults and

- improved dissemination of the knowledge, skills and values required for better living and sustainable development (WCEFA 1990).

With these goals:

Jomtien marked the emergence of an international consensus that education is the single most vital element in combating poverty, empowering women, promoting human rights and democracy, protecting the environment, and controlling population growth (UNICEF 1999:13).

Progress towards the achievement of EFA was much slower than what was envisaged at the Jomtien conference. Although the general educational decline and setbacks of the 1980s were largely reversed, the main priority of girls' education and the integrated vision of basic education which had emerged from the conference became overshadowed by the drive to get all world's children into Primary school by the year 2000." (UNICEF 1999:15)

The slow pace towards EFA forced the international community to rethink its strategies and commitment to this worthy cause. By the time preparations for the next major EFA meeting in Dakar,

Senegal started, it had already become clear that the 2000 target was a pipe dream. In 1996, a new target to achieve the goals of EFA by 2015 was set by major stakeholders, an initiative readily taken up by the Dakar forum, which stated:

> Despite notable efforts by governments to ensure the right to education for all, the targets set by Jomtien in 1990 had not been met. Progress since Jomtien has been much slower than anticipated in relation to virtually all of the major targets for achieving EFA. In some cases, especially in many African countries, the indicators towards achieving EFA are showing declining trend (MOEST 2001:4).

Just as was the situation in 1990, there were more children (especially girls) out of school, provision of low quality education, illiteracy, low completion rates, irrelevant, expensive and expansive curriculum, low achievement rates, high cost of education and limited sources of financing education as well as low community participation. A combination of all these factors had impacted negatively on the goals of EFA.

The main factors identified by Dakar as working against the goals of Jomtien in sub-Saharan Africa are: increased poverty, mounting debt burdens, HIV/Aids pandemic, poor economic growth or decline, wars and civil strife, rapid population increase, environmental degradation, globalisation and widening economic disparities among and within nations (MOEST 2001).

Amidst all these unfavourable accounts, the Dakar forum held in April 2000 came up with a framework of action that called on participating countries to rededicate themselves and work towards the realization of EFA goals and targets. The specific areas of focus as articulated in Article 7 of the framework are as follows:

• expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children,

- ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality,

- ensuring that the learning needs of all young people and adults arc met through equitable access to appropriate learning and life skills programmes,

- achieving a 50 per cent improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults,

- eliminating gender disparities in primary and secondary education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality,

- improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills. (UNESCO 2001: 39-43). As part of the commitment, the forum asked each country to develop or strengthen existing national plans of action, latest by 2002 (UNESCO 2001).

EFA Initiatives in Kenya
At the time of independence, Kenya like other countries on the continent as discussed in the previous section, inherited a system of education that had disillusioned many Africans because of its failure to meet the people's aspirations. First, education during the colonial Period had been offered on racial lines with Africans being the most disadvantaged in terms of access, retention, participation and achievement. Secondly, most of the African children who accessed

this education happened to come from rich families. The poor as well as the lowly in society were generally neglected. Thirdly, selective provision of opportunities by the colonial government led to serious and glaring regional imbalances. Areas which showed hostility to the establishment as well as those that were not endowed with resources received very little or no attention at all. In order to redress these disparities, the Kenyan government started by nationalising the education system to cater for all the races in the country (MOEST 2001).

The government's commitment to the goals of EFA started in earnest in 1961 by participating in the Addis Ababa conference where it committed itself to achieve UPE by 1980. The 1963 Kenya African National Union (KANU) manifesto also promised a minimum of seven years of free primary education to every child in the country (GoK 1964). Taking a cue from these pronouncements, subsequent education commission reports continued to make pledges on free primary education to all deserving Kenyans.

A more pragmatic step aimed at actualizing the government's policy statements came in 1971 when the government abolished the payment of tuition fee by children coming from districts with unfavourable geographical conditions such as the arid and semi arid areas (ASALs). This was followed by a presidential decree of December 1973, which led to the provision of "free" education (in terms of direct costs) for all children from Standard 1 to Standard 4. This single move raised the number of children enrolled in primary schools from 1.8 million in 1973 to 2.8 million in 1974. In 1980, the entire primary school cycle was declared "free" by the government (Bogonko 1992; Achola and Pillai 2000).

Further initiatives meant to make primary education more accessible to as many children as possible in the country were taken in 1976 by the National Commission on Education Objectives and Policies (NCEOP), which among other things recommended the:

- removal of all fees in primary education by 1980;

- reduction of the then high primary school drop-out rate in order to achieve and maintain UPE in all parts of the country, and

- provision of enough trained teachers to raise the quality of primary education (GoK 1976).

It is important to note at this juncture that whereas the Kenyan government has done well in issuing policy guidelines on education, a critical examination of these documents reveal that they have not been articulating the goals of EFA adequately. Where this has been attempted, one quickly notices that the implementation and realisation of the said objectives have been found wanting, concerns well acknowledged by the government itself (MOEST 2001). It is because of such discrepancies that the government failed to attain UPE by 1980. As a consequence, Kenya enjoined herself to the Jomtien declaration and started working towards EFA by 2000. By so doing, the country, in actual fact, acknowledged that all was not right with regard to her education system despite previous recommendations on its programmes.

Follow ups to Jomtien at country level were done through conferences, seminars and meetings which more or less lauded the previous tangible action plans and policy statements that had been formulated for the purposes of achieving UPE. Apart from these professional approaches, public pronouncements by the political establishment became evident during the 1990s. However, whether or not these statements got translated into action became a different issue altogether.

The government decided to evaluate its progress with regard to the activities that it had initiated in line with the goals of EFA. The 1999 assessment, on the whole, established that the government had taken its commitments seriously, a fact that led to increased investments in education and training hence contributing to

considerable expansion of educational opportunities. Quality and relevance of education had increased access to basic education; there was notable expansion of early childhood education, reduction of adult illiteracy rates, development of non-formal education and other alternative complementary approaches, reduction of unqualified primary and early childhood development teachers as well as bringing on board and strengthening new partnerships. (GoK 1999).

In spite of the above rosy picture, the Kenyan government had not done so well in addressing critical challenges for the attainment of basic education in the country. This was attributed to the failure by the government in appropriating the goals of Jomtien thereby affecting access to education. For instance, the gross enrolment rate (GER) dropped from 95% in 1989 to 75.9% in 1998 (6-14 cohort) while the net enrolment rate (NER) stood at 67%. This shows that a good number of eligible children still lacked access to education, especially in arid and semi-arid areas (ASALs). Dropout rates were also high remaining at 47% since 1996. It was estimated that 55% of the 5.8 million primary pupils drop out before completing the 8-year primary cycle. Transition rates had also been on the decline with less than 45% of those completing primary schooling entering the secondary level. The report also established that the quality of education on the whole had continued to deteriorate especially with regard to the teaching and learning of mathematics and sciences (GoK 1999). The report further identified some of the causes to these setbacks as lack of policy or / and inappropriate policy frameworks, poor economic growth that led to increased poverty, increased cost of education, socio-cultural traditions, attitudes and the **HIV**/Aids pandemic. Others are globalisation with its **attendant** macroeconomic problems such as cost sharing, debt burden, poor internal trade and fluctuations of foreign currencies (MOEST 2001), among other factors.

EFA by 2015: Realities and Challenges
The failure to meet development targets by the year 2000 as envisaged made the international community under the auspices of the UN to set new goals for development for the year 2015. Among other things, pledges were made to:

• reduce by half the proportion of people living in extreme poverty (living on less than SI a day),

• ensure universal primary education,

• eliminate gender disparities in primary and secondary education by 2015; and

• implement national strategies for sustainable development in every country by 2015 (World Bank 2001:6).

It is within this global framework that the new EFA target of 2015 came into being. However, one has to approach this new goal with a lot of caution. For instance, the following pertinent questions can be raised. Is it realistic to target 2015 for EFA after failing to do so for the last ten years? And in the event of failure to attain this goal in view of the magnitude of challenges that confront humanity (especially Africans) today, for how long shall "goal posts" continue to be shifted?

It is not in doubt that the Kenyan government is seriously committed to the provision of basic education for its people in spite of its meagre resources. However, the strain on the country's resources does not match with the expected outcomes. Although the government allocates more funds to basic education than any other social activity, enrolment rates suffered serious decline during the 1990s (UNDP 2002). Kenya is however not the only country that happens to be in this quagmire. There are about 130 million children in the developing world between 6 and 11 years of age who are currently out of school with girls totaling 81 million or about 62% (UNICEF 2000; FAWE 2000; Achola and Pillai 2000).

The story does not rest at this point since among those who succeed in accessing schooling, the dropout rate is again very high. It is estimated that about 67% of the children that enter the first grade of schooling in sub-Saharan Africa fail to reach grade five. Obviously, this lot would not have received substantial knowledge and skills for purposes of survival. Dropping out and repeating of grades impact negatively on the pupils involved and absorb a large share of the limited resources available for education. For instance, it is estimated that countries in sub-Saharan Africa spend US$ 16,167 million (32.8%) on wastage before grade 5, the highest in all developing regions of the world (FAWE 2000).

One of the main factors that contribute to increasing figures of non-enrolment and high dropout rates among learners is the high levels of poverty being witnessed across the world. The 2000/2001 World Development Report entitled; "Attacking Poverty" presents startling figures, which make it almost an impossible task for any meaningful strides towards EFA by 2015. Basing on 1998 World Bank statistics, the report avers that out of 6 billion inhabitants of the World, 2.8 billion and 1.2 billion live on 2 dollars and 1 dollar a day respectively. The figures for Africa arc quite startling since 24.3% of the World's population that subsists on 1 dollar a day is found in sub-Saharan Africa (World Bank 2001). In Kenya, 35% of the population is considered poor. This increased from 26.1% in 1996. Furthermore, over 50% of Kenyans live below the poverty line, which, in essence, means that they cannot access some of the basic needs such as food, health and education. It is feared that if this trend is left to continue unabated, Kenya will have approximately between 60% and 65% of its population living below the poverty line by the year 2015 (Abagi and Olweya 1999; MOEST 2001; UNDP 2002).

The high levels of poverty afflicting humanity, particularly in Kenya, as presented above have been caused by a number of factors. First, the country's economy has been on a serious decline in recent years to the point where it recorded negative growth in the year 2001. Accordingly, the country can no longer depend on this depressed economy for meaningful and sustainable development. It is important to note the following:

First, agriculture and tourism, which have been major foreign exchange earners for the country, have been performing poorly for some time now. Although a number of factors account for this, politics has played an important role in pushing the two sectors under. Secondly, the donor-induced reforms such as structural adjustment programmes (SAPs), the liberalization of the market have led to unfavourable global trade and the ever-increasing debt burden. These factors have played a big role in suffocating Kenya's economy in particular and most of Africa's in general. Kenya for instance recorded high public debt levels in June 1998, with domestic and foreign debt being 37.7% and 68.3% of the gross domestic product (GDP) respectively. More than 66% of the government's budget caters for recurrent expenditure with almost a quarter being spent on servicing the public debt (Abagi and Olweya 1999; MOEST 2001**).**

The problem of HIV/Aids has also impacted negatively on our economic performance both at micro and macro levels. Africa has become a major casualty in the face of this pandemic. For instance in 1998 alone, 2 million people died of Aids in Africa with estimates of 22.5 million people who were living with HIV. Whereas more than 13 million children in the world have been orphaned by Aids, more than 10 million of these orphans are found in Africa (UNICEF 2000). Kenya happens to be one of the countries on the continent that is reeling under this scourge. It is estimated that more than 2 million people are living with HIV while about 700 hundred succumb

to the disease every day. On the whole, the pandemic causes a loss
of Kshs.200 million daily excluding the lost working hours (NACC
2000). These are resources that would have done a lot in reviving
the economy for purposes of development. The effects of HIV/Aids
are being felt in all sectors of education. Apart from the many orphans
that are being forced out of school daily, it is also estimated that
between 4 and 6 teachers die of Aids every day (MOEST 2001).

It is within this broad context of poverty in the country, mainly
caused by a depressed economy among other factors, that a fair
assessment of the EFA target by 2015 should be made. Instead of
marching forward, Kenya's school enrolment is declining. The low
enrolment due to poverty is affecting 52% of the country's total
population. The gross enrolment ratios (GER) at primary level
declined from 95% in 1989 to 78% in 1999. With a decline of 2.5%
every year, it is projected that GER will be only 41.7% by the year
2015 (Abagi and Olweya 1999; UNESCO 2001). According to a
World Bank report (World Bank 2001:6), the current pace of
educational enrolment is unlikely to bring universal primary
education especially in sub-Saharan Africa.

For those children that manage to access primary education the
problem of retention is crucial. Primary completion rates have
remained below 50% since 1990 as shown in Table 1. This trend is
likely to continue for the good part of this decade.

Table 1 Projected primary completion rates

Year	Girls	Boys	Total
1980	.	.	36.7
1985	.	.	60.1
1990	40.5	45.7	43.2
1995	42.1	43.0	42.6
1997	45.8	46.3	46.1
2000	48.0	46.0	47.0
2005	52.0	45.5	48.7
2010	56.4	44.9	50.5

Source: Adapted from Abagi Okwach and Olweya Jacqueline. *Achieving universal primary education in Kenya by 2015   where the reality lies: Challenges and future strategies.* Discussion paper; no. 97/ 99, (Nairobi: IPAR,1999),8

Table 1 shows that girls have been worse hit than boys since 1990. However, this trend is likely to change during the first decade of the 21^{St} century with tremendous improvement on the part of girls while that of the boys will show a slight decline. Going by the current population growth rate of 3.4% coupled with the increasing levels of poverty, completion rates are likely to drop to between 35% and 40% by 2015. Poverty has been identified as the main cause of school drop-out in the country (Abagi and Olweya 1999; Achola and Pillai 2000;UNESCO 20001; UNDP 2002).

The SAPs led to the introduction of the cost-sharing policy in education, healthcare services as well as in other social provisions. Consequently, households are now required to meet about 95% of the school's recurrent expenditure. This has made many families fail o meet their obligations leading to non-enrolment of eligible children and high drop-out rates. As reflected in Table 2, the GERs have been on the decline since 1990 with girls again being more affected than boys.

Table 2 Apparent (gross) intake rates in primary schools by gender, 1990- 1998

Year	Girls	Boys	Total
1990	135.4	128.7	132.1
1991	129.7	122.9	126.1
1992	127.1	121.2	124.2
1993	122.0	116.3	119.1
1994	123.4	117.8	120.6
1995	120.5	113.9	117.2
1996	117.8	112.1	115.0
1997	117.1	111.0	114.1
1998	112.0	106.6	109.3

Source: Ministry of Education Science and Technology; Statistics section.

Conclusion

EFA is facing some very serious challenges that threaten its success and indeed its very existence. The struggle to achieve EFA will not make much sense if people continue assessing it in quantitative terms at the expense of quality. This will comprise quality and even lead to the negation of goals as the system may end up with an overloaded and unappealing curricula, lack of the necessary teaching and learning materials, poor teaching approaches, lack of adequate supervision and low teacher morale among other problems. These aspects are evident in Kenya and unless some of them are dealt with as a matter of urgency, continued investments in education will not be a worthwhile venture as Abagi and Olwenya (1999:8) succinctly put it: "Investing resources in poor quality education is like not investing at all". Poverty is one of the major impediments to the implementation of EFA.

The Way Forward

This report identifies three ways, which may be used to fight poverty:

• providing opportunities such as jobs, credit, infrastructure, markets and health facilities etc to the people for purposes of enhancing the quality of their lives,

• empowering people to take initiatives and participate actively in all decisions that affect their lives both at local and national levels,

• the people's security against both natural and artificial disasters should be assured. This will enable them engage actively in both human and capital investments as well as high-risk ventures including businesses.

These proposals will not yield the expected results as long complacency at work remains. Instead of moaning over societal misery, there is need for serious commitment towards the achievement of the said goal. Apart from addressing issues of poverty, the problem of HIV/Aids pandemic, though related to poverty in many ways, has to be dealt with as a matter of urgency. This problem has almost reversed all the previous gains in education especially in sub-Saharan Africa and if left to continue unabated, then there would be no need to embark on EFA at all.

There is an urgent need to mobilise more resources to support primary education. For instance, the government can prioritise the sector in terms of budget allocations .The Ministry of Education budget has, between 1980 and 1997, allocated 56% to primary education compared with 17% and 16% to secondary and university education respectively .This translates into very high per capita expenditure (Ksh.70) at university compared with (Ksh.5) and (K.sh.1) for secondary and primary levels respectively .Obviously ,this is not a prudent way of utilising resources as it is heavily skewed towards the provision of tertiary than basic education, while the latter benefits more people in terms of laying the foundation for life skills and opportunities (UNDP 2002).

Bold steps should be taken to realise the goal of EFA by 2015. It is therefore important to appreciate the new government's initiative of providing free primary education since 2003. Indeed, this is a step in the right direction. Since the inception of the programme in January 2003, it is estimated that over 1.5 million children previously unable to access this level of learning are now enrolled in various schools in the country. Although the implementation was done in haste that occasioned unprecedented congestion especially in urban schools, the goodwill so far extended towards this courageous initiative by the international community and various donor agencies will no doubt go a long way in realising its objectives.

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9

School Dropout: The Role of Management of Sexual Maturation in Primary Schools in Kenya

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Abstract

Less than 50% of children enrolled in Kenyan primary schools complete that stage of their formal education (GOK 2001) What accounts for this state of affairs has been the concern of not only educational research but also the government and its development partners (Sutherland 2002). Exploratory studies suggest, among other factors, poor management of the process of sexual maturation by the school.

This paper highlights important factors that lead to poor management of sexual maturation in our schools, and how this impacts negatively on retention in school and thus education, with future effect on development. The paper also provides suggestions on the best ways to improve the management of sexual maturation in attempt to curtail school dropout.

Key Words: Sexual maturation, management, education

Introduction

The demand for education in Kenya remains high and the government and households continue to invest heavily in education. Studies and official reports, namely Comprehensive Education Section Analysis (CESA 1994), Master Plan on Education and Training (MPET 1998) however, indicate that the education system in Kenya has experienced a decline during the last decade. This trend has been evident especially in the primary school sub-sector. Not only have enrolment rates been on the decline but the retention rates have also remained at below 50%, Republic of Kenya (ROK, 1998). The current trend in the education sector has been attributed to several factors; key among these is the increase in household poverty, with almost half of the Kenyan population living below the poverty line.

No significant attempt, however, has been made in this country to carry out in-depth studies on sexual maturation and the acquisition of life skills. Indeed sexual maturation, especially menstruation, remains within the realm of 'secrecy' and a 'no discussion area'. Low school participation could be related to a problematic girl's sexual maturation and the accompanying physiological, psychological and social processes, and the management of this process, especially at the school level among others.

This paper discusses what sexual maturation is, how it is managed in schools through the curriculum subjects, the problems and effects it engenders and has on boys and girls. While placing emphasis on the need to manage sexual maturation the paper gives suggestions on how its management could be improved.

Definition of Sexual Maturation

Sexual maturation is conceptualised by different people differently. Kariuki and Kakonge (2000) showed that most primary school children had a good idea about the meaning of sexual maturation.

According to them, most boys perceived the process of sexual maturation from a sexual angle. Boys therefore described the process "as a time when one is 'able to have sex', 'able to have children', 'ready to have sexual intercourse', attracted to the opposite sex."

On the other hand, girls perceived the process of sexual maturation as the period of transition from childhood to adulthood citing specific changes to the body.

Parents from different schools were reported to have varied perceptions of it. Those from rural schools had a more difficult time describing it, due to language limitations. However, most of them described it as a period when teenagers start becoming interested in the opposite sex.

Parents from urban schools on the other hand were reported to describe the process as transition from childhood to adulthood; that is, it was synonymous with adolescence. The findings further showed parents from slums to have different perceptions about the process of sexual maturation. While some perceived it to mean children 'being difficult and rebellious' others associated it with maturity, responsibility and being grown up. Most teachers' descriptions of sexual maturation were fairly accurate. This could have been due to their knowledge of the process from science classes. They also gave it some sexual connotation; being sexually mature to be able to reproduce.

Curriculum planners on the other hand had a more accurate description of the process. This accuracy could be due to their role in the preparation of the syllabus. They commonly related the process to the physical and behavioural changes experienced by boys and girls as they transit from childhood to adulthood.

All these perceptions are to some large extent correct. Maturation is actually the process of growing up. This growth is accompanied by physical, physiological, emotional, functional and behavioural changes.

Problems Associated With Sexual Maturation

Research findings by Mugenda (2001) show that most problems reported

related to change of behaviour and relationship between boys and girls. Her study identified the following as significant problems:

- Wastage of time while writing letters to each other or just spending it on trying to make oneself to be noticed by a member of the opposite sex.

- Violence by jilted friends especially boys.

- Shyness by girls due to enlarging breasts, this may result in bad posture due to stooping while trying to hide enlarging breasts.

- During menstruation, girls who are not well informed about what to expect get worried, isolated and moody Some even drop out of school.

- As boys and girls develop, they want to act like mature people. Unfortunately they tend to copy the negative behaviour like being rude, refusal to follow instructions, and insisting on having their way.

- Many boys and girls withdraw due to embarrassment and shyness associated with acne and perceived 'bad' body shapes. Boys refuse to talk much or to read in class when their voices break. Girls on the other hand refuse to lift up their hands to ask or answer questions for fear that their enlarging breasts will show.

- Due to feeling of being mature, some boys may get involved in unfavourable behaviour like smoking, drinking and sometimes promiscuity especially in the rural areas. Normally they want to copy what they see the grown up men do and particularly the negative behaviour.

- A lot of pupils start seeking freedom leading to conflict with school and home authority. If freedom is granted without the necessary ground rules, serious consequences follow.

- Extra demands by growing children e.g. own rooms to guarantee privacy and non-interference, more clothes etc.

Negative Effects of Sexual Maturation on Education

The problems mentioned in the previous section are bound to affect education negatively. They could be a barrier to the acquisition of basic learning skills and competence, particularly those competencies (such as literacy and numeracy), which demand regular and sustained attendance at school (Sutherland 2002). Mugenda (2001) reported the effects of sexual maturation on learning from varied perceptions (students, teachers and curriculum planners).

These can generally be summarised as follows:

- **Lack of Concentration:** This could be due to attraction to opposite sex, embarrassment for various reasons associated with growth (especially menstruation for girls and erection of penis for boys).

- **Lack of Participation in Co-curricular Activities:** This comes about due to embarrassment brought about by shyness due to menstruation, enlarged breasts or enlarged genitals for boys.

  Participation in co-curricular activities is crucial because these activities enhance learning. However, some pupils, both boys and girls, are reluctant to participate.

- **Lack of Participation in Class Interaction:** Class interaction through discussions, asking and answering questions greatly enhances learning. Some boys may not participate at this stage due to shyness about voice breaking. Girls on the other hand may be reluctant to raise up their hands and answer or ask questions due to fear of "exposing their enlarged breasts".

- **Shyness:** This factor is bound to affect learning because it limits interaction leading to withdrawal and avoidance of participation in most activities that enhance their learning. Shyness could be brought about by perceived bad appearance caused by acne, body changes such as breasts enlargement in girls and early bearding in boys and the fact that others discuss them and make them feel embarrassed.

- **Dropout:** This is reportedly more prevalent in slum and rural schools. Here learning is reportedly affected due to frequent absenteeism and various factors such as lack of equipment and sanitary towel to manage menstruation. Other factors are prostitution, pregnancy, rebelliousness, lack of interest in learning and absent- mindedness.

These attributes are normally caused by mood swings associated with sexual maturation and confusion caused by unexpected body functions and changes.

Besides this, some cultural practices perform rites of passage to coincide with this period. These practices and in particular circumcision, has been noted to cause mass drop-out in some schools due to the newly acquired status of adulthood that accompanies initiation rites.

The Need to Manage Sexual Maturation

A special focus on managing sexual maturation is justified on the basis that successfully navigating the process by which a 'child' becomes an 'adult' is the most fundamental of all life-skills (Sutherland 2002). One needs not look further than the **HIV**/Aids pandemic to understand the extent to which acquisition of knowledge about sexual and reproductive health (this is what management of sexual maturation entails), and the capacity to use this knowledge effectively has become a life and death issue for young people. Educating children on 'sexual' maturation is of paramount

importance in that it reduces the anxiety associated with the process, which in turn affects the learning process. However, the contentious issue is about the best person to provide the kind of education. The extended family played a major role of educating children on the physiology of sexual maturation and sexual control. With increased modernisation, most of the traditional set-ups have disintegrated leaving this role to parents who in turn feel embarrassed to deal with this delicate subject. To a large extent, the role has been abandoned by parents to teachers and house maids who are not well equipped with the facts related to the process of sexual maturation (Mugenda, 2001).

The impact of not providing children with adequate information about the process of sexual maturation can be very damaging (Sutherland, 2002) at the very least. It makes the process of sexual maturation - which is a challenging and confusing period anyway - much worse than it needs to be. Further, the absence of authoritative information allows all sorts of myths and misinformation to flourish. This situation can exacerbate any fears that children might have about the natural process of maturation (e.g. Menstruation and erections). In addition, serious health issues (such as HIV/AIDS, child abuse, and unwanted pregnancies) are made more difficult to tackle as they are not given a broader context or framework within which to understand or address them. For example, with regard to the critical issue of HIV/AIDS prevention work, consider how much greater the impact of this work would be if it were being undertaken in a context in which:

a) The starting point was widespread, age-appropriate and accurate knowledge about the human body, sex and sexuality was known.

b) Children felt comfortable (and able) to ask questions to clarify any issues which they did not understand.

Besides this, studies conducted in Kenya by Kariuki and Kakonge (2000) and Mugenda (2001) revealed that boys in particular appear

negatively affected by an absence of accessible and accurate information on the processes of sexual maturation. In part, this is because of the sharply defined and monitored gender boundaries around what can be discussed, and with whom, in relation to sexual maturation (Sutherland, 2002). Boys tend to be actively excluded from discussion about girls' maturation, and little attention is paid to their own.

According to Sutherland (2002), many boys report feeling resentful and confused about not being given information in order to understand changes taking place in their own bodies, as well as those they observed taking place in girls in their class. Without an adequate framework for understanding girls' (and their own) changes, they resort to inappropriate behaviour such as teasing and joking) to deal with their confusion. This tends to contribute to hostile institutional culture around these issues.

Management of Sexual Maturation in Kenya

Exploratory studies supported by the Rockefeller Foundation in Kenya conclude that there is lack of a systematic approach to manage sexual maturation in schools. Research shows that teachers are not trained in this subject. Beyond the desire to be given more knowledge in the area, most teachers blame the Teacher Education system for not adequately preparing them for the challenges associated with the teaching of sexual maturation. They reportedly feel 'shy' and 'embarrassed' when talking about sex and sexuality. Lack of training and knowledge in this area has left many teachers feeling uncomfortable about teaching this area. They therefore employ avoidance tactics by either leaving it completely out of the syllabus or teaching it in a deliberately obscure way. Neither approach gives pupils the information they need.

There is also the language issue. Language barriers exist at many different levels, but all work towards making the passing on of accurate and accessible information that children need about sexual maturation is more difficult. The teachers tend to use English language mainly to avoid questions.

The question of menstruation for girls is handled with a lot of difficulty. Many male teachers, in particular, find it difficult to deal with. It is perceived as a female issue and no man wants to talk about it. Similarly female teachers and particularly young ones find difficulty in dealing with male sexuality.

Another significant reason for poor management of sexual maturation in schools is that the subject is not examined by the Kenya National Examinations Council (KNEC) and it is expected to be covered in Home Science where it has been largely ignored.

An additional reason underpinning the reasons why children in the primary education system are not given adequate information around the process of sexual maturation is that there is a dearth of instructional material. Further, the education system as a whole is undermined by failing to provide an adequate and appropriate value system through which children can be guided into safe and healthy adulthood. Withholding sensitive information from children, could be an attempt by teachers to preserve their innocence, or because teachers feel too uncomfortable to engage in the issue of sexual maturation. Far from protecting them, many in fact prove harmful, as children will seek out this information from other sources, most notably their peers and the media.

It should be noted that the education system in Kenya has lost an important opportunity to provide vital information and also failed to offer direction and guidance in a vital area of children's lives. Perhaps the most visible example of the education system's failure to manage sexual maturation effectively is overcrowded and overflowing toilet stanzas that exist in far too many primary schools

in the country. Beyond being health hazards, they are symbolic of the failure of the education system to provide essential facilities to ensure that children (especially girls) are not excluded from full participation in the system due to their maturation. In mind are facilities for managing menstruation and the general school sanitation.

Conclusion

Inadequate management of sexual maturation has the most visible impact on full participation of children within the education system. Proper participation in class is undermined when girls' confidence and concentration is affected by worrying (for instance) about accidental leakage during their menstruation.

It is highly likely and particularly for girls that one of the reasons for absenteeism is the paucity of facilities to assist them in managing their menstruation. Missed lessons can lead to missed school days and ultimately to dropping out altogether. Since education is a tool for development, any barriers to it will impact negatively on future development of the country.

Suggestions

To address the issues raised above the following are suggested:

• Provision of well written and illustrated materials

• Attending to the process by which the materials are developed.

• Development of a strategy to ensure that age-appropriate information is given to children beginning as early as possible. Attention to the process of growing up should start from a very early age.

• Teachers need to be thoroughly trained to become very comfortable with the materials.

- There is need to pay attention to language to 'make it accessible and understood by both teachers and students.
- Parents should be involved in the management of sexual maturation.

In total, reversing the negative cycle of the poor management of sexual maturation involves providing children with accurate and accessible information. The education system, particularly at the primary level, needs to play a critical role in this regard. A teacher to whom the responsibility of educating the youth has been handed by parents, is the key to improving the management of sexual maturation in primary schools. Hence, any successful interventionist programmes aimed at primary schools will need to impact on teacher training programmes, as on the primary education curriculum, if real and sustained change is going to occur in this area.

Egerton University, Kenya has started an interventionist programme to look into the area.

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10

Making Women and Girls More Visible in the Fight Against HIV/Aids in Kenya

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Abstract

Apart from the general impact that HIV/Aids has had on the general population in Kenya, it has particularly had a unique impact on women and girls. In Kenya, among the factors that contribute to the vulnerability amongst women and girls arc inequality, poverty, illiteracy, lack of capacity to use protective measures against HIV/Aids, inaccessibility to accurate and reliable information and powerlessness. This paper addresses these gender factors that make women and girls more vulnerable to HIV/Aids, women's empowerment, gender education for all and the need for commitment from all sectors in creating gender equity.

List of Abbreviations

PLWA   People/Person Living With Aids.

TASO   The Aids Support Network

UNAIDS   Joint United Nations Programme on HIV/Aids

UNDPI   United Nations Department of Public Information

VCT   Voluntary Testing and Counseling

WHO   World Health Organisation

WOFAK   Women Fighting Aids in Kenya

Introduction

When Aids first became an issue of concern about two decades ago, it focused on the high mortality of men especially among gay men. In Kenya it was focused more on prostitutes. Throughout the world the incidence of HIV/Aids has increased dramatically among women and yet the effect on women and girls has largely been invisible. Africa remains with the most staggering figures of HIV/Aids, with the largest numbers being in sub-Saharan Africa. About 10% of the populations of countries like Kenya, Uganda, Malawi and Zimbabwe have been infected with the virus.

To be diagnosed with HIV in Kenya is almost synonymous with a death sentence, since the management for prolonged life still requires lots of resources that are beyond the reach of the majority. The highest infection rates are in those cultures where women have little power to alter the sexual habits in their own families. Women are more vulnerable because of cultural norms, which restrict power in all areas of their lives namely: family, educational opportunities, legal systems, inequality, poverty, illiteracy, lack of capacity to use protective measures against HIV/Aids and inaccessibility to accurate and reliable information. To complicate their situations even further, many women whether infected and/or affected have to deal with

this disease in the context of care giving responsibilities for their partners and children. Women also bear the responsibility for making guardianship and custody arrangements for their relatives' children. This has particularly created a major challenge on women in Kenya, where it is estimated that the number of AIDS orphans will be 1.5 million by the year 2005.

The girl child on the other hand is more vulnerable than the boy child to HIV/Aids from many fronts. These include biological, socio-cultural and economic factors. Current statistics reveal that 22% prevalence among girls aged from 15 and 19 years is higher than that of women between 40 and 49 years. Girls also face an additional burden if and when orphaned by HIV/Aids. In such situations, girls do not only become socially isolated because of the stigma but they also take up the responsibility of looking after their siblings.

The role of women in development cannot be underestimated and with the HIV/Aids challenge facing Kenya today, special attention must be focused on women and girls. For decades now, it is well known that for any country to thrive it has to ensure that its women have the freedom, power and knowledge to make decisions affecting their own lives and those of their children and their communities. This paper looks at the gender factors of HIV/Aids focusing on the role of education in empowering women as they deal with this challenge.

The Gender Factors of HIV/Aids

HIV/Aids is a tragedy of devastating proportions in Kenya. Almost every person in Kenya has been affected by this tragedy in one way or another either as the infected, as carer of the infected, as an employer, as a friend, neighbour and relative. By June 2000, it was estimated that 1.5 million Kenyans had died of AIDS and it is estimated that the cumulative numbers might rise to 2.5 million by the year 2005 if effective interventions are not put in place. It has

already been documented as mentioned in the introduction that HIV/ Aids seems to have a feminine face as there is more prevalence among women than among men. In this section of the paper gender is looked at as a factor in this tragedy.

We now look at the factors contributing to this situation in order to design ways of dealing with them.

Biological factors

Biologically, women and girls are much more vulnerable to getting infected than men and boys. The passage of HIV virus is said to be two to four times more effective from a man to a woman than vise versa. The surface area of a woman's body exposed during intercourse is also larger than that of a man, thus increasing the probability of infection. When seminal fluids arc deposited in the vagina, especially in unhygienic conditions, they stay longer, hence increasing the chances of infection. If a girl has sex especially at an early age, it means that she is more exposed than the boy since her mucosal surface is still tender. The danger is even higher if the girl is having sex with an older man who might end up hurting her or if there is also use of force. Various research findings already indicate that this is a very common practice in Kenya where older men prefer to have sexual relationships with younger girls mainly under 21 years of age. Research on youth sexuality in Africa continues to reveal that sex especially for girls is often coerced and violent and to some extent this is accepted as the norm by both males and females (LoveLife 2001).

Just by their biological make up, it is also more difficult for women to detect when they are infected with Sexually Transmitted Infections (STIs), hence making them more susceptible to HIV infection. In relation to STIs, girls are said to be at an even higher risk than older women (except menopausal women). The cervix of the young girls may get eroded during intercourse potentially

increasing the risk of STIs and HIV. Young girls face potential bleeding especially at first intercourse through the tearing of hymen, this in itself increases chances of infection.

Cultural Practices and Myths

There are harmful traditional and customary practices that make women and girls more vulnerable to HIV infection than men and boys. Commonwealth Secretariat (2002) lists them as early marriage, wife inheritance, wife cleansing, inserting objects or applying certain powders to make the vagina dry in order to feel tighter for men. Others include female genital mutilation and stitching of the vagina to help retain virginity.

Culturally, women in many Kenya communities have tended to marry men who are older than them. This means that the older men are more likely to be infected with HIV/Aids having had more sexual partners than the girls. In Africa, as in many developing countries, Aids is a family disease. The most common mode of transmission is heterosexual. The main route being men passing it on to their wives who pass it on to their children during pregnancy and birth. As Heymann (1995) notes, children born to HIV positive mothers have 14% to 45% chance of contracting the virus and are likely to loose their mothers during childhood, and most of these women do not even know they are infected.

In some communities, it is also believed that having sex with a young virgin will cleanse men of the virus. This has led to many innocent girls being raped by HIV positive men. There are also men who do not want to have protected sex thinking that the young inexperienced girls are safer. They thus lure these young girls with money in order to have sex with them.

Some cultural norms on sexuality condone that men's sexual needs are so strong that they cannot resist the urge while women should to be submissive to the men and must therefore give in to

men's sexual demands. As a result of this, men cannot control their sexual urge. These contradictions make men to take pride in the number of sexual relationships they are able to have while on the other hand women are not supposed to reveal that they ever had sex. In this regard, women are expected to appear ignorant as far as sexual matters are concerned. This has meant that many women and especially young girls just beginning to have sex are reluctant to demand for protected sex lest they appear 'loose'. Many women are therefore reluctant to buy condoms or even demand their use for fear of being accused of enticing men to have sex with them.

Similarly, Kaleeba, Ray and Wiltmore (1987:64) writing about the situation in Uganda, noted that promiscuity is only understood in the context of women and say:

A man with multiple sexual partners is just a strong man,
but a woman with multiple partners is promiscuous.

Wife inheritance, where practiced, has been a major disadvantage to women and even young girls. In some communities in Kenya, it is still a requirement that a woman is married off to her brother-in-law once her husband dies. Before this is done she first has to sleep with a 'professional' inheritor.

Popular culture on the other hand has not done any good to help remove the myths of men being sexual animals while women are supposed to sit back and wait for the men to conquer them. In most of the "soap operas' that are very popular with both young and older people, men who become glorified and heroes are those who seem to have sex with several women while the women seem to plead for love from these heroes. These messages are mainly silent on the risks of such relationships and there is hardly any mention of HIV/ Aids or even other STIs. A girl growing up in Kenya is still getting similar messages as her mother got. For instance she is not expected to negotiate on sexual matters. She should wait for the man to ask for it and she must appear quite ignorant about it, otherwise she might be mistaken for a prostitute.

Most of the adverts in the media appear to pass the same message as was passed by the traditional cultures. A good example is the advert for 'Trust condoms' where two young girls are admiring a young man who has a condom in his pocket. They are portrayed as being very shy to talk about it and they even call themselves stupid to have noticed him. The clear message in this advert is that girls are not to ask or even talk about sex. It is the responsibility of the man to ask for it and to decide whether a condom will be used or not!

The condom remains one of the known effective methods of prevention against the sexual transmission of AIDS but as already mentioned many women are culturally restricted from even suggesting its use.

Due to all these inhibitions, many women find it difficult to open a discussion on Aids and/or on condoms at home (Kaleeba, Ray and Wiltmore 1987). In most societies in Africa and in Kenya, a woman's primary role is to bear and nurture children. A childless woman usually has a very low social status and if she does not get boys she still has to struggle to keep her husband or will have to accept getting a co-wife. The risk of being in a polygamous marriage cannot be underestimated. The issue of getting boys has made many women to continue giving birth in order to safeguard their marriages even when they are already infected with HIV.

Poverty

Worldwide, there are increasingly more poor women than poor men, a phenomenon commonly referred to as the feminization of poverty (Commonwealth 2002). Currently statistics reveal that 51% of Kenyan population live below poverty line and most of these are women (Magambo n.d). The scenario as Annan (2003) rightfully noted, is because even before falling ill, a woman will often have to take care of her sick husband thereby reducing time that she would

spend on an economic activity. When her husband dies, she is often deprived of credit and or land rights making her even poorer.

Home-based care that has become the only practical option to Aids patients is only contributing in making women poorer and more vulnerable. When a woman falls sick she is normally taken care of by her daughters or female relatives. This leads to a vicious cycle of poverty as these girls have to start fending for their siblings once their parents die. Rich men are quick to offer them money in exchange for sex thus exposing them to the same virus. This explains why girls tend to get infected at a much tender age than boys with most of the infections occurring between ages 15 and 25 years, compared to that in boys coming almost ten years later.

Studies from both developed and developing countries reveal that there is generally lack of financial control among women with male partners (Delphy and Leornard 1992). Similarly UNDPI and UNAIDS (2001) note that family resources are more likely to be used for buying medication and arranging care for ill males than females. Furthermore, unequal access to healthcare and the gender gap in medical knowledge contribute to a situation where women in both developed and developing countries have shorter life expectancies than men after diagnosis of Aids (UNAIDS 1997).

People living below the poverty line live a life of survival. What it means is that a disease that may kill them ten or so years to come is not as much a threat as going without a meal. This is the reality that most women who work as commercial sex workers have to deal with. Discussions with commercial sex workers in Nairobi slums have revealed that they cannot demand use of a condom unless the customer chooses to do so, as this may put off the only customer they may have for that day. They have decided that those who want 'flesh to flesh' pay more for the service. Indeed these poor women are more concerned about avoiding pregnancy than contracting a disease that may not even show up until after 10 years since they

are sure that an extra child would bring immediate trouble. This explains why most of them admit to be on contraceptives, but not condoms as they have little control over its usage even when already infected. The main problem is poverty as they have no bargaining power, the slogan of 'the customer is king', is in such situations taken much more literally!

The problem of economic dependence amongst women goes beyond those living below poverty line. As long as we still have very high unemployment rates and increasing retrenchments, even university graduates are ready to offer their bodies in exchange for employment or just some pocket money. Many women lack the economic independence that would improve their bargaining power, hence their inability to negotiate for desirable relationships. This situation is even worse for girls when they find themselves being lured with money by older men. High levels of illiteracy, inaccessibility to accurate and reliable information on Aids prevention and lack of capacity to use protective measures compound the girl child's vulnerability to HIV infection.

Poverty is also forcing many families to marry off their young daughters early in exchange for bride wealth. The increasing number of men seeking younger wives believing that they are not infected also increases the demand for younger girls. These girls are not only more biologically and physiologically vulnerable but, are also more likely to be illiterate, hence economically dependent on their husbands and also have poor reproductive health as a result of early intercourse and child bearing.

Lack of Appropriate Sex Education and Double Standards

The major challenge facing Kenyan people especially the youth is lack of appropriate education on HIV/Aids. Research in Kenya found that 54% of the youth do not believe condoms protect against HIV infection (*Daily Nation* correspondent, 2002. As already argued,

young women are at the highest risk yet they are generally disregarded in strategies for responding to the epidemic.

There is still no clear policy on sex education in Kenyan schools and no agreement as to what its content should be. The question is what kind of education people get and how effective it is in changing behaviour. It is well known that although people may have knowledge, the problem comes in change of attitude and consequently change of behaviour. The main challenge to sex education is the double standards as to the information that girls get since it is totally different from what boys are told. As mentioned in the section on cultural practices and myths, there are different sets of sexual values for men and women. Women and girls continuously get the message that they should not question male unfaithfulness while men are told that they can be unfaithful as long as they are not caught. This makes it difficult for boys to stop experimenting with multiple sexual partners while girls are supposed to just take this as men's habit. The role played by popular culture, press/media, and advertisements in making girls to remain powerless as far as sex is concerned cannot be underestimated.

Several studies (Kumar, Nikki, Larkin and Mitchell 2001; Rivers and Aggleton 1999; DeBruyn 2000; UNAIDS 2001 etc) confirm the fact that young women who show knowledge about sex and reproduction may be seen as promiscuous and risk getting a tarnished sexual reputation. For many girls, discussions on sex matters are limited to warnings about its dangers and about the importance of preserving their 'honour'. Women and especially girls are expected to be passive on sex matters, which leaves them with little control over when, where and how sexual activities occur, including the use of condoms.

Even the church in some cases continues to apply double standards on matters related to sex. Recently, local dailies cited a Catholic nun who was expelled from her religious community for

getting pregnant. The Priest who impregnated her was on the other hand suspended for three years. These double standards continue to make women even more powerless and vulnerable. The question the Bishop who only suspended the priest should have asked himself is how the nun will take care of her baby as a single mother while the father remains safely under the protection of the church.

Stigmatization, rejection and culture of silence

Despite the realities of infection patterns, gender stereotypes allow women to be blamed for spreading HIV and other STIs. Usually it is said that sex workers or casual girlfriends infect men. Consequently women are blamed for men's unfaithfulness.

If HIV infection is discovered first in a wife, perhaps because she is the first to be tested mostly when she is pregnant or when her young child falls sick, she is usually the one to be blamed. The husband may refuse to be tested and even if he is and found to be infected he is likely to blame the wife as the one who got the infection first. This may make the woman to be labeled as promiscuous, abused, abandoned or even killed. The man may then seek to marry again, often to a younger woman who is believed to be uninfected and therefore safe and who in turn gets exposed to HIV (Commonwealth 2002).

In Kenya, HIV infection is still associated with promiscuity. Consequently, HIV positive women face greater stigmatization and rejection than men. Even when they try to reach health benefits they are more likely to be treated with spite as 'bad mothers' and 'deserving' of HIV/Aids. This may make many women to stay away from seeking help from health facilities.

The whole issue of the stigma associated with HIV and the question of how one got it has a bigger problem for women and girls. Sex and death are two issues that human beings are yet to come to terms with. At the same time the denial of women's sexuality

and the social assumption that they must be 'pure' make it very hard for them to acknowledge any other sexual experiences before marriage. For a woman to even make it known to her husband about her former relationships would be to court divorce. The silence, stigma and fear of rejection associated with HIV/Aids is a major factor making both men and women not to come out in the open about their HIV status. No one, especially a woman, wants to initiate a discussion on the topic lest they are accused of being unfaithful.

This stigma associated with Aids is also the main reason for the denial that many people are living with. To acknowledge that someone is infected or has died of Aids is taken to mean that the person was 'loose' morally regardless of the circumstances under which the virus was acquired. Many people are quick to blame the victim and even those associated with him or her. This is indeed worse for women as Aids is associated with sexual immorality. Generally this attitude blocks women from assessing their own risk and discussing risk behaviors and situations with their spouses and partners. Aids-related stigmatisation and the extra burden brought about by the disease worsens existing gender inequalities, thus increasing women's vulnerability and exploitation.

Marriage Relationships
The impact of marriage relationships on HIV/Aids cannot be under estimated. This stems from the importance of marriage and family relationships in most women's lives. As much as we may agree that families have been and continue to be a base for protection of women, the same families have been found in many occasions to be a source of oppression and pain. Jackson (2000) argues that it is in marriage where many women are bound in unequal relationships with men.

In many cultures sexual needs of males are acknowledged more than females'. This dominance of male needs and denial of female needs impedes open discussions between the sexes and limits couples

chances of achieving mutually satisfying, respectful and safe form of sexual behaviour. Sex within marriage should be a source of mutual pleasure and bonding rather than only a duty and a condition for procreation. It should not be viewed as something dirty that couples cannot discuss openly. However, the reality is that it is in marriage or in regular relationships where women may have difficulty in negotiating for safer sex, such as use of a condom as this implies lack of trust yet these relationships are supposedly based on trust. Unfortunately it is through these trusting relationships that many women have met their death.

Domestic violence is another common aspect within marriage that has an implication on women's risk of getting infected with HIV. Women who are abused within marriage are at even higher risk of getting infected with HIV as their partners are more likely to be alcoholics and therefore more likely to forcefully have sex with them. Violence between intimate partners is often connected to marital rape. Coerced sex and other forms of abuse lead to HIV risk (Commonwealth, 2002). Violated women are also less likely to have a voice to challenge their spouses even when they suspect infidelity. A UNAIDS (2001) study in Tanzania and Zambia showed that women specifically avoided raising issues of condoms with their husbands for fear of violent retaliation. In Zambia, fewer than 25% agreed that a woman could refuse to have sex with her husband, even if he was known to be violent, unfaithful or HIV positive. The worldwide prevalence and tolerance of violence against women at individual and societal levels seriously limits their abilities to protect themselves and their children from sexually transmitted infections. All forms of coerced sex increase the risk of STI/HIV infection (WHO, 2000).

Recommendations

Having looked at the special needs of women and girls in this era of HIV/Aids, the most important task is to look at the way forward. It must be recognised that HIV/Aids is not only a health problem but one that affects all aspects of life. It therefore requires a response from all sectors, and as academics we have a crucial role to play, especially on gender aspects of the problem. In view of this the following are suggested:

Self help and social support groups

- This focuses on group therapy, which will help women infected and affected by Aids to deal with all the pain, anger, desperation, guilt and stigma associated with the condition. Such groups should be started both in the communities and in our educational institutions. The groups can act as empowering forums for women and girls to be able to take charge of the sexual, social and economic needs.

- To reach men and boys, it is important that men's networks are formed so that they too have a place where they can share their experiences with other men especially those already infected. If men can be involved a lot more in the sex education programmes then this will help a great deal to change their attitudes. It is a high time that men learnt that it is no longer 'macho' to have multiple sexual partners. Slogans like "great men say no to sex before marriage' should be heard more frequently. Men too require social support just like women.

- Following on the slogan, "celebrate life", that was recently launched in Kenya, there is great need to target all the 87% uninfected Kenyans. This could only be done if they can have some power to choose when and with whom they can have sex. But as long as the stigma continues then who wants to be involved

in an Aids network? We can work with those already living positively with the disease and reach out to those not infected - prevention is still the best way to deal with this disease.

- Peer counseling which has been seen to be very effective especially amongst the young needs to be encouraged in schools and communities. More young women and men should be trained as peer counselors with an emphasis on their own empowerment and self- esteem. These qualities can then be transferred to other young people being counseled. The peer counseling groups can act as social support groups within the school and or community.

Breaking the silence

- Talking openly about HIV/Aids should be encouraged. It has thrived for too long in silence and it continues to finish our people. Let us educate all, men and women, boys and girls. Young people must know all there is to know about HIV/Aids before they become sexually active. They should be able to talk about it, amongst themselves and with adults. This might save them from the scourge.

- HIV/Aids messages should be positive and not moralist so that they remain sensitive to those already infected as this helps to reduce stigma. Any message on prevention that tends to have moralist undertones only makes those infected to feel ashamed while the uninfected avoid being associated with the problem as it is only for people who are immoral. I have in mind billboards and adverts that continue to give messages like 'be safe, stay faithful, love carefully' etc. The message to the infected is that they loved carelessly, yet we know that majority of women and girls infected with HIV got it from spouses or partners that they really trusted. More positive messages focusing on the facts like 'you cannot catch HIV from casual contact, be compassionate to the infected, be friends, lets fight Aids but not those infected' should

help to make people see the need for positive living and be ready to know their status.

- The current campaign in Kenya to encourage people to go for voluntary testing and counseling (VCT) is a good step. On this line of being sensitive to the infected, in all their adverts where they are using pop stars, none of them is implied as being infected. By implication, it still makes people fear if they discovered they are infected. It is no wonder that they have yet to gain the popularity they should. The fear still looms and the stigma continues. All those who have '*chanukaad*' in the VCT messages are implied to be free. So why not also give one who is infected, who sounds positive about it and encourages others that there is truly a life after one is infected. The impact would also be more if influential people can come forward and declare their status.

- Similarly, use of phrases like 'mother-to-child transmission' need to be changed to 'parent-to-child' to remove the blame on women. This would be an important step towards reducing gender-specific stigma (Commonwealth 2002).

Gender Education

- There is need to factor in gender issues in all education campaigns. Whatever messages being passed should be gender sensitive. For example the emphasis on male condom use, staying faithful to one partner, leave women and girls more confused as they fail to address the social, economic and power relations between men and women. There is need to have more long term education strategies that address the underlying social and cultural structures that sustain gender inequality (Commonwealth 2002).

- All education programmes, from primary through to university must be gender sensitive and aimed at promoting gender equality. It is evident that there is a strong connection between gender studies

and equality between women and men. However, there is considerable ignorance on what gender studies really are, even among the academics. In effect gender studies need to be included in the curriculum from primary schools targeting boys and girls. These programmes should examine and discuss sex-role stereotypes and to sensitise all from early ages on gender issues. They should encourage the use of non-sexist language both in the teaching methods and teaching materials used. Teachers should, as much as possible, act as role models to the pupils and students by being gender sensitive especially on matters of sexuality as we have noted their impact on girls' and women's powerlessness on sexual relation.

• Schools can play a positive role in helping both learners and teachers to cope with the problem of HIV/Aids since education plays an important role in the socialisation of people. It has even been described as a 'social vaccine' against the epidemic since 'the more educated the less HIV' (Loewenson and Whiteside, 2001). Learning institutions have a social responsibility to reach out to communities and women's organisations to ensure that the correct information on HIV/Aids reach all. Academics should take initiatives that will eliminate gender-based discrimination and inequality and create community solidarity in combating HIV/Aids and making its effects less severe.

• As academics and researchers we need to be aware of cultural differences and be sensitive on how to handle different people as far as illnesses, deaths, etc. are concerned. This especially calls for understanding gender issues in each culture that we find ourselves working in. This should assist us in knowing the areas that require change as far as gender inequality and discrimination are concerned. We must work on our own attitudes of sexual orientation, towards different cultures, drug users and alcoholics

etc. in order to design training programs that are not just moralistic in their messages but are also sensitive to all and not discriminative.

Involve men in prevention campaigns

- Men should be provided with the information about the gender dimension of HIV/Aids given that they have a lot of control on sexual matters. Only when men are fully educated and empowered can problems like rape, wife inheritance, early marriages and wife battering be eradicated.

- Given that the most readily and affordable condom is still the male one, men have to be taught about the importance of its consistent and proper use. There is need to change attitudes on both men and women that the use of condom reduces pleasure or it should only be used with prostitutes.

- Educating men and boys to change their sexual attitudes is very crucial. As long as men continue to believe that a large number of sexual partners is a prove of masculinity, then no one will be safe. I suggest that this kind of education be given by men who are respected in society in "men only" forums.

Attitudes of medical personnel and all health providers

- There is need for a political will to do all that is necessary to promote gender equality and address gender discrimination against women in all HIV/Aids interventions. I have in mind here the attitudes of medical personnel who have been known to be particularly more hostile to women and girls if they have a sexually related complication. Women and girls generally feel a special anxiety, vulnerability, fear of being labeled sexually immoral if discovered to have a sexually related problem or simply fear of discomfort associated with most medical examinations. For women infected with HIV/Aids these feelings are even deeper as they fear being treated with contempt. The health providers therefore

have an obligation to be very sensitive to the special needs of women. There is need to train medical personnel on skills of forming positive relationships with HIV/Aids women due to their vulnerability taking cultural considerations in mind. It would also help if most of the examinations are done by women who themselves should be aware of the gender inequalities that women face making their problem of HIV infection unique. Anderson (2002: 33-34) provides a detailed guideline on how health providers should treat women and girls infected by HIV/Aids:

The health care provider-patient relationship begins with where the individual woman is. To be most effective, it must a partnership based on mutual trust and respect. Every individual deserves respect. Do not be condescending or patronizing. Under no circumstances should a patient be treated as a sexual object, particularly when assessing risk behaviours

• My personal experience has shown that health providers can be very insensitive to peculiar needs and circumstances of women and girls and therefore they require specialised training especially on social issues of communication, respect and gender issues.

Material assistance

• Becoming HIV positive generally has more economic impact on women than on men. As researchers we have an obligation to find out what can be done in areas of policy for those in formal and informal employment. This can be done by promoting gender responsive workplace prevention and care programmes; encourage companies to provide education on the epidemic, integrate HIV/ Aids prevention and control into companies' health policies; develop work policies that are non -discriminatory.

Female Condom

• This is relatively new in Kenya but experiences from countries
  like Zimbabwe show that its use should be encouraged in Kenya.
  It is the only preventive measure available to women that they
  have control over. The question of its affordability lies on a multi-
  sectoral approach and a political will. Given the progress that has
  been achieved on the pricing of anti-retroviral drugs, the female
  condom should not be an exception. An important issue for
  planners is ensuring access to the female condom for people from
  all economic and educational strata.

Conclusion

Women and girls infected and/or affected by HIV/Aids have unique
medical and social problems and challenges. To understand and assist
them, it is important to take an all-round approach or the systems
approach. This would mean looking at their situations as products
of the other systems and structures in the whole society. We are
therefore called upon to view women and girls in this age of HIV/
Aids from all aspects of their lives including not only their medical
needs, but their economic needs, relationships, their emotional
responses, culture and communities.

   There is need for a gender-based response to HIV/Aids which
must focus on how different social expectations, roles, status and
economic power of men and women affect and are affected by the
epidemic. This kind of response will analyse gender stereotypes
and explore ways of reducing gender inequalities.

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