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***ARE WE ON THE RIGHT TRACK? PARADIGM REVIEW BY CSOs
AS DEVELOPMENT ACTORS***

Theme: CHALLENGING PARADIGMS FROM SOUTH AND EAST



by Rebecca Tanui, Kenya
coordinator of the
Building Eastern Africa
Community Network
(BEACON)

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What is development?

In a world where there are rich and poor people, development is about reaching the poor people and helping them improve their lives. Indeed, development is a complex term that takes in many different forms. When talking about countries, development means reaching an acceptable standard of living for all people. It means that people have the basic things they need to live. It means that all the people have the right to make choices about their lives and have opportunities to improve their living standards.

Development is the empowerment of people to determine their cause of development. It is social transformation that is sustainable to both people and environment.

Which political and economic concepts are conducive to development and which ones are burdensome to development

Political concepts conducive to development

Respect of human rights - human rights can help create the legal and political environment conducive to development. The claim that development takes priority over respect for human rights, or that failure to respect human rights is an unfortunate price to be paid until countries reach a sufficient level of prosperity to afford the luxury of human rights is contrary to Article 6 of the Declaration, which establishes the principle that all human rights, including civil and political rights, must be respected as part of development. Specifically, “states should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic, social and cultural rights.” Discrimination is also mentioned as incompatible with this right and the Declaration calls for effective measures “to ensure that women have an active role in the development.”

The Declaration does indeed affirm that “States have the right and the duty to formulate appropriate national development policies” but it immediately qualifies those policies as being those “that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and the fair distribution of the benefits resulting therefrom.” The right to development thus implies that development policies should be revised to meet the human-centered and participatory elements of the definition contained in the Declaration.

More significantly, human rights realization is part and parcel of the development process according to the core definition of the right to development, set out in Article 1, namely, the right of every person and all peoples “to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” This means that development objectives and policies must be pursued in such a way as to advance all human rights. Infrastructure projects that deprive people of their right to adequate housing or financing an enterprise that discriminates against women would be unacceptable.

Moreover, “fair distribution of the benefits” of development and nondiscrimination in development, as set out in Articles 2, 6 and 8, if taken seriously, require a significant redistributive impact of development objectives and policies. This requirement of equity in development was a core message of the *World Development Report 2006*, which was spot on it affirming “Perhaps the foremost example of the development of international principles of equity is the international human rights regime.”

Passages already quoted stress that the right to development, properly understood, requires that the entire population benefit from development according to a “fair distribution.” This principle challenges the excessive and corrupt practices of many countries. It also challenges IFIs to focus on more than currency stability, growth, and market efficiency. A recent IMF study, for example, showed that social safety nets and pro-poor spending are important in time of financial crisis and “the aim should be to have safety nets as permanent institutions to be deployed as needed” to protect the poor from income loss during crises. The Declaration also calls for “equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income.” Redistribution to meet the needs of the poor makes economic sense, in addition to being a requirement of the right to development.

Although the terms “accountability” and “transparency” do not appear in the Declaration, the consistent interpretation of its meaning has included these elements of good governance and elimination of corruption. This dimension is also implied by the requirement that “Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.” Anti-corruption, which has such a high priority for many financial and development institutions, is an essential component of the right to development.

The interaction between democracy and development – genuine democracy characterized by the rule of law, respect for human rights and recognition of the dignity of all human beings, cannot be maintained unless people enjoy a minimum standard of living, which in turn requires a minimum level of development. Democracy cannot be conceived of without freedom, but it also entails the rule of law and the voluntary restrictions that result from it, in other words the existence of a common rule issued by those who have been chosen by the people to define its content.

Justice is a precondition of democracy. Justice guarantees the exercise of democracy as it serves to enforce the principle of equality before the law, the right of all individuals to express their opinion within the society in which they belong and the right to be heard and to put their case. Democracy is therefore viable only if it has a reliable independent judicial system. The free participation of citizens is a second precondition since it allows them to exercise their right to freedom of thought and to be different. It also enables civil society to express itself not only within a nation but on the international scene – something which is becoming a necessity in an increasingly interdependent world.

Development on the other hand is the whole range of economic social and cultural progress to which peoples aspire. In order for it to be complete, development needs to be cultural and social, and more broadly to take into account all the factors that help individuals to fulfill themselves.

Any development strategy must be reinforced by democratic participation in order to be implemented. It is a fact that, if human rights are to be guaranteed and if democracy is to work, communities and individuals, both men and women need not only to have access to justice but also before that to be aware of the law and to understand it. Similarly the lack of justice directly compromises development, first because it encourages mismanagement and corruption and second because it discourages investments and economic changes.

Sustainable development – According to the Brundtland commission, ‘sustainable development is a process of change in which the exploitation of resources, the direction of investments, the orientation of technological development and institutional change are made consistent with future as well as present’ (1987)

The quest for sustainable development has to confront the values, interests and the power behind the capitalist international division of labour. However, the new environmentalism focuses on the global ecosystem rather than the sustainability of local societies. The definition of the global is made by the power brokers than the poor. The proposition that we are all citizens of the earth tends to lead to the conclusion that we are equally responsible for environmental degradation. It is important to recognize that there are great inequities in resource problems and consumption habits internationally and intra-regionally. Sustainable development attempts to create conditions conducive to development and the elimination of environmental degradation.

Human security and human development – From its origins, the United Nations has recognized that armaments drain essential resources from development. The link is implied in Article 26 of the UN Charter, which tasks the Security Council ‘...to promote the establishment and maintenance of international peace and security with the least diversion of armaments of the world’s human and economic resources...’ For over half a century the international community has struggled with how to achieve this goal.

Arms drain essential resources from development. Recent international meetings, such as the Johannesburg Summit and global commitment to the Millennium Development Goals (MDGs) have drawn attention to the fact that development will not move forward if conflict and insecurity are not addressed.

The 1994 United Nations Development Programme’s *Human Development Report* was a milestone in linking security and development; the first sentence of the report states ‘The world can never be at peace unless people have security in their daily lives.’ Human development places people at its centre, and insists that economic growth is not an end in itself. A human security perspective incorporates non-military elements that can contribute to or reduce conflict, including poverty, human rights, migration and health issues. Human security has demanded that we deepen the concept of security, from the state down to the individual level and up to the regional and international levels. Increased focus on why individuals engage in conflict has highlighted that unmet needs – economic, social and political are a contributing factor to conflict.

Neo-liberal policies- Neoliberalism seeks to transfer control of the economy from the public to private sector. The neo-liberal policies have led to:-

- Growth in international trade and cross-border capital flows
- Elimination of trade barriers
- Cutbacks in public sector employment
- The privatization of previously public-owned enterprises
- The transfer of the share of countries' economic wealth to the top economic percentiles of the population

Criticisms

- Globalization and liberalization is often argued to have subverted nation's ability for self determination
- Exploitation- neo-liberalization has coincided with a rise in human trafficking, many international companies have been found to have outsourced jobs away from markets in which laborers are protected to those that are not
- Environmental costs. More transportation, more industrial production in unregulated markets
- Increased vulnerability to international insecurity

What is the role of civil society and social movements in the process of development in Kenya?

Civil Society and democratization process – CSOs continue to play a major role in the democratization process with strong emphasis on the principles of good governance. The last decade 1992-2002 was marked by great contestations featuring the ruling elite and social forces mobilized under human rights and governance civil society organizations. This decade epitomized civil society maturity in Kenya where civil voice constantly drowned the voice of the political elites. During this period various professional organizations and church based organizations contested the state of human rights violations and targeted constitutional changes.

Besides being in the fore front in challenging state power in the interest of the masses, the church has also served with relative success as an agent of change focusing on economic development, and training people in order to improve their economic conditions and establishing a mechanism of communication between the government and the people on economic issues

Advocating for the rights of the minority and marginalized groups- It is no doubt that women are highly marginalized group in a patriarchal system like the one in Kenya. The women through the women movement have charted the way for other marginalized and minority groups for instance the disabled and pastoralists groups to demand for their rights. The women's movement in Kenya has an old history of mobilization and organization into informal and formal groups, networks and coalitions that runs back to the pre-colonial period and mainly directed toward mutual social economic support, solidarity and empowerment¹.

Women's organizations have played fundamental roles in the development of various regions in Kenya. With the inability of the state, especially the second republic to adequately respond to the demand for services by citizens, such organizations have stepped in. Women groups engage in various social-economic activities that envisage income generation as well as social-cultural activities. Due to their social significance, both international and national development NGOs as well as donor groups work with them as entry points to the grassroots.

According to the Kenya National Bureau of Statistics (KNBS), women and girls comprise the majority of the country's population at 51.4% yet human development indicators are lower for women than men thus, high poverty incidence among the former². These disparities extend to the health sector where women and girls are classified as more vulnerable to HIV/AIDS. The rate of infection among girls in the age bracket 15-19 for instance, is five times that of their male counterparts³.

This gloomy picture for women however, is rapidly changing in Kenya thanks to the civil society institutions that better represents women than public institutions. Through advocacy and vigilance, various women's organizations-specifically women's groups have played a noble role in widening public space for women. As argued by Maina, Atsango and Owiti, the opening of the political space in 1990 prompted women and gender organizations to increasingly address questions of access to power and political space – through the formation of organizations like the Federation of Women Lawyers (FIDA-K), League of Women Voters, the Women's Political Caucus and Women's Political Alliance among others⁴. In spite of the landmark achievements, women still have a long walk toward ensuring gender equity in national decision-making.

Civil Society as a nursery for national leaders and an agent for community empowerment

The civil society has been evidently active in Kenya since the early 1990's and has cut a niche in the body *politik* in general and in the process of human development in particular. Although in the early stages the relationship between the state and the civil society was clouded with conflict and suspicion, the latter has cultivated a positive relationship with the state and has become an

¹ See Monsted 1978; Musyoki and Gatara 1985; Pala 1975, 1976; Nzomo 1993c.

² See Welfare Monitoring Survey 3 of the Central Bureau of Statistics, (1997)

³ Tony Johnson, "Domestic Abuse in Kenya", 2002. p52

⁴ Maina, Atsango and Owiti, "An Analysis of Power in Kenya and Implications of Pro-Poor Policy and Swedish Support to Kenya", 2005.

imperative actor in development⁵. Most outstanding is that civil society institutions have established a direct link with people at the grassroots through Community Based Organizations (CBOs). This has greatly enhanced the interaction between the people, civil society, the government and the international community⁶.

The civil society especially the religious groups, labor and professional associations, human rights groups and the media play intermediary roles between the state and citizens, provide arenas for political participation and promote accountability of the political class⁷. Depending on the strengths of other mainstream political actors especially parties, civil society organizations have the potential of influencing national politics in their own respective ways. The professional groups and unions for instance, protect the interests of segments of the population rather than the general principles of national governance.

In some instances, the civil society directly contributes to the national leadership structure especially in the event that a pro-democratic party or movement emerges victorious in elections. This was the case in Kenya following the 2002 political transition. Consequently, Civic leaders were drawn into official positions in government and party hierarchies thereby deflating CSOs popular political energy and weakening voluntary organizations.

Owiti, Aluoka and Oloo to a length discuss the role of civil society in the context of transition politics and specifically in view of the implications of regime change in 2002 in Kenya⁸. They observe that before the transition that brought the ruling coalition NARC to power, the civil society had many professionals who constituted the think tank supporting the reform movement. With NARC's ascendancy to power, a portion of the professionals joined the government thus presenting an unanticipated challenge to the civil society. They note that:

Not only is the new government constituted of many former civil society activists; it has also outsourced several professional personnel from the sector. Indeed, given that some of the programs to be initiated by the new government are fundamentally the issues fronted by the civil society over the last two decades, such as the war against corruption and protection of Human Rights.

This depicts the contribution of the civil society to the national leadership structure in Kenya. In fact, it seems like a godsend opportunity to the civil society to directly pursue reforms and implement programs within the policy making circles of government. However, the trio are quick to caution that "the civil society must be wary of any government attempt to infiltrate and even co-opt it" since they are likely to lose control over the process if they affiliate their activities to the state bureaucracy.

⁵See Mudavadi M., 2002; Owuochi S. and Jonyo F., 2002

⁶ Mudavadi M., "Rethinking Development in Africa in the 21st Century: The case study of Kenya", 2002. p35.

⁷ Bratton M. and Van de Walle N., "Democratic Experiments in Africa: Regime Transitions in Comparative Perspective", 1997.

⁸ Owiti J, Otieno A. and Oloo A., "Civil Society in the New Dispensation: Prospects and Challenges" in Okello Dan (ed). "Civil Society in the Third Republic", 2004.

Contribution to Policy Discussions and Formulation

The most marked increase in recent years has seen CSOs as contributors to policy discussion and formulation processes. Representatives of the CSOs are invited to attend sectoral planning, the most current being the PRSP. Despite the increased attendance at policy formulation meetings, questions remain over their actual impact.

Participation is by invitation and often only to those who do agree with the processes of the government. Labour Unions are for instance not invited neither are human rights activists. Inclusion of the CSOs is also often on the basis of their perceived prospect to add value to the process, rather than on any conception of a democratic right to contribute to policy formulation.

It is also common that CSOs are invited to discuss some issues such as social development as opposed to political and macro economic issues. The role of the civil society in pushing for a people-driven process in the formulation of a comprehensive land policy cannot be timely now in Kenya than ever before. It should be noted that land redistribution and matters of equity constitute agenda four of the National Mediation Team and is well articulated in the Bomas draft Constitution in its original form.

Advocates and Lobbyists

CSOs are putting pressure on the both policy formulation and implementation. This is played by CSOs at the national level and often by international CSOs. Influence through pressure is often limited by the broader political context in the country. Challenging the government can be labeled opposition and perceived as illegitimate.

Monitors and Watchdogs

CSOs are monitoring the implementation of human rights. They serve as watch dogs for particular interests but more specifically the voiceless majority.

Mobilisers

The CSOs are raising awareness particularly among the poor by building the capacity of the poor people. They mobilize people to be part of influencing policy formulation and its implementation.

Service delivery

- Most of the CSOs provide services to the poor.

Other CSOs roles include but not limited to:-

- Advocates of the people
- Empowerment of the rights holders and duty bearers
- Facilitators and agents of change

- Evolving alternatives to the discriminations and marginalized policies
- Involvement in policy development, articulation and monitoring implementation

What do you expect from CSO partners from other countries?

- Advocacy
- Sharing of experiences between North and South, and South and South
- Linking with the southern NGOs to challenge but also to act in the North and South on policy issues that are unfriendly to the South.
- Create a critical mass in terms of lobbying and advocacy – making positions to develop common strategy
- A north - south redefinition of partnership where there is need to develop platforms and forums for equal partnership and engagement. Need for the CSOs to openly discuss the development agenda and practical innovation and to penetrate the government horizontally e.g. the WSF is one such mechanism.

Key challenges in the South

- Empowerment of people to utilize their resources in determining their own development
- You cannot talk of development without speaking of spirituality in the south. In the south for holistic development we need to look at spiritual and the role of spirituality in our relationship with nature – Latin America, Asia – Buddhists, Christians, Africa – Christian. Spirituality focuses on a different relationship to from one of exploitative to caring and using that which is relevant
- Sustainable ecology and environment
- A just and equitable produce and sharing of resources of the globe
- The current mode of development is unsustainable

Role of CSOs

- Advocates of the people
- Empowerment of the rights holders and duty bearers
- Facilitators and agents of change
- Collaborators and complementers

- Evolving alternatives to the discriminations and marginalized policies
- Recognition of faith and values is critical
- Involvement in policy development articulation and monitoring implementation