›› POLICY BRIEF
ISSN: 1989-2667

FRIDE
A EUROPEAN
THINK TANK FOR GLOBAL ACTION

Nº 83 - JUNE 2011

Supporting Africa's new civil society: the case of Kenya

Manuel Manrique

›› The 2007-08 post-electoral violence in Kenya, in which over 1100 people were killed, caused bewilderment among donors and exposed the failings of the democratisation process and international engagement with the country. The episode illustrates the limits which international support for civil society organisations (CSOs) involved in democracy promotion currently faces. While shortcomings have existed for years, recent trends such as a predominantly young and urbanised population, a growing middle class and the spread of Information and Communication Technologies (ICTs) have exacerbated them. In Kenya and other African countries, all of this is contributing to the formation of a new layer of activists and organisations. This emerging civil society includes potentially key drivers of democratisation which remain largely invisible to donors as they do not fit the model of externally-funded Non-Governmental Organisations (NGOs). If European and international actors want effectively to support democracy in this new scenario, they need to re-examine their engagement with Kenyan civil society. Supporting this new civil society in Kenya – and the rest of Africa – requires revised tools, fresh perspectives and a readiness to adopt an accompanying, not leading, role among the emerging group of organisations working for democratic consolidation.

HIGHLIGHTS

- International support for Kenyan NGOs working on democracy promotion faces important limitations.
- An emerging layer of activists and initiatives is changing the tools and discourses through which democratic demands are voiced.
- Donors should respond to this by reassessing their relations with, and even ideas of, domestic actors.

DONORS AND DEMOCRACY PROMOTION IN KENYA

The 2007-08 post-electoral violence can be seen as a symbol of Kenya's shallow democratic reforms, adopted since the fall of the Berlin Wall. Across Africa the post-Cold War period was one of apparent political liberalisation – four competitive multiparty systems existed in 1990; not a formal single party state remained five years later. However, the cosmetic

nature of some reforms soon became apparent: excessively presidential systems allowed incumbents to use state resources and coercion to create an uneven playing field. The international response was optimistic and inadequate: their limited demands and emphasis on elections legitimised incumbents. As a counterbalance, donors empowered CSOs, expecting these would limit excessive state power. This hopeful attitude meant the odds were overwhelmingly in favour of incumbents. In Kenya, President Moi ended the single-party regime in 1991 under donor pressure; during the following decade he used the levers of power to remain in the State House and economically exploit the country. Moi coerced the opposition and promoted ethnic polarisation, with violence increasing in the 1992 and 1997 elections. His warning that multipartism would trigger ethnic conflict became a self-fulfilled prophecy.

Faced with a divided opposition and a coercive state, CSOs became the spearhead for democratic demands. The National Convention Executive Council (NCEC) – formed by churches, human rights groups and trade unions – was most active, showing its opposition through street demonstrations. Despite financially supporting CSOs, donors' low expectations of African democracies helped Moi stay in power, as they accepted limited state reforms and convinced the opposition not to boycott the fraudulent 1997 elections. In 2002, when the National Rainbow Coalition (NARC) defeated the Kenya African National Union (KANU) and a peaceful changeover of power took place, a feverish optimism grappled the country – and infected international actors supporting Kenya's democratic transformation.

Donors felt as if the end of the road had been reached, and ignored ominous signs that the new Kibaki administration was suffering from the same ills as the previous one. NARC did not 'walk their (tough) talk' on corruption and failed to address essential problems threatening Kenya's democratisation and stability: unequal wealth and land distribution; poverty and unemployment; and ethnic polarisation. Donors' positive view was only shattered when violence gripped the country in 2007. Yet polls showed that while Kenyans maintained their support for democracy, their satisfaction with the system had already decreased sharply by 2005.

In conversations held with civil society members during a recent visit to Kenya, the general feeling was that donors failed to grasp the nature of Kenyan society. International actors, and some domestic ones, failed to analyse the country's power structures and adopt a theory of change that recognised the country's transformations. Economic growth, demographic changes and technological progress have altered key aspects of society, yet international engagement has been, by and large, limited to a specific set of interlocutors, whose representativeness and effectiveness in the democratisation process has been questioned.

The visit confirmed the findings of the 2010 FRIDE 'Assessing Democracy Assistance' report, which presents a civil society sector dominated by externally-funded NGOs and much less vibrant than during the 1990s. The sector also faces important challenges: reduced funding levels, increasing competition for qualified human resources from the private sector, government and even those very donors funding them. Problems are compounded by donors' rigid funding models, which further fuel this CSO 'brain drain'. Although externally-funded NGOs working on democracy promotion will remain necessary in the immediate future, activists and academics see the dominant project-based funding model as outdated and inefficient. Some even doubt the representativeness of these organisations: not only are they generally Nairobi-based, but they also have a narrow social base. Dependency on external backing also raises the question of legitimacy and sustainability: how can democratisation efforts be effective if donors are not working with, what an experienced activist describes as, the 'real drivers of accountability for Kenyans'?

A CHANGING CIVIL SOCIETY

Some of these 'real drivers' are new, and many stem from the socio-economic changes Kenya has

undergone during the past decade. Fast economic growth has contributed to an emerging Kenyan middle class which a recent, albeit controversial, African Development Bank (AfDB) report puts at 45 per cent (double the proportion in 1990). A robust middle class can strengthen democratisation efforts, and CSOs that recognise this and turn into inclusive broad-based organisations should constitute a referent for donors. An example is Kenya's National Taxpayers Association (NTA), established in 2006. Through its Citizen Report Cards (CRCs), it aims to improve government accountability and service delivery associated with Constituency Development Funds (CDF) (devolved funds which will constitute 15 per cent of the budget from 2012). Furthermore, with only 5-10 per cent of Kenya's budget coming from aid, it is reasonable that organisations promoting broad domestic accountability lead the push for better governance. These CSOs' work is compatible with donor funding (NTA is an example), but it may not always be so. Grassroots movements working for democratic consolidation, like Bunge la Mwananchi (People's Parliament), may reject external funding and consider it as an interference. This may reduce donors' space, but it must be seen as a sign of a growing and sustainable democratic constituency.

Some of these real drivers of accountability are new, and many stem from the socio-economic changes Kenya has undergone during the past decade

Beyond the growing middle class, two other processes have altered Kenyan society and the prospects for democratic consolidation. Although wholly independent, their transformative power is best seen when put together. First, demographics – over 70 per cent of the Kenyan population is under 30 years of age. Second, the impressive spread of ICTs, especially mobile phones. Mobile phone penetration reached 50 per cent of the population in March 2010; by the end of the year it stood at 63 per cent. The combination of a young, increasingly urbanised population and the spread of mobile phones and internet access (2 out of 3 Kenyans connect to the internet through their mobiles) is having an important impact on the demands for accountability and democracy.

The iHub, a luminous fourth-floor office space, is the centre of an emerging community of web and mobile apps developers, some of whose activities can transform the push for democratic consolidation in Kenya. Bringing physically together a largely virtual civil society has been possible thanks to the team behind what constitutes – together with the mobile money system M-PESA – Kenya's most successful technological export: Ushahidi (testimony). This mapping software was developed in the first days of the 2007-08 violence, and it tracked incidents and peace efforts amid the chaos using reports sent by citizens through the web and SMS. Since then, the crowd-sourcing software has been employed in different contexts, from the Haiti earthquake to electoral monitoring in Mexico and Kenya's own 2010 Constitutional referendum.

The Ushadidi team's latest project is HUDUMA (service), an application which maps citizens' reports of service delivery problems (via web, email, SMS), as they are forwarded to state officials for consideration. This m-governance initiative enjoys donor and government support and is a clear example of the tools and discourse employed by this emerging civil society. The key concepts – which these young activists constantly use to articulate their demands – are accountability and transparency. These concepts inspire not only HUDUMA, but also another leading initiative, Mzalendo (patriot): a volunteer-run project making available to citizens information on their MPs' profiles and the latest legislation. Mzalendo has recently teamed with Ni Sisi, a grassroots organisation pursuing similar goals founded in 2009 by former anti-corruption officer John Githongo.

Although still embryonic, these initiatives can influence Kenya's democratisation process in a number of ways. Firstly, through ICTs they directly

››››››

provide political information to citizens, which would otherwise remain hidden. ICTs are also used to gather society's feedback regarding service delivery and related governance aspects. Beyond this direct impact, which can also allow 'traditional' NGOs to increase their representativeness, the small but influential layer of activists and new organisations are also shaping political discourse in Kenya. The language of transparency and accountability has gained a new momentum in a country where secrecy and obscurity have traditionally dominated the political system. Some traditional media and even government itself – which has recently called for citizen views on the 2011/12 budget and announced the creation of an OpenData website – have picked up on the importance of this. However, important doubts about the government's commitment remain: the recent budget reading did not comply with the new constitution, official data is in multiple formats (including non-digital ones) and progress on the Freedom of Information Bill is uncertain.

It is expected that transparency and accountability will contribute, in the words of an activist, to a 'citizen-centric' governance process. Internationally, this has been most visibly articulated using ICTs' mobilisation power. Kenya, however, has not seen protests sparked by social network users as has happened in North Africa and Spain. But citizen mobilisation did take place last February when, grouped around the #feb28 hash-tag on Twitter, activists organised a show of national unity by calling people to stand and jointly sing the national anthem – at a time when the campaign for the referendum was raising the political temperature. The movement originated online but, as an activist behind it recognises, success was possible only thanks to grassroots organisations and traditional media.

These initiatives are receiving increasing attention, yet their embryonic character should also warn against unrealistic expectations. Furthermore, no clear division exists: conventional NGOs are increasingly using ICTs to improve their work and representativeness, and these coexist with new organisations and projects which are not yet able to lead Kenya's democratisation efforts on their own. Seeing these new initiatives as anecdotal and ignoring how they are changing political discourses could leave donors out of touch with domestic dynamics. To avoid this, donors supporting democratisation may need to re-examine their engagement with, and even their idea of, Kenyan civil society.

WHAT DONOR RESPONSE?

The limitations faced by Kenyan NGOs working on promoting democracy and the emergence of new civic actors emphasise the need for donors to rethink their relation with local partners. This is even more pressing as 'traditional' donors increasingly compete for attention with emerging donors and private sector actors. A starting point for this revision should come from realising how Kenyan CSOs' dependency on external support and lack of a firm domestic grounding hamper their work. Democratisation, in the words of a Kenyan academic, is only sustainable when it comes 'from a process-led, internal understanding of democracy'; successful democracy assistance may then require donors to promote this domestic understanding and adopt a less direct involvement.

This may sound like a call for donors to reduce their actions, or even withdraw from democracy promotion. This would be a mistake: the current situation suggests that international support will remain important for a considerable time. What actors like the European External Action Service (EEAS) should do is adopt a more strategic positioning. Firstly, donors need to play a critical role by engaging in dialogue with the government. Excessive leniency during the Moi and Kibaki years dampened civil society demands for real democratisation, allowing instead shallow and inefficient reforms. There is still room for firmer engagement: from an effective fight against corruption and impunity, to institutional strengthening and defending political and civil liberties. Donors have the resources and skills needed for this and must avoid past mistakes resulting from excessive permissiveness.

Regarding relations towards CSOs, there is a clear argument to be made in favour of rethinking donor engagement and renewing the methodological tool-box. Many young tech-savvy activists in this emerging civil society are impacting on the democratisation process with both their tools and discourses. ICTs can make information available even to the most remote populations and allow increased participation in the governance process. As a result, ICTs will become popular tools for civil society to voice democratic demands and for the government to bring their constituencies closer, all of which will affect donor activities. Donors should support Kenyan m-governance experiences not only financially and through capacity building projects, but also by encouraging knowledge sharing. At the same time, donors can support old and new CSOs using ICTs to increase the impact and sustainability of their work, for example online watchdog platforms. An example is the Elections Observation Group (ELOG), whose 10,000 volunteers carried out a Parallel Voting Tabulation (PVT) during the 2010 referendum that successfully projected national results. Building on this and supporting ELOG's work beyond election day (including monitoring the electoral campaign) could contribute to a more transparent and peaceful election in 2012.

Donors should let the discourses generated by these activists and organisations take the centre stage. But local discourses will not mean a parochial view of democracy: global dynamics are already shaping Kenyan society's ideas in important ways. Transparency and accountability are part of an emerging global discourse that is gaining relevance; and key international developments are accepted by Kenyans (if not their political class). For example, the International Criminal Court's (ICC) case against the six officials indicted for the post-electoral violence is supported by 62 per cent of the population. Furthermore, ICTs create new channels through which information flows from the local to the global and back again, loosening the national government and mainstream media's control of discourses and information.

The spread of social networks in Kenya also signals the appearance of a new (virtual) public sphere. Donors should not fall into a 'cyber-utopian' view and simply celebrate this. Instead, they should support this public space's sustainability and openness by advocating progressive legislation and promoting ties between new initiatives and other domestic stakeholders such as mainstream media, universities, social movements and 'traditional' NGOs. Donors are also advised not to forget another consequence of these new discourses: that they also affect their activities. Donors cannot support transparency and accountability on the part of the Kenyan government if they do not lead by example. This means progressive legislation back home, and adopting standards such as the International Aid Transparency Initiative (IATI). On a political level, actors such as WikiLeaks (whose revelations of the US Ambassador's 'unfiltered' views on Kenyan politicians angered officials but gained him considerable popular favour) could limit instances where donors can adopt one discourse publicly and another in backroom conversations.

Effectively supporting democratisation in Kenya will require donors to maintain a firm stance towards government, whilst allowing new tools, organisational models and discourses coming from civil society to develop. The nascent layer of activists and CSOs using ICTs to empower citizens and demand transparency and accountability constitutes a new civil society that may not fit the existing model of the 'democracy-promotion NGO'. Donors would be ill-advised to ignore it, however, for this new generation of organisations may have started to decisively shape the political discourses and social dynamics necessary for real democratic consolidation in Kenya, and across the world.

Manuel Manrique is a junior researcher at FRIDE