

The Kenya Youth Participation in Public Policy Baseline

A FOCUS ON YOUTH &
NONSTATE ACTORS

2018



*Investing in Africa's
future policy leaders*



© Imara Africa 2018



Acknowledgements

We sincerely thank over 900 young Kenyans who gave us the courtesy of their time to share their insights and aspirations. We hope that this work will be a basis of streamlining engagement by the many players within the youth policy network.

We are equally grateful to these organizations that generously gave us their time and shared their views, insights and proposals.

1. PAWA 254
2. JIACTIVATE
3. FOOTPRINTS FOR CHANGE
4. Governance Pillar
5. Kenya Redcross
6. National Democratic Institute-Kenya
7. Millennials Speak
8. Onward Kenya
9. Life for Relief Kenya
10. Red Cross Kenya
11. YALI East Africa Regional Center

It is our hope that this work will help align the Kenya Youth policy network for the benefit of those we seek to serve and represent.

Contributors

Lone Felix- LLB, Partner MA
Nerima Wako Ojiwa-Executive Director SP
Edith Kemunto- Associate Partner, MA

© Imara Africa 2018 All Rights Reserved

Introduction

The Constitution of Kenya defines Youth as the collectivity of all individuals who have attained the age of eighteen (18) years but have not attained the age of thirty-five (35) years.

¹Comparatively, The United Nations defines youth as persons between ages of 15 and 24 years.

²The World Health Organization (WHO) defines the youth as persons aged 10-24 years. The African Youth Charter adopted in 2009 defines youth as persons aged between 15 and 35 years. ³

It would therefore appear that definition of youth follows changes in demographic, financial, economic and socio-cultural setting. Youth as a social construct, is a relational concept situated in a dynamic context, a social landscape of power, knowledge, rights, and cultural notions of agency and personhood (Dunham 2000). The dynamism defined by the transition from dependence to independence.

Kenya's static definition of Youth is not just a for the sake definition. It is a powerful socio-legal criterion that determines inclusion, exclusion, rights and duties. In 2006, when Kenya enacted the National Youth Policy, it defined Youth as persons resident in Kenya in the age bracket 15 to 30 years considering the physical, psychological, cultural, social, biological and political definitions of the term.

Kenya is projected to have a population of 49,695,319⁴. Out of this about 35.3% are aged between 15-34%. ⁵ The median age in Kenya is 19.7 making it among the world' youngest nations. ⁶ Kenya's youth bulge should largely be the basis for optimism offering great opportunity for socio-economic take-off, however it is routinely characterized as a time-bomb if not well managed. ⁷

One million young Kenyans join the labor market annually out of which one in five may obtain formal employment with the rest engaging in non-wage occupation. ⁸ This has created a sense of urgency with the Government, Development Organizations and the Civil Society undertaking multiple initiatives to assure the socio-political and economic development of the Kenyan Youth. These multifaceted approaches evolve rapidly to respond to the dynamic and often mutating Youth needs. Policy has emerged as a strong tool through which both state and non-state actors anchor interventions targeting the youth. Development Partners for instance incorporate policy dialogues as they offer budgetary support and NGOs and CSOs are moving from service delivery to advocacy in order to secure more sustainable, widespread change. ⁹

1 The Constitution of Kenya (2010) Art. 260.

2 <http://www.unesco.org/new/en/social-and-human-sciences/themes/youth/youth-definition/>

3 <http://kenyalaw.org/treaties/treaties/40/African-Youth-Charter>

4 <https://population.un.org/wpp/>

5 <http://kenya.opendataforafrica.org/lpdtibb/kenya-population-by-age-groups>

6 https://www.indexmundi.com/kenya/median_age.html

7 Why Kenya must create a million new jobs annually, V. Ronneberg, Siddharth Chatterjee, UNDP (2017)

8 The Kenya Economic Update, 7th Edition, (2012) World Bank

9 A guide to Monitoring and Evaluating Policy Influence," Harry Jone (2011) ODI

Kenya 2018
Population - 49,695,319

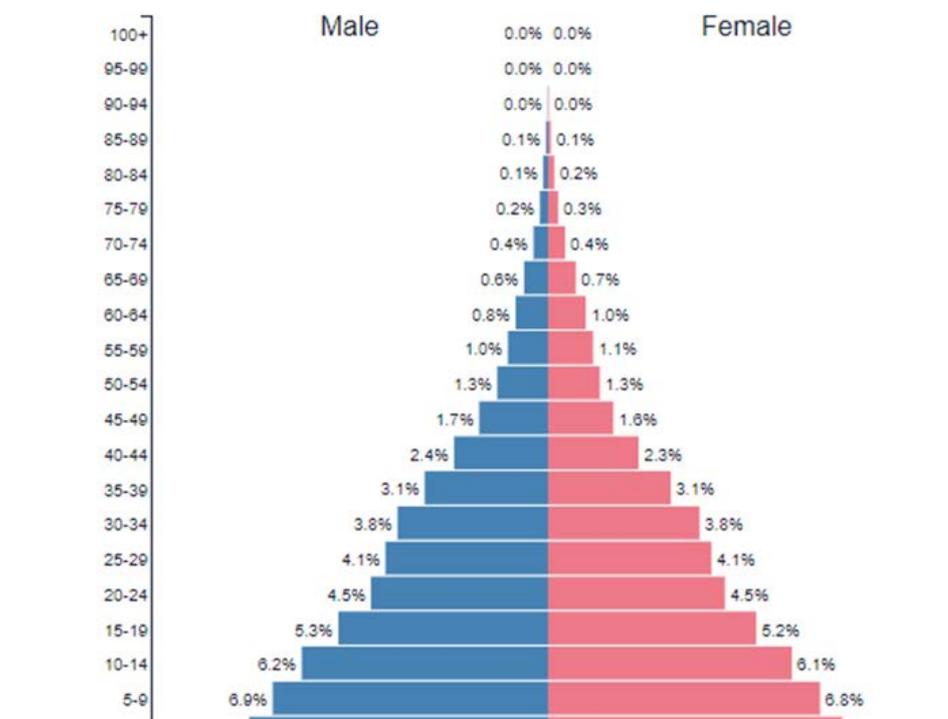


Fig.1 The Kenya Population Pyramid. Population Pyramid.Net (2018)

Realizing policy change however is often lengthy and complex. Oftentimes there are no modalities of structured engagement between stakeholder and a genuine debate on whether to spend resources on policy enactments or actual interventions that directly benefit the intended beneficiaries.

Equally important, there are numerous questions around the Participation of the Youth in policy formulation. Is it a question of participation or involvement? To what breadth should this go? What should be the focus?

In attempting to respond to these questions, the Constitutional and legal framework in Kenya provides broad to prescriptive guidelines on participation. Non-State actors have equally as a matter of good practice sought to dialogue with the youth on formulation and adoption of policies and interventions.

This baseline survey by Imara sought to understand how the Kenyan youth participate in policy formulation. However, to contextualize the report, the survey is augmented by insights from organizations working in the Youth Policy space.

About Imara Africa



Imara Africa is a leadership development program collaboratively convened by Siasa Place, Africa Youth Leadership Forum, Mark Appeal Group. The three entities are CSOs, (SP) focused on advocacy through education and capacity building, targeted program implementation, a leadership Trust (AYLF), working in the broader East Africa region with a focus on developing skills and values amongst young leaders and a Social Consultancy (MA), with a distinct model that leverages assets, talents, and in-kind services through strategic alliances and creative collaboration.

The 12-month long program competitively recruits participants, takes them through a residential facet, field based experiential learning and online based certified learning in public policy.

The program was designed with an overarching goal of creating a critical mass young, networked and well exposed policy leaders. The program exposes its participants to global practices in policy design and implementation but equally takes them to the rigor of the village where they engage communities, define problems, design solutions and advocate for the policy solutions to be adopted by local authorities. The program heavily relies on hands on experience, every community is different, with similar issues perhaps but not necessarily the same solutions. Policy makers in future have to have a keen eye for seeing opportunities with creative aspect as well as the need for strategic collaboration with various stakeholders.

Framework of Youth Participation in Policy Making in Kenya

The Constitution of Kenya provides for the involvement of people in the process of Public Policy making. ¹⁰ This provision with a multiplicity of others ¹¹ touching on public participation provide the foundation for Youth participation in public policy design and implementation in Kenya. Youth policy issues seems to be a deeply political matter in Kenya constituting a considerable

¹⁰ The Constitution of Kenya (2010 Article 232 (1) d

¹¹ The Constitution of Kenya (2010) Articles 1(2), 10(2) a,b,c, 61, 69 (1)D, 118.

percentage of political rhetoric. In part, this is a consequence of the demographics enumerated above. As we will later explore the youth policy industry in Kenya has established highly fragmented coalitions of state and non-state actors engaging in strategic interactions over the last decade each seeking to dominate the political problem definition, policy formation and implementation.¹²

Underlying this arrangement are differing causal beliefs which routinely have led to different approaches in designing youth policies in Kenya.

Within this decade, as a salient attempt to cure the varied perceptions within the technocratic circles in youth policy in Kenya, many stakeholders has sought to directly engage the youth with a view of incorporating their views, feelings and unique perspectives in policy design and implementation.

This baseline sought to understand the level of participation by the Kenyan Youth in Public policy formulation and implementation and the dichotomy of nonstate actors who continue to invest millions of dollars in resources and time to influence this space.

Sample Description

The survey interviewed 915 young Kenyans aged between 18-34 spread across all the 47 counties.

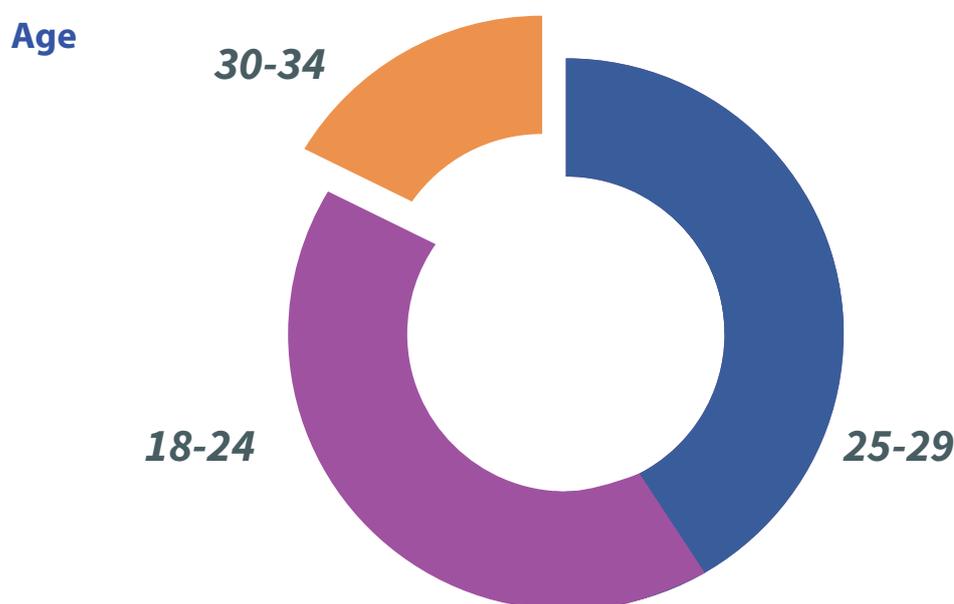


Fig. 2 Age distribution of the Sample Size

¹² Sabatier, J. Smith (1993)

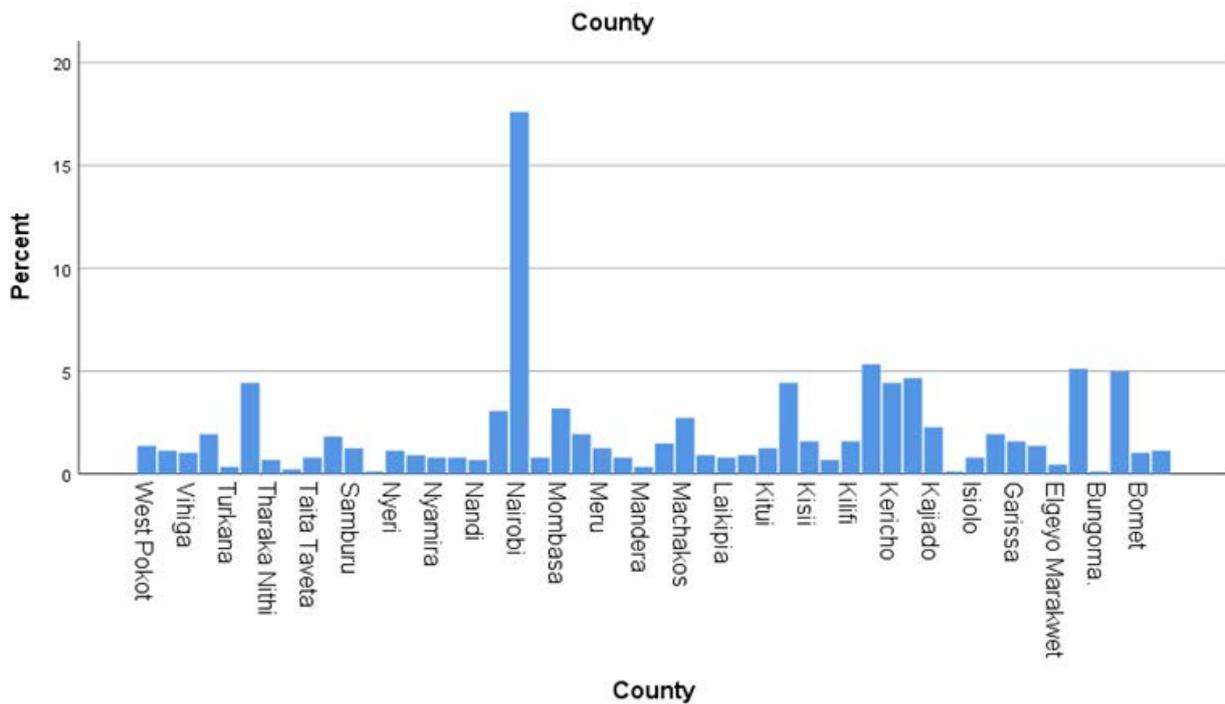


Fig.3 Geographical Spread of the Sample Size

Policies come in various forms. These include, legislation, executive orders, rules and other official acts. Policies typically contain a set of goals, a mix of instruments or means for accomplishing the goal, a designation of an entity to carry out the policy and allocation of resources. 13

In seeking to establish how better placed the youth are to engage in the public policy making process, we sought to establish inter-alia their understanding of how government makes decisions, appropriates resources and the tools used to implement these decisions. 67.1% of the Kenyan youth within the age 18-34 understand the process through which government makes decisions. They fully understand the different levels of government, their various mandates and the roles these agencies play in formulation and implementation of the mandate. Out of the 67.1%, about 23% fully understand the process, with the remaining 44.1% having a good grasp of the process.

The remainder, 33.4% do not have adequate understanding of the processes through which government determines priorities and allocates resources. Out of these, 23.5% see their understanding of government processes as neither knowledge nor lack of it, hence they are neutral, 7.1% are mildly unaware while 2.8 % are entirely unaware of government processes.

The Kenyan youth largely regard Parliament as the key body responsible for making public policy. 76.8% of the respondent’s regard decisions of Parliament, both Senate and the National

13 Policy Design & Implementation P. May

I know the process through which Government makes decision and how they are implemented

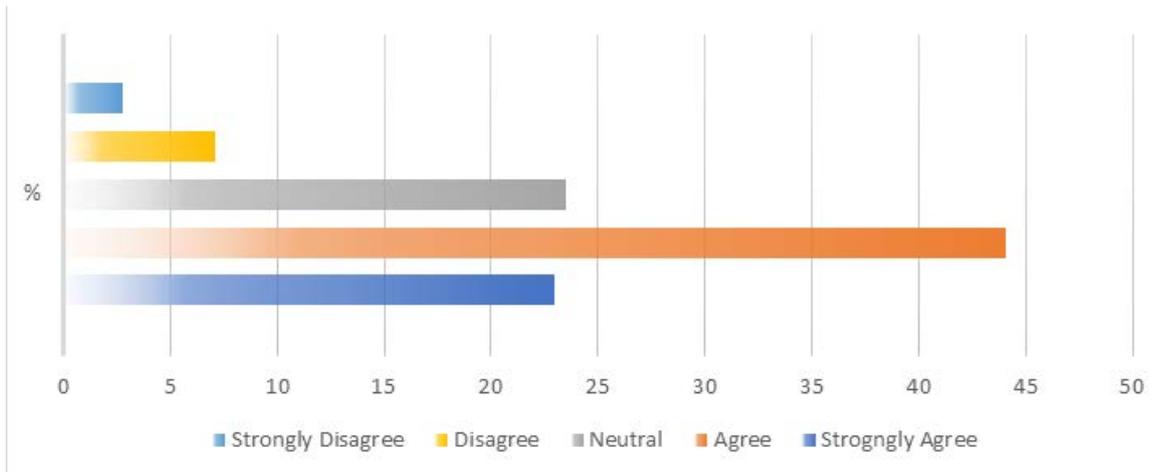


Fig 4. Knowledge of Government Process

Assembly as what constitutes public policy. County assemblies follow at 24%, with decisions of the Executive through the presidency and cabinet at 17.4%. A rather curious observation is that 10.7% of the Kenyan youth regard decisions of Major faith-based organizations such as churches as forming part of the public policy compared to only 6.5% who regard pronouncements of elected politicians as policy.

It is critical to understand these perspectives because they contribute to the perspective of who the youth are likely to hold accountable in the event certain policies are not realized. This perception equally points to what the attention of the youth are likely to be drawn to daily. As such, the youth in Kenya are likely to monitor and be aware of conversations in parliament as opposed to the decisions of the cabinet.

This presents a key challenge, it removes the rigor of public scrutiny from a lever of decision making that at a practical level holds the greatest sway when it come allocation of resources and prioritization.

This provides a unique opportunity for both inside track and outside track stakeholders within the space too, in addition to sustained focus on the representative arms, to renew attention to cabinet decisions and memos.

Whereas our research may be inconclusive, we did not observe any player who actively tracks. Profiles and informs the public on the decisions of the cabinet both at the national and county levels.

Youth perspective of what constitutes Public Policy in Kenya

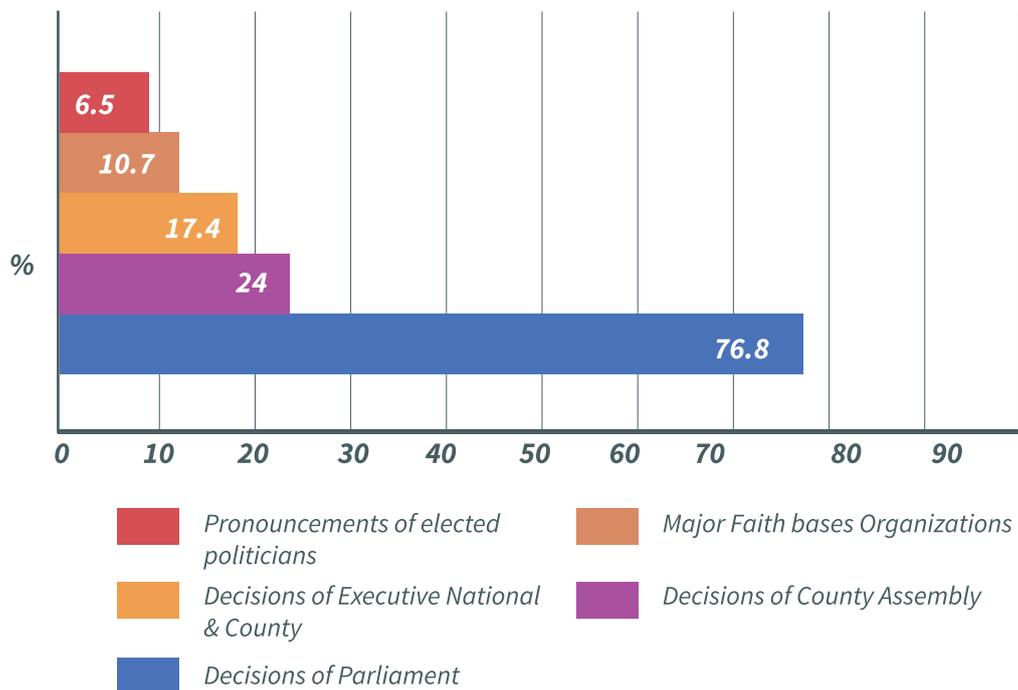


Fig. 5 What constitutes public policy

While the Kenyan youth regard Parliament and County Assemblies as the key drivers of youth policy, there is demonstrable low confidence in the two institutions. Only 25.7% of the Kenyan youth have full confidence in the ability of county assemblies to pass effective policies that benefit them. Members of Parliament have 27.4% while Senator enjoy a relatively higher rating in youth confidence at 34.4%.

Do you have confidence in your MP, Senator or MCA

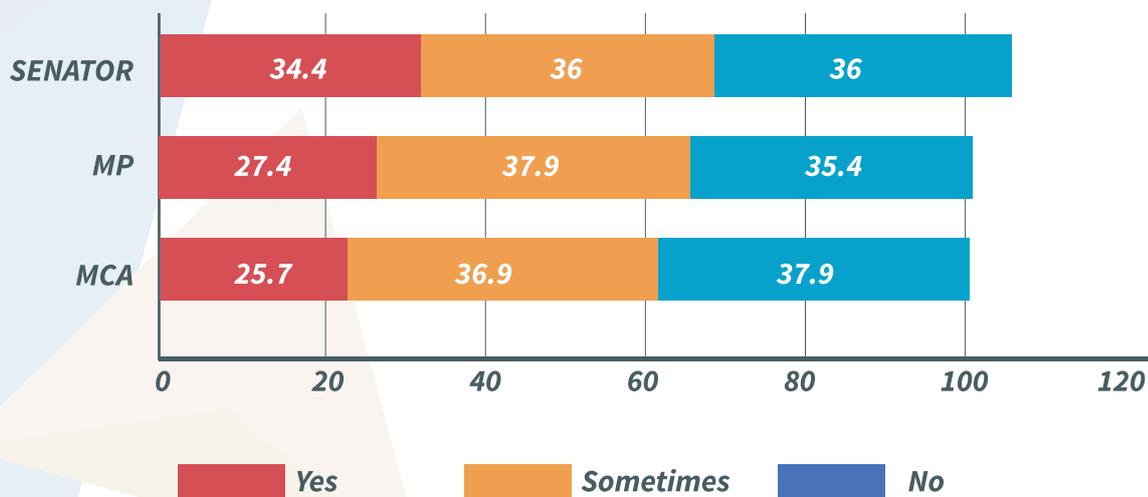


Fig. 6

To effectively participate in the policy making process, two critical cogs exist. The first in knowing and engaging your representatives and secondly to take yourself to platforms that exist for public participation where through contributions, you shape public discourse. There are multiple stories where relentless citizens made their issues to become lifetime courses of their representatives. ¹⁴

At the county level, the county assembly for instance is led by three critical leaders, the County speaker, the leader of majority, the leader of minority and the county clerk. These four wield great authority in determining what becomes priority and they are solely responsible for whipping other representatives to pass or decline a policy.

We sought to ask if the youth knew who the leaders were and whether they have engaged them. Out of the surveyed sample, 24.7% of the youth knew all the four leaders at their county assemblies by name. 45.1% only knew some of them while 30.9% did not know any of the four leaders.

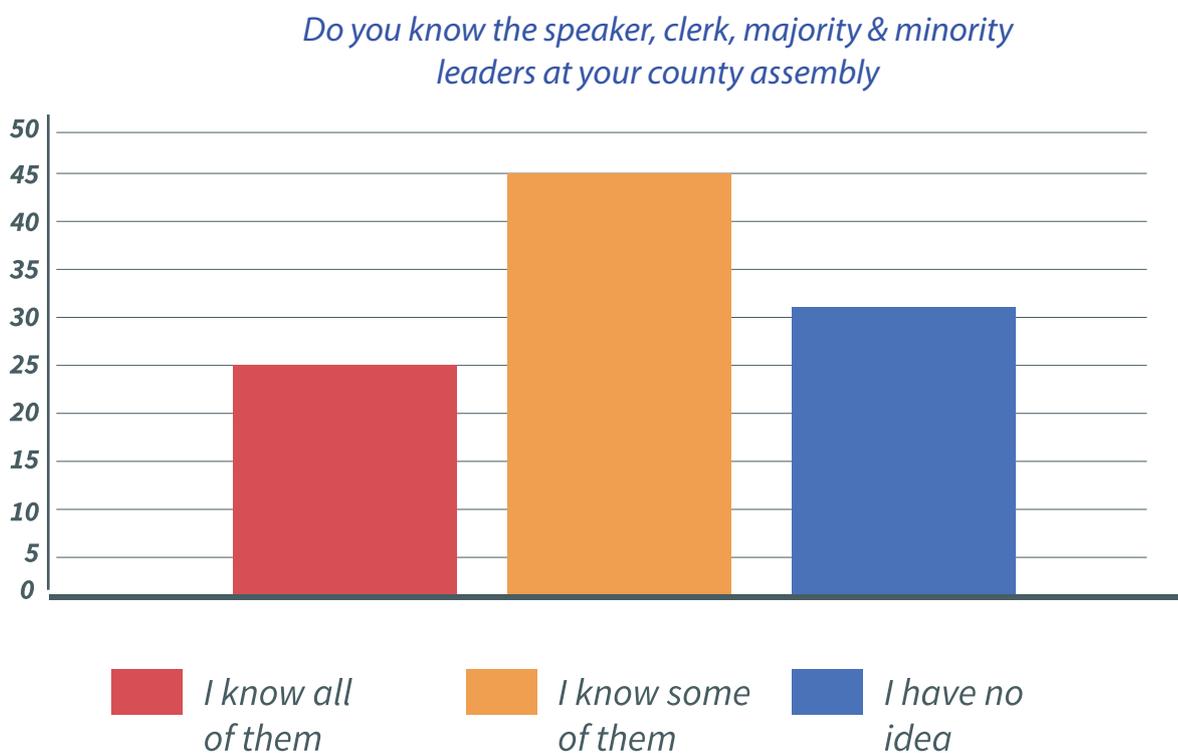


Fig. 7

At the national assembly we sought to understand whether the youth have contacted their elected representatives at the parliamentary levels. Out of the surveyed sample 56.1% know the location of their MP's or Senator's office while 37.3% do not have any knowledge of where the offices are located, the remaining 7.1% have a general knowledge of where the offices could be located.

¹⁴ <https://www.vox.com/policy-and-politics/2017/2/17/14638292/how-to-lobby-senate-congress>

74.1% of the Kenyan youth surveyed have never visited the office of their representative while about 25.9% have visited to seek assistance in one way or another.

Do you know the location of the office of your MP or Senator

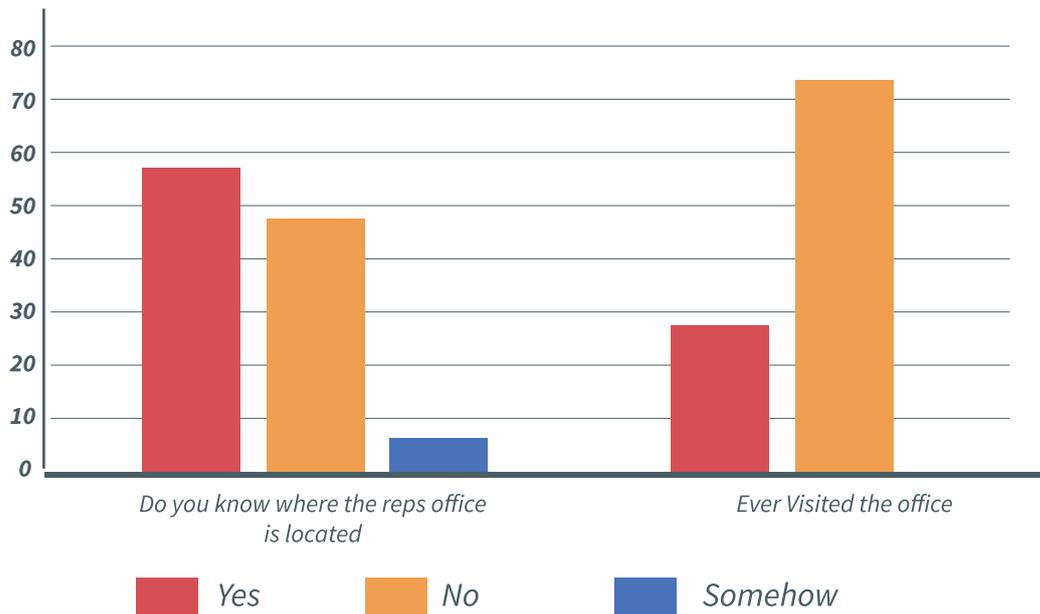


Fig. 8

In terms of contacting their representatives, about 46.9% have tried to engage either their MP or senator while a majority at 53.1% have never sought any form of help or any contact with their MP or Senator.

Have you ever engaged your MP or Senator

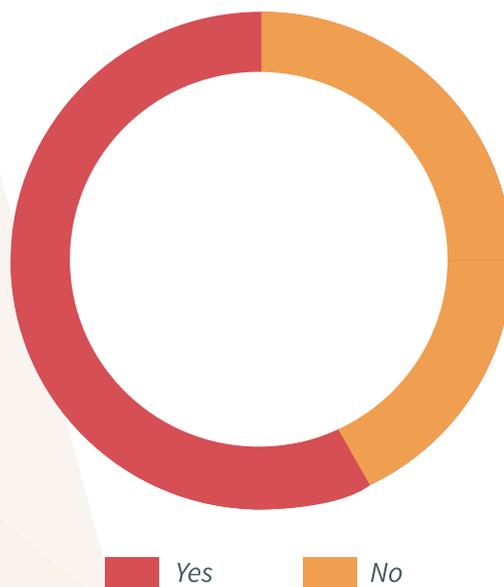


Fig.9 Engagement with elected reps.

The highest percentage of those who have engaged their representatives did so through social media at 25.8%, at a public rally or a campaign at 24.4%, in social functions such as funeral at 23% and 22.1% of the sampled met their representatives in a formal public form or baraza.

Where did you engage your MP or Senator?

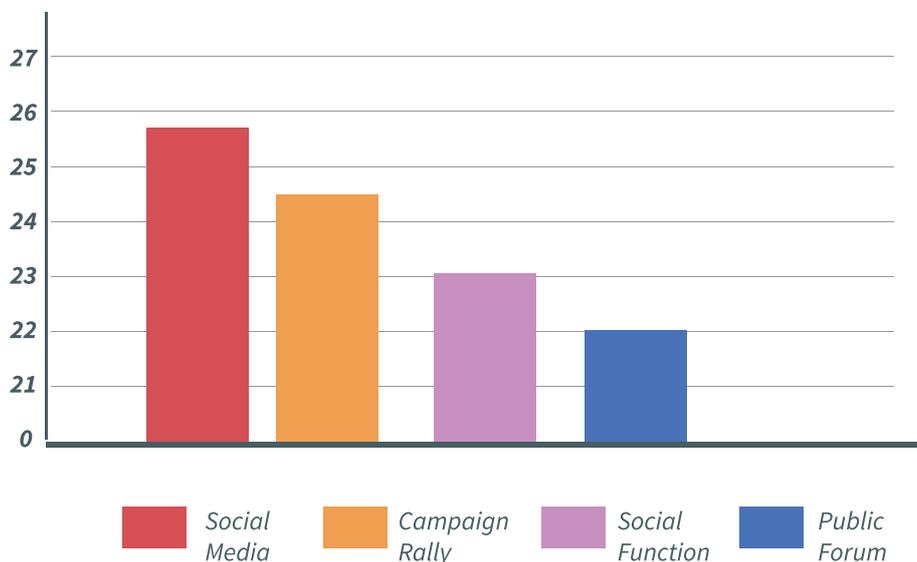


Fig. 10 Engagement with elected Reps

Majority of the Kenyan youth are willing to participate in the public process. 55.1% of those surveyed indicated they had participated in a public participation forum while 86.5% of the surveyed indicated willingness to attend a public participation forum within the next one-year period. Only 13.7 were definitive in their indication that they do not intend to attend a public participation forum within the next one year.

Participation in a Public Participation Forum

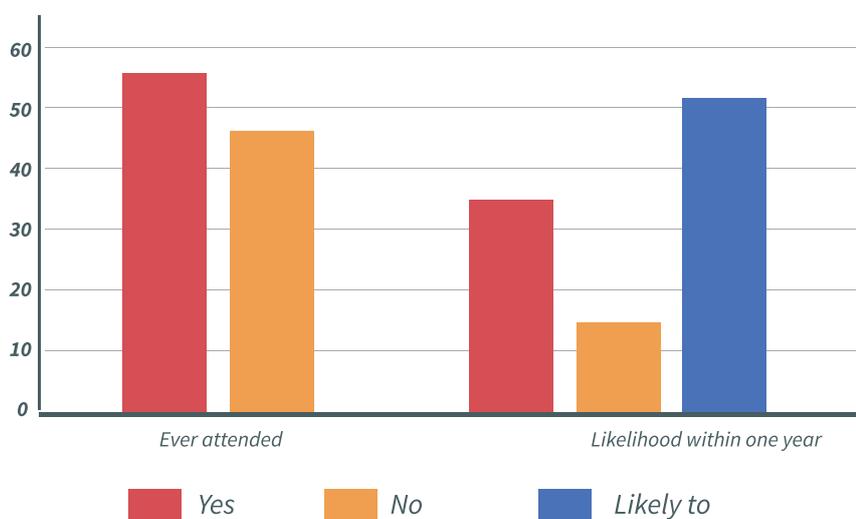


Fig. 11 Public Participation

The role of Non-State Actors in Public Policy Formulation

Often, public policy is an outcome of interaction between state and non-state actors.¹⁵ Kenya's constitutional architecture emphasizes a mix of democracy that includes participation in its elemental components. As a result of this, non-state actors are increasingly finding a prominent role in suggesting and supporting the design and adoption of public policy. This aligns to trends in participatory democracy that promotes consensual decision making by considering the views of key stakeholders.¹⁶

The Youth Policy Space has attracted many non-state actors who are employing different approaches to ensure favorable policies are enacted to support the socio-economic and political growth of the youth in Kenya. These entities loosely form a youth policy network. We reviewed the youth network through an organizational survey to understand how well placed they are to realize their mandate.

Generally, a policy network is composed of chain links fulfilling these six nonexclusive functions.¹⁷

- I. **Filter:** 'Decide' what information is worth paying attention to and organize unmanageable amounts of information.
- II. **Amplify:** Help take little known or little understood ideas and make them more widely understood.
- III. **Invest/provide:** Offer a means to give members the resources they need to carry out their main activities.
- IV. **Convene:** Bring together different people or groups of people.
- V. **Community building:** Promote and sustain the values and standards of the individuals or organizations within them.
- VI. **Facilitate:** Help members carry out their activities more effectively.

In an ecosystem where policy organizations occupy different and distinct zones, there is enhanced collaboration and leveraging on each other's strength to realize a shared policy goal. The Kenya Youth Policy network is loosely organized and is evolving organically without purposive intervention.

Sample Description:

The survey was sent out to 21 organizations composed of 19 Non State actors and two Quasi-State actors. The organizations surveyed work in 17 counties advocating through different programs on matters youth policy.

¹⁵ Theodoulou (1994)

¹⁶ Bossuyt (2000)

¹⁷ Yeo and Mendizabal, 2004

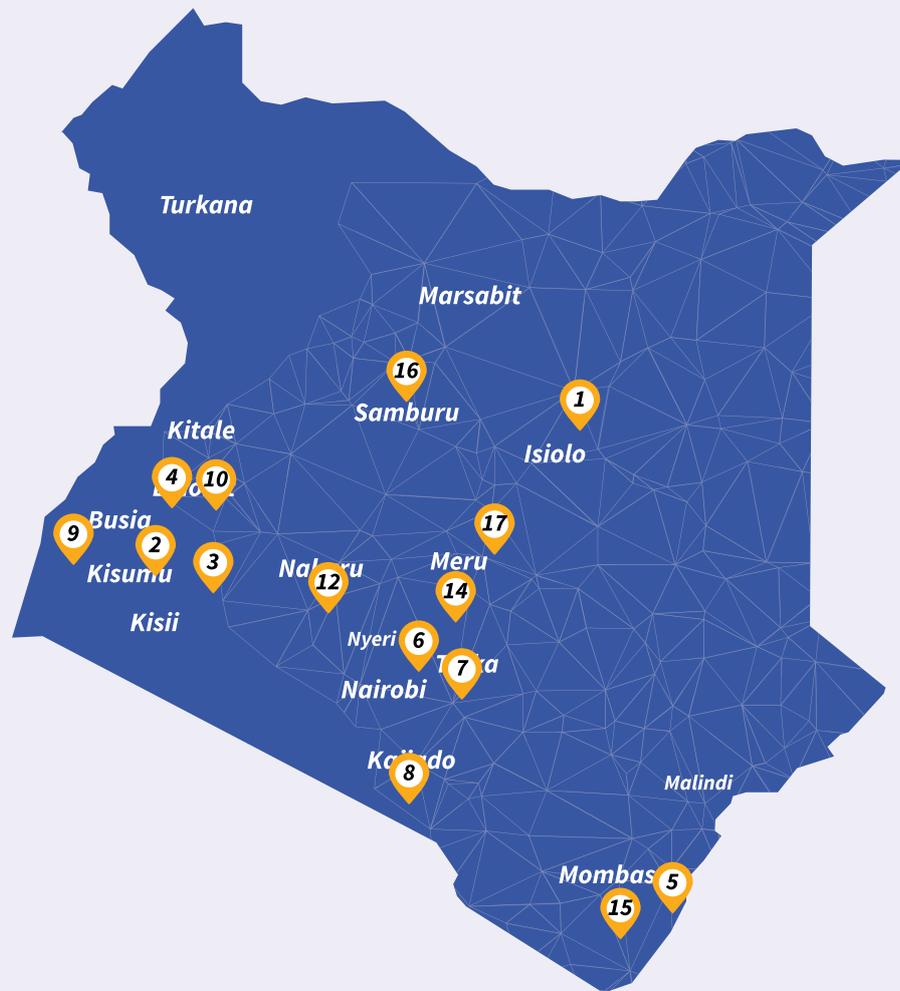


Fig. 12. Geographical Spread of Sampled Orgs.

Whereas the network continues to realize remarkable results, the survey obtained insights suggesting a need to streamline the network, enhance collaboration and need to measure the impact of interventions. Youth organizations working within the policy space in Kenya largely work as advocacy and advisory groups.

Advocacy:

Out of the surveyed sample, **41.2** of the organizations characterize their work as Advocacy. Advocacy entails a deliberate process, based on demonstrated evidence, to directly and indirectly influence decision makers, stakeholders and relevant audiences to support and implement actions that contribute to a defined course. ¹⁸ It is an inside track intervention where organizations build alliances with policy makers and public entities.

Advisory:

35.3% of the organizations characterized their work as advisory. Where they undertake research and review and prepare policy briefs and advisory to policy makers. Some hope to impact on policy through dissemination of research.

¹⁸ Unicef (2009)

How do you characterize your approach in influencing youth policy

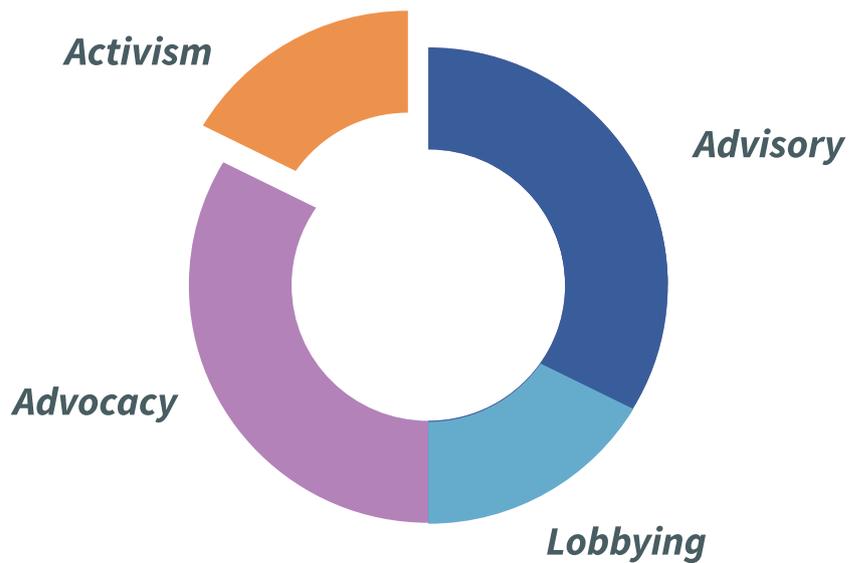


Fig. 13 Policy influence Approach

Activism

13.8% of the surveyed sample characterized their work as activism. This involves outside track direct action through demonstrations and community sensitization and organizing.

Lobbying

9.2% of the surveyed organizations described their work as entailing lobbying. This is largely interest driven cooperation realized through formal engagement, semi-formal and informal channels and sometimes representation through boards.

In undertaking their work organizations target public entities with the aim of obtaining commitments from public bodies, realizing behavior change and implementation and drawing attention to new issues.

Since 2010 the focus seems to be shifting rapidly towards engagement with county leadership. The spread of engagement with key public bodies was spread as below.

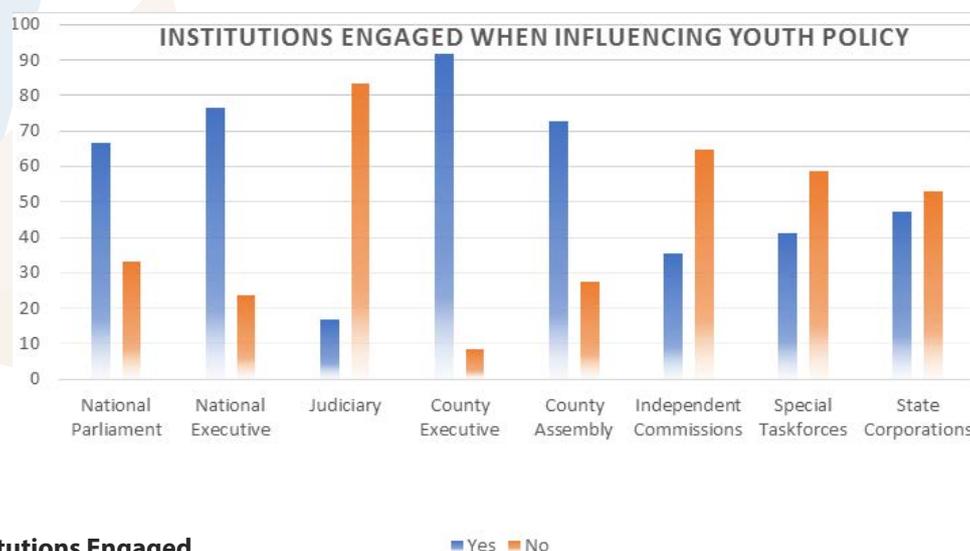


Fig. 14 Institutions Engaged

There is an obvious preference amongst organizations in the Youth Policy network to engage the Executive at both the national and county levels. 76.5% of the organizations reviewed had sought to engage either a cabinet secretary, a principal secretary or a senior officer within the executive while 88.2 % of them had sought to engage either a county Governor, Deputy Governor or County Executive Members on matters youth policy.

This preference is largely because of the impression that the Kenyan bureaucracy is easily guided from top down. As such securing the concurrence of the presidency may mean an expedited process of policy enactment and implementation as opposed the down-up approach that involves convincing street level bureaucrats.

66.7 % of the surveyed organizations had engaged with Parliament either with the National Assembly or Senate while 81.3% had engaged county assemblies in the areas they operate. This further cements the place of parliament as a key driver of policy while emphasizing the emerging role of the county assembly as an emerging frontier for development of youth policies at the local level.

Independent Commissions, Special Taskforces and State Corporations are sub-optimally engaged at 35.3%, 41.2% and 47.1% respectively. There is a general lethargy that commission and taskforce proposals do not find support to be implemented. Nonetheless these remain critical entities where debates can be shaped and progressively nurtured to other forums where decisive decisions can be undertaken.

The Judiciary is barely engaged by the youth policy network in Kenya. Only of the surveyed organizations actively engaged the Judiciary as an avenue for policy making. Indeed, this is not a phenomenon unique to Kenya. All over the world, the Judiciary's role is policy making is not readily admitted.

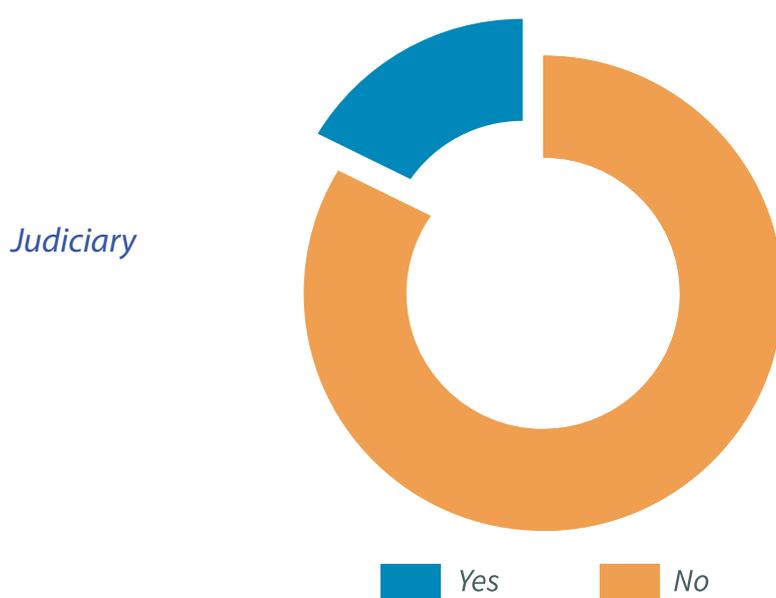


Fig. 15 Engagement with Judiciary.

The Judiciary in Kenya however has extensive powers that could be employed to realize policies that align with the constitution. Through Judicial Review for example, the Judiciary when declaring laws or administrative actions null and void, they are not just measuring a statute against crisply defined constitutional provisions but, rather, engaging in a policy making process, in which judges engage after the legislators. ¹⁹

Scholars have always characterized the Judiciary as being incapable of making effective public policy due to its relative isolation from the public as compared to the elected representatives. However, this presents a great opportunity for non-state actors who can design programs that bridge the gap between judges and magistrates and their communities.

Collaboration And Alignment

All organizations within the Kenya youth policy network have some level of collaboration. The spectrum of collaboration widely varies contributing to the loose links in the policy network. 27.8% of the surveyed organizations regard their counterpart engagement as **Collaboration**. These organizations have longer team interactions with their counterparts based on shared mission, goals and leveraging of each other’s resource base.

Spectrum of Collaboration, Kenya Youth Policy Network

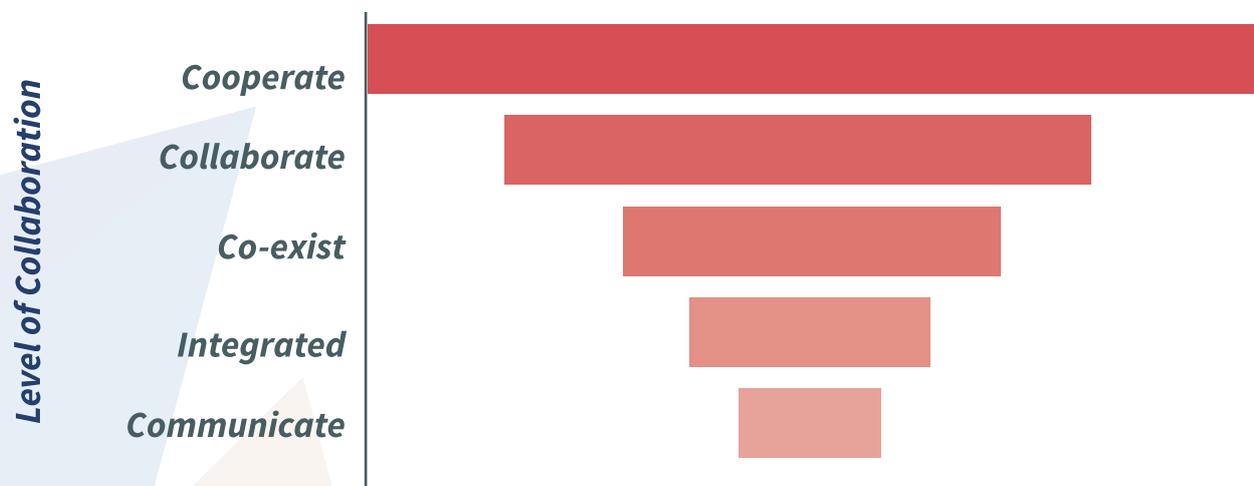


Fig. 16 Collaboration Spectrum

38.9% of the organizations regard their engagement with peer organizations as **Co-operation**. On the spectrum this denoted a relationship where cooperation is need based, usually informal and interaction is program and activity based.

¹⁹ Bickel, Alexander M. *The Least Dangerous Branch: the Supreme Court at the Bar of Politics*. (Indianapolis: Bobbs-Merrill, 1962), 36.

5.6 % of the surveyed organizations regarded their work as **Coordination**. Here these organizations systematically align their work with each other, actively avoiding multiplicity to realize enhanced impacts.

11.1 % of the organizations regard themselves as **co-existing** with counterparts. This being a level of competition for resources, public attention and space.

At the highest level on the collaboration spectrum, where the network would be considered **Integrated**, only 10 % of organizations occupy that level. Here these organizations have fully integrated programming, resource mobilization and allocation and planning.

The disproportionality in the Kenya youth policy network leads to a loose version of a support role network. The network seems to function with minimal to none central coordination, with each entity seeking to realize its own impact.

For the Kenya youth policy network to be effective, the spectrum must dramatically change with emphasis substantially shifting to move more organizations towards integration and collaboration.

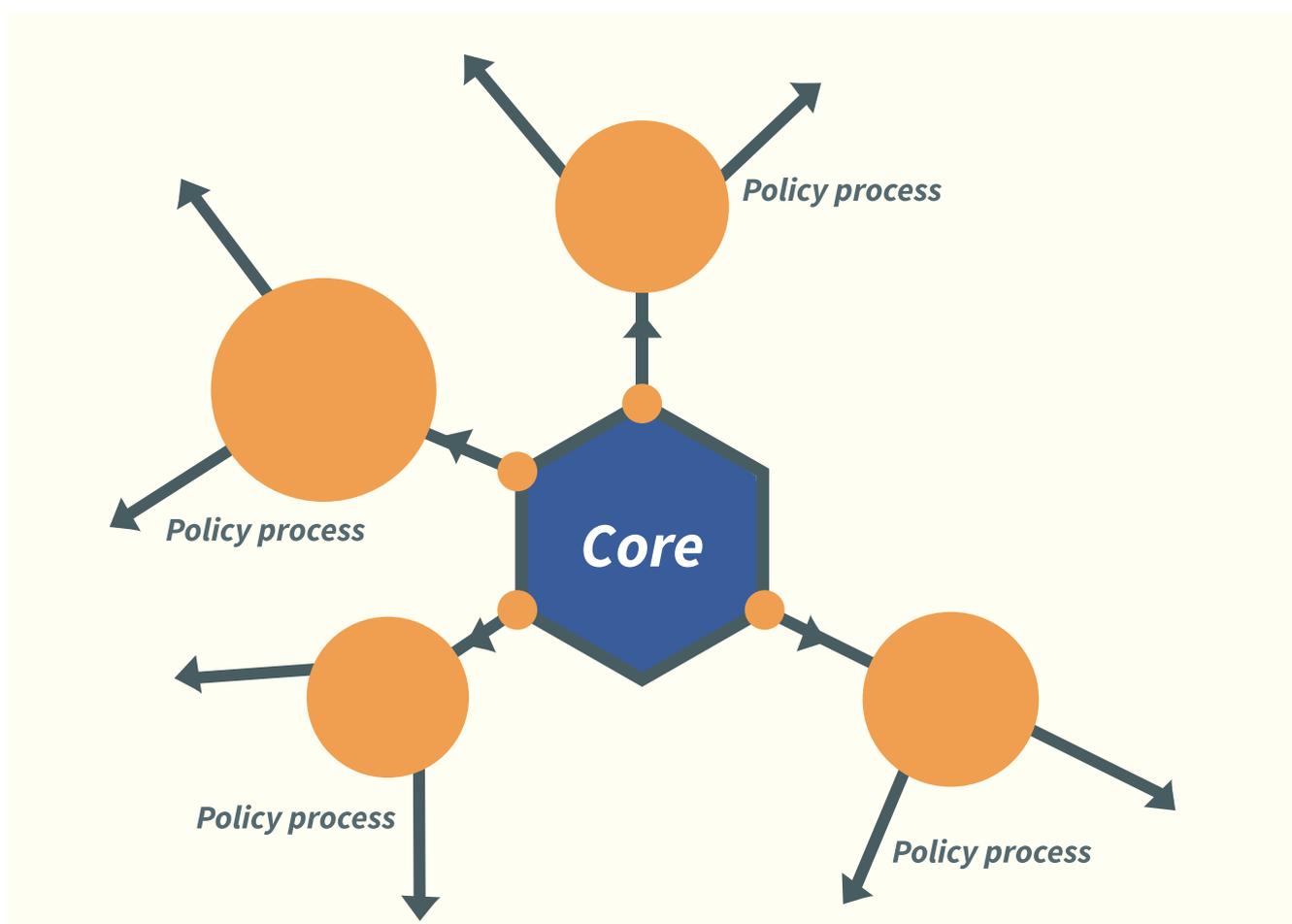


Fig. 17 The Kenya youth Policy network

To optimize the network, the structure of collaboration needs to substantially change. Youth policy organizations in Kenya can structure a quasi-central coordination, at a basic level, such as a convening committee. The convening committee will convene peer organizations to review their programs, geographical spread and map out potential collaboration.

Monitoring & Evaluation

Realizing policy change is an intricate process defined by a multiplicity of factors, stakeholders and interests. As such, it is not often easy to define with clarity what success looks like. Does it encompass triggering conversation, an actual policy or does it extend to the impact of the policy enacted?

Organizations attempt to overcome this by developing their theory of change (ToC) from which an M&E framework is then drawn. Generally, organizations working in the youth policy space will have five broad dimensions with which to align their objectives, design the ToC and structure a monitoring and evaluation framework.

No.	Broad Goal	Tools
1	Attitudinal Change	Creating awareness, perception, attitudes of key stakeholders
2	Obtain Discursive Commitments	Group/Sector recognition through speech & political rhetoric
3	Procedural Change	Opening new spaces for engagement/ New processes
4	Policy Content	Actual policy prescriptions, affecting the language and provisions of law
5	Behavioral Change	General behavior changes in bureaucracy

Out of the surveyed organizations, only 30.8% consistently monitor and evaluate each element of their interventions. 53.8% may monitor depending on the nature of the intervention while 15.4% entirely do not monitor the impact of their interventions.

Monitoring & Evaluation

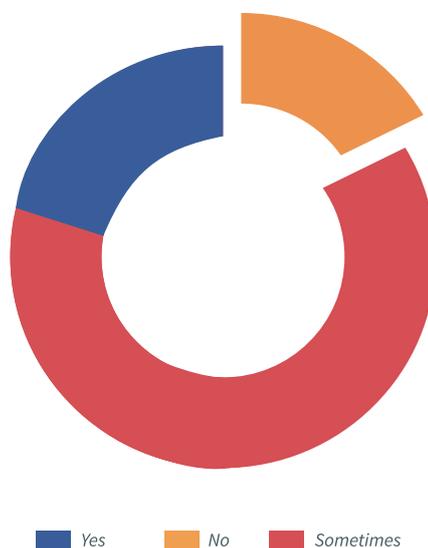


Fig. 18 Monitoring & Evaluation

This accounts for the little learnings in the sector where literature on impact and challenges is dispersed and hard to come by. This situation needs to be urgently remedied if the network will develop to truly meet its impact.

Conclusion

Overall it is noted that Majority of the Kenyan youth at 55.1% are willing to actively participate in the public process. This offers hope that with the right incentives and processes, the Kenyan youth will remain actively engaged in the public process. The Kenyan parliament remains in the eyes of the Kenyan youth as the most critical body capable of establishing youth friendly policies.

The Kenya youth policy network operates currently in a fragmented manner, there is an urgent need to coordinate the network and align programs for optimized outcome.

References

Some invaluable literature incorporated in this report were adapted from various sources.

1. Jones, H. (2015). *A Guide to Monitoring and Evaluating Policy Influence*. 1st ed. [ebook] London: Overseas Development Institute, pp.1,2,7. Available at: <https://www.odi.org/publications> [Accessed 10 Nov. 2018].
2. AU. (2009). *African Youth Charter | Treaties Database*. [online] Kenyalaw.org. Available at: <http://kenyalaw.org/treaties/treaties/40/African-Youth-Charter> [Accessed 6 Nov. 2018].
3. Gregory, R. (2013). *Accountability in Modern Governments*. Los Angeles: SAGE, pp.1-17.
4. May, P. (n.d.). *Policy Design & Implementation*. In: s. SAGE, ed., Sage Handbook of Public Administration. London: SAGE, pp.1-27.
5. Chatterjee, S. and Ronneberg, V. (2018). *Why Kenya must create a million new jobs annually*. [online] UNDP in Kenya. Available at: <http://www.ke.undp.org/content/kenya/en/home/blog/2017/2/1/Why-Kenya-must-create-a-million-new-jobs-annually.html> [Accessed 5 Nov. 2018].
6. Riungu, C. (2011). *Youth Participation in Governance in Kenya: A critical Analysis of the Legal, Policy and Institutional Framework*. LLM. University of Nairobi.
7. Muthee, M. (2010). *Hitting the Target, Missing the Point: Youth Policies and Programmes in Kenya*. Fellowship. Woodrow Wilson International Center for Scholars, Washington, D.
8. Bank Group, W. (2018). *Kenya Economic Update, April 2018, No. 17*. [online] Openknowledge.worldbank.org. Available at: <https://openknowledge.worldbank.org/handle/10986/29676> [Accessed 10 Nov. 2018].
9. Theodolous, S. (1994). *Public Policy: The Essential Readings*. 1st ed. California: California State University, pp.12,21,31.
10. ODI (2007). *Building Effective Research Policy Networks: Linking Function and Form*. [online] London: ODI, pp.7,9,12. Available at: <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/146.pdf> [Accessed 10 Nov. 2018].

© Imara Africa 2018

For more information, please contact us on:
f Imara Afica  @Imara_Africa  @imara_africa

www.imara.africa

© **Imara Africa 2018**