# A Critical Analysis of Strategies of Governance and Possible Ways of Improvement in the Arid and Semi Arid Lands of Kenya

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**Abstract**
In a country as culturally diverse as Kenya, where the historical experience of its peoples has not been uniform, and where regional disparities in human development persist, a tailored policy response is needed. Recognition of this reality lies behind the formation of the new Ministry of State and Ethics. Moreover, regional and national concerns are indivisible (G.O.K, 2008). This study focused on the dynamics of governance strategies in the Arid and Semi-Arid Lands(ASAL) in Kenya which has experienced diverse challenges and looked at ways of improving governanacestrategies in the ASAL regions .This study was  guided by the high performance management approach to strategic Human Resource Management as developed by Boko et.al (2007) and adopted an Ex-post-facto survey design. A total of 315respondents were  sampled from 20 secondary schools, 60 primary schools, 40 Non Governmental Organizations, and 20 Community Based Organisations and the respondents were the Principals/managers, Deputies and Heads of departments/sections Data was collected using the interview schedule, questionnaires, focus group discussion and document analysis. Analysis was by both descriptive and inferential statistics.The findings of this study has not only contributed to knowledge, but could also assist the Ministry of Education, policy makers and school managers refine the Governance and Ethics strategies that could lead to the development of Kenya.
**Keywords:** Governance, Strategies, Arid and Semi Arid Lands, Regional disparity

## 1. Introduction

The arid and semi-arid lands of Kenya, commonly referred to as the 'ASALs'(Arid and Semi Arid Lands), make up around 80% of the country – the arid districts alone cover 70% - and are home to nearly one-third of the population in Kenya (Ashion,2002). The dominant production system in the arid districts, and in some of the semi-arid districts, is pastoralism. The arid districts are also synonymous with the concept of 'Northern Kenya', which describes the area once known as the Northern Frontier District. These three issues- ASALs, pastoralism, and Northern Kenya – have distinct but overlapping policy implications (Barnet et.al.2007). Together they present a set of unique challenges to the development of the region.

The defining feature of the ASALs is their aridity. Annual rainfall in the arid districts ranges between 150mm and 550mm per year, and in the semi-arid districts between 550mm and 850mm per year. Temperatures in the arid districts are high throughout the year, with high rates of evapo-transpiration (Barrow et.al, 2007). The primary policy challenge is how to ensure food security in a sustainable manner in environments that are prone to drought, where people's access to and control over critical livelihood resources such as land is insecure, and where climate change will increase unpredictability. In this respect some of the semi-arid districts face challenges equal to or greater than those in the arid (G.O.K, 2008). There is significant variation within the ASALs. Population density ranges from 1 or 2 people per km2 in parts of Turkana and Marsabit to 358 people per km2  in parts of Kilifi. Access to infrastructure and services in the semi-arid districts – with the exception of those with significant pastoral populations – is roughly comparable with the national average, while in the arid districts it is far below the national average. In 2006 there were 69 public secondary schools in Kitui district (1 school per 774 students) but only 28 public secondary schools in the whole of North Eastern Province (1 school per 4,142 students ( Ndegwa, 2002).

The economy of the arid districts is dominated by mobile pastoralism, while in the better watered and better-serviced semi-arid areas a more mixed economy prevails, including rain-fed and irrigated agriculture, agro-pastoralism, and small-scale businesses based on dry land products, and conservation or tourism-related activities (Reuven, 2007). The ecology of the semi-arid districts allows for the intensification of production in a way that the ecology of the arid districts does not.  Other groups within the ASALs depend on fishing, hunting and gathering for their subsistence.

Meanwhile, towns across both the arid and semi-arid districts are growing, creating an urbanised population with different needs and aspirations. This diversity within the ASALs requires a disaggregated policy response. Pastoralists in Kenya are found in all the arid districts and in some of the semi-arid – including the Southern Rangelands (Kajiado, Narok and Transmara), West Pokot and parts of Laikipia (Thomas, 2005). Until recently, most governments viewed pastoral areas as net consumers of national wealth, offering poor prospects of return on investment. Limited interaction between the north and the rest of Kenya has helped shape these views. As a result, the different forms of land use in the ASALs take place on a far from level playing field, with some more

highly valued and supported. These perceptions are slowly changing as pastoralists take more of an active role on the national stage and as the economics of pastoralism become better understood. The value of the intra-regional livestock trade is to be promoted.

The defining feature of Northern Kenya is its separation from the rest of the country, which manifests itself in both physical and psychological ways. The primary policy challenge is how to close this gap and achieve national integration on terms that benefit the people of the region and the country as a whole. This separation has its roots deep in Kenya's past, in the creation of the Northern Frontier District (NFD) by the colonial regime (Fiki et.al, 2004). The NFD was used as a buffer against hostile neighbors – an expansionist Ethiopian empire to the north and an unstable Jubaland to the east. Governance of the NFD was characterized by restrictions on movement, collective punishment, and the use of extensive non-accountable executive powers. Emergency laws were not repealed until the advent of multi-party rule in the 1990s, by which time the region had fallen far behind the rest of Kenya in levels of investment, infrastructure, and human development (Mintzberg, 2004). Northern Kenya displays many of the characteristics of remote rural areas caught in chronic poverty traps, which face multiple and interlocking forms of disadvantage. Isolation, insecurity, weak economic integration, limited political leverage, and a challenging natural environment combine to produce high levels of risk and vulnerability. Eighteen of the 20 poorest constituencies in Kenya, where 74% - 97% of people live below the poverty line, are in Northern Kenya. The highest rates of poverty are observed among those who are no longer directly involved in pastoralism, particularly those without livestock who depend upon casual labour or petty trade in towns. There are also significant social inequalities within the region, particularly with respect to the rights of women, lower castes and minority clans. The inequalities between the north and the rest of Kenya in access to services and investment affect not just pastoralists but the whole population of the region. Nor are they primarily a consequence of its ecology. They are a political construct – the product of conscious public policy choices taken in Kenya's past which can be changed. For this reason the term 'Northern Kenya' is used throughout this document alongside 'arid lands', even though the two are geographically synonymous ( G.O.K,2008).

There are specific ecological, cultural, economic and political realities which define what is possible and achievable in Northern Kenya and in the arid and semi-arid districts. Some of these apply right across the ASALs, some particularly concern pastoral areas, and some are unique to Northern Kenya. While the challenges facing the region are evident, its potential has been obscured; a significant amount of wealth exists under the radar. The potential for growth is arguably higher because the region is starting from a lower base. Research in India and China shows that some of the highest returns to investments in roads, electricity and education, as well as the greatest effects on poverty, occur in marginal, rain-fed areas rather than irrigated or more fertile areas. What has been lacking is adequate attention to the region, a proper understanding of its needs and potential, and a deliberate political commitment to address them. These are some examples of this hidden wealth (Birch et, al, 2007). The region's geographical location and its social and cultural attributes make it well-positioned to benefit from surplus capital in the Gulf, one of the fastest growing parts of the world. It is also the bridgehead to a regional economy of over 100 million people.

The role of Government, led by the new Ministry of State for Development of Northern Kenya and other Arid Lands, is to address the challenges and realize the potential set out in the preceding sections. The final chapter of this document outlines the institutional framework through which this will be done. In 1980 an ASAL section was set up in the then Ministry of Economic Planning and Development. In 1989 it was replaced by a full Ministry – the Ministry of Reclamation and Development of Arid, Semi-Arid and Wastelands (Ndegwa, 2002). The creation of both institutions demonstrated growing awareness of ASAL issues, but their focus was limited, with a bias towards cattle and conventional range management approaches in the easier-to-reach semiarid.

In a country as diverse as Kenya, where the historical experience of its peoples has not been uniform, and where regional disparities in human development persist, a tailored policy response is needed. Recognition of this reality lies behind the formation of the new Ministry Moreover, regional and national concerns are indivisible. Poverty, inequality and insecurity in any one part of the country drag down and diminish the whole, while opportunity and progress enrich it. In the specific case of Northern Kenya, with its combination of challenges, urgent remedial action must be taken if the developmental gap between the region and the rest of the country is to be closed. Uneven human development is a major threat to national cohesion and one of the biggest obstacles to Kenya achieving the Millennium Development Goals. Equal treatment on an unequal base will simply perpetuate inequality. The region needs to be brought to the same threshold as the rest of the country before it can take advantage of the opportunities anticipated in Vision 2030, (G.O.K, 2005), therefore, the need to study the dynamics of Governance and Ethics as coping strategies in the Northern corridor of Kenya.

## 1.1 Methodology of Research

This study adopted ex-post facto research design (Best and Khan, 2002). According to Kerlinger (1970), ex post facto is a research design in which the independent variable or variables have already occurred and in which the researcher starts with the observation of a dependent variable or variables. He then studies the independent

variable or variables in retrospect for their possible relationship to, and effects on, the dependent variable or variables. In effect, the researcher asks himself what factors seem to be associated with certain occurrences, conditions or aspects of behavior (Cohen and Manion, 1994). The design has an advantage because it meets an important need of the researcher where the rigorous experimental approach is not possible. Thus, ex-post facto research design is an invaluable exploratory tool. The design was therefore the most suitable for this study, the dynamics of governance as a coping strategy for the Turkana county, Kenya.

### 1.1.1 Sample Size and Sampling Procedure

Stratified sampling was employed in order to have 315 respondents in various strata for subsequent analysis that made it easy to make comparisons and draw conclusions. This is a technique that generally provides increased accuracy in sample estimates. To obtain a representative sample, the 20 public secondary and 60 primary schools formally classified as public schools in the region, were stratified into four categories. This was to ensure that homogenous sub-sets that share the same characteristics are represented in the sample. A total of 5 secondary schools and 15 primary schools were randomly selected from each stratum. This means disproportionate sampling was used in order to ensure that the accuracy of the sample estimates for stratum parameters is sufficient enough for the researcher to make meaningful comparisons between strata (Best and Khan 2002). This sample of 20 schools representing about 43% of the target population is considered neither too small nor too big for the study (Cohen and Manion 1994). This is because for most samples of thirty, the characteristics of the sample mean begin to approach those of the population. A sample of thirty and above is regarded as being truly representative of the population from which it is drawn. A total of 10 N.G.Os and 5 C.B.Os were selected for the study. The managers and deputies and the Heads of sections were proportionately sampled for the study as the case of the schools. Apart from the Principals/ managers and their deputies who participated by virtue of the fact that they are the only bearers of their respective offices, so they were purposively sampled, Heads of departments were randomly sampled. Schools are expected to have eight HODs (Academic Departments include: Languages, Mathematics, Science, Humanities and Technical while Guidance and Counseling, Boarding and Games are non-academic but still contribute to the overall performance of the school). Academic HODs head academic departments as indicated and have Subject Heads who work under them. Therefore, from each sampled school, all the five academic HODs were selected to participate in the study and to respond to the questionnaire.

The instrumentation of the study included the questionnaires, interview schedula, and document analysis.The study used self completion questionnaires (Mugenda and Mugenda, 1999) to obtain information on the governance and ethics as a coping strategy for the Turkana county Self completion questionnaires were convenient since they enable data collection over a large sample in the shortest time possible and in the most convenient way (Bryman, 2001). The questionnaires were administered to the principals/managers and their deputies and the Heads of departments/sections. They were both structured and open ended in (Nsubuga, 2000) nature. Whereas the open ended items permitted greater depth of response and ensure that the respondents gave answers on certain issues in exactly the manner they are perceived, close ended questions eased the work of the researcher during data collection and analysis (Kathuri and Pals, 1993).

The aim of the interview was to solicit in depth information regarding the dynamics of governance and ethics as coping strategies for Turkana County. The Principals/managers and the Provincial commissioner were interviewed. This study opted for informal interviews (Nsubuga, 2000). This informal approach was preferred as it created a freer atmosphere thereby encouraging more complete responses from the respondents (Cohen and Manion, 1994). The information from the interviews was also supplemented by those from the questionnaires and the school records analysis.

Document analysis is a critical examination of recorded information related to the issue under study. It is used to obtain unobtrusive data at the pleasure of the researcher (Oso and Onen, 2005). The documents provided relevant information related to Governance.

Data collected from the respondents was examined, edited, coded and analyzed by the researcher with the aid of Statistical Package for Social Science (SPSS) Version 16.0. Data was analyzed using descriptive statistics such as means, frequencies percentages, and cohort analysis with the view of summarizing information and to enable comparisons to be made. Qualitative data was analyzed using thematic approach (Strauss and Corbin, 1990; Anderson, 1988). Thematic analysis is a search for themes that emerge as being important to the description of the phenomenon (Daly et al, 1970. The process involves the identification of themes through "careful reading and re-reading of the data"(Ericksen and Lind,2005). It is a form of pattern recognition within the data, where emerging themes become the categories for analysis. Both qualitative and quantitative findings were merged by objectives and presented in chapter four descriptively and by the use of tables and charts.

### 1.1.2 Results of the research

It is instructive from the table that majority 71 (81.6%) of the respondents strongly agreed that governance and ethics is crucial to development of Turkana County while 16 (18.4%) agreed. Further respondents were asked whether the governance strategies in the past were better than those of today, 34 (39.1%) strongly disagreed,

31(35.6%) disagreed, 12(13.8%) agreed whereas 12 (13.8%) and 9(10.3%) agreed and strongly agreed respectively. This implies that some improvements have been made on the governance strategies hence making the current better than those of the past. When asked whether the governance and ethics strategies today has led to many problems more than half 46 (52.8%) of the respondents agreed while 23 (26.4%) disagreed. This clearly shows that the improvements brought on the governance strategies have its limitations which need to be looked into.

Majority, 75 (86.2%) of the respondents strongly agreed that good governance and ethics can lead to rapid and better results in the country, 11(2.6%) agreed and a small proportion 1 (1.1%) were undecided. Most responses received showed that 65 (74.4%) of the respondents strongly agreed that governance and ethics are core to development while the rest agreed. Their feeling on this is that they believe and embrace good governance positively. On the other hand 86 (98.8%) of the respondents felt that the governance should be responsible in creating on environment conducive for development through good governance and ethics while 1 (1.1%) were undecided.

Likewise on whether food insecurity in Turkana is as a result of governance and ethics strategies,37(42.5%) strongly agreed, 27 (31.0%) agreed, 11 (12.6%) were undecided while an equal proportion of 6(6.9% ) disagreed and strongly disagreed respectively. This implies poor governance and ethics may have led to food insecurity. It should be also noted that 67 (77%) of the respondents believe that violent conflict is as a result of governance and ethics strategies while 9(10.3%) and7 (8.0%) disagreed and strongly disagreed respectively. Those who were not decided represented 4(4.6%) of all the respondents. This implies that the kind of ethics and governance set by an institution could play a role in reducing or increasing violent conflict. This concurs with Rossouw and Van Vuuren (2004) assertions that good governance and ethics ensure that organizations take responsibility for directing and controlling their affairs in a manner that is fair to stakeholders. This responsibility can be taken either voluntarily by the organizational leadership or imposed upon them by regulatory authorities.

**Improvement of Governance Strategies**
Principals were asked how the governance strategies in the region can be improved and results obtained from respondents showed that 35 (40.2%) thought that improvement of strategies could be by sensitizing individuals on education in all sectors, 33(37.9%) said people should practice openness and fairness in distribution of available resources, 14(16.1%) indicated power decentralization while 5(5.7%) said that regular audits should be carried out to assess and improve performance. In Japan, Nobuyuki Demise from Meiji University, Galvin et.al.(2004), found that Japanese companies find themselves caught in a transition between two very different systems of board governance. Despite this uneasy transition, many Japanese companies have started institutionalizing business ethics in their organizations. He found that a number of prominent ethical issues dominate business ethics in Japan such as death from overwork (karoshi), harassment at work, illegal collusion (dangou) and defrauding consumers and governments.

The report on Europe was compiled by Josef Wieland from the University of Applied Sciences, in Konstanz. In the empiric study of Corporate Governance Codes from 22 countries in Western, Central and Eastern Europe he shows that the predominant majority of European corporate governance codes orientate  themselves to stakeholders and the company. They do not follow the maximizing model but the cooperation model of the company. Shareholders' interests are thus accepted as important, not as dominant. Boko et.al.(2007) points to the following obstacles to good corporate governance: Directors' interests, Cultural issues, Board of directors structure, and Shareholder rights and activism, To overcome these obstacles, some organizations introduce principles of good governance. The California Public Employees' Retirement System (CalPERS), for example, enumerates accountability, transparency, equity, voting methods, codes of best practices, long-term vision. Not only established economies make relevant arrangements but also their pattern are followed by emerging economies, for which Central European initiatives serve as a good example. Poland's approach is a good case in point.

In Poland, two relevant codes have been developed: the Best Practices in Public Companies of the Corporate Governance Forum and the Warsaw Institute of Business Development (2005) and the Corporate Governance Code for Public Corporations of the Gdansk Institute for Market Economics (2002). The World Food program (2005) recently assessed Polish achievements in the area. In its Report on the Observance of Standards and Codes (ROSC) in OECD countries a special chapter is devoted to the "Corporate governance country assessment: Poland." Other related documents include "Corporate Governance of State-Owned Enterprises in Poland" and the "Note on the enforcement of the 'Comply or Explain' provision in the best practices in public companies 2005 of the Warsaw Stock Exchange."

The "comply or explain" rule was recommended in the financial aspect of Corporate Governance Committee Report (Cadbury Report)elaborated for the London Stock Exchange and presented in December 1992. The Polish Code adopted the rule, trying to encourage companies to accept the Code voluntarily. Although this voluntary decision is closely related to the issue of a corporation's reputation ("reputational risk from non-compliance") it is still not clear, according to the World Bank Report (ROSC), if the rule is a real trigger or

incentive for compliance. Nevertheless, only 3 percent of Polish listed companies comply with none of the principles of the Best Practices in Public Companies, also known as the Polish Corporate Governance Code. The percentage of companies complying with all but one principle is 14 percent, but as much as 81 percent comply with all but one principle (68 percent do not comply with the principle concerning independent members of the supervisory board, 13 percent with the principle concerning convening shareholders' meetings and adopting resolutions).

## Conclusion

The economic, social and political pillars of Kenya's' development is anchored on the following foundations: macroeconomic stability; continuity in governance reforms; enhanced equity and wealth creation opportunities for the poor; infrastructure; energy; science, technology and innovation (STI); land reform; human resources Kenya remains fully committed to continuing governance reforms. These will be deepened and accelerated in order to create a better environment for doing business, and for the full enjoyment of individual rights that Kenyans are entitled to under the constitution. Toward that end, the Government is expected to continue and intensify the anti-corruption programme already in place through: better investigation and prosecution; eliminating discretionary decision-making in a public service that is prone to bribery; public education; and judicial and legal reform. The Government also recognizes that in an open, democratic society like Kenya, the people themselves, Parliament, civil society, and a vigilant press are the ultimate defense against abuse of office. These institutions should continue to receive full support from the Government and from the people of Kenya.

No society can gain the social cohesion predicted by Vision 2030 if significant sections of it live in abject poverty to that extent, Kenya Vision 2030 includes equity as a recurrent principle in all its economic, social and political programmes. Special attention has been given to investment in the arid and semi-arid districts, communities with high incidence of poverty, unemployed youth, women, and all vulnerable groups.

The overall ambition for the security sector under "Vision 2030" is "a society free from danger and fear". The Government of Kenya is determined to improve security in order to attract investment, lower the cost of doing business and to provide Kenyans with a more secure living and working environment. Specific strategies will involve: improving the practice of community policing; reducing the police to population ratio to recommended UN standards; adopting information and communication technology (ICT) in crime detection and prevention; enhancing police training and use of modern equipment in law enforcement. All these measures will be supported by accelerated reforms in the judiciary. The country will also implement reforms in the prison service, starting with reduction of the number of suspects in remand homes, improved training and working conditions for prison staff; and a reorientation of the service to correctional activities. development; security; and public sector reforms. Good governance is the yardstick for the achievement of all these.

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