

CHANGES IN CIVIL SOCIETY RESEARCH

Prepared by:



JUNE 2013

For:

The MSRA Conference 2013

Contents

Abstract	3
Introduction	3
Hypothesis	5
Section 1: Contextual Background to Civil Society and Research	5
Section II: Changes in Kenyan Civil Society Research	6
The Main Actors in Civil Society Research in Kenya	8
Resources Necessary for Effective Civil Society Research in Kenya.....	12
Emerging Approaches Used in CSO Research in Kenya.....	13
Conclusion.....	15
References	16
Table 1: Examples on NGOs working in Kenya, their areas of engagement and sources of funding:	8
Table 2: Mapping of NGO activities in Kenya (2009).....	11

Abstract

This paper will attempt to explore the ways in which Civil Society Organizations in Kenya engage with State in providing services to the under privileged via their research activities.

Introduction

Civil society as a concept has been defined over hundreds of years. During the classical period associated mainly with Socrates (469 BC – 399 BC), Plato (428 BC – 348 BC) and Aristotle (384 BC -322 BC) scholars grappled with the concepts surrounding communal life in the Greek city – state. They were seized with the question of attaining good living standards against the inherent conflicts between their own needs as individuals and the larger needs of their society.

During the middle ages associated with thinkers like Augustine of Hippo (354 – 430), Thomas Aquinas (1225 – 1274) and Martin Luther (1483 – 1546) philosophers were obsessed with the role of religion, Church and State in the affairs of man.

The “Age of Enlightenment” was a cultural movement of great intellectualism in the 17th, 18th and early part of the 19th centuries that began in Europe and later spread to the American colonies. It was founded on the premise that society needed to be reformed using reason, and ideas with their basis in tradition and faith had to be challenged. Knowledge was advanced through science, skepticism and intellectual debate. Superstition, intolerance and abuses of power by Church and State were viciously opposed. The philosophers associated with this era include: Thomas Hobbes (1588 – 1679), John Locke (1632 – 1704), Voltaire (1694 – 1778), David Hume (1711 – 1776), Jean – Jacques Rousseau (1712 – 1778), Immanuel Kant (1724 - 1804) and Adam Ferguson (1723 – 1816).

The nineteenth century, largely witnessed the advancement of Idealism as espoused by G.W.F. Hegel who envisioned civil society as a separate sphere from the State, one in which people were both workers as well as consumers of other people’s work. This was a precursor to Marxism captured aptly by Friedrich Engels (1820 – 1895) and Karl Marx (1818 – 1883) in *The Communist Manifesto* (1848). Engels and Marx essentially believed that the domination of one class over another is inevitable under capitalism and would continue until a revolution occurred, instilling a classless society in which a true civil society would flourish.

The cornerstone of the civil society movement in the twentieth century was the theory of justice. John Rawls (1921 – 2002). In his magnum opus *A Theory of Justice* (1971) Rawls alluded to the fact that a constitutional democracy is the best kind of government since it allows for pluralism, stability and distributive justice through constitutional consensus. This was a period of great social and political change the world over that saw events like the fall of the Berlin Wall, the disintegration of the Soviet Union, the end of the Cold War, the Tiananmen Square protests in Beijing and the end of Apartheid in South Africa among other defining moments in global history.

Gainer (2012) opines that Civil Society Organizations in this era are a source of “social capital” contributing to trust and stability. They are also a source of mobilization contributing to social change. Consequently the global civil society movement is now largely concerned with: new systems of global governance (themes such as peace, defence, geostrategy, diplomatic and trade relations feature prominently in this regard); and global policy debates on issues ranging from international migration to intellectual property rights. The development of these debates has been influenced by: the rise of democratic governance which has influenced political inclusion; the realization of human rights; and the development of technology (social media for instance) which has enhanced the civil society movement’s presence worldwide and thus expanded their sphere of influence from agitating for political and civil liberties to playing an integral role in development strategies, poverty reduction, humanitarian aid, and basic services provision.

However looking at recent global events such as the Arab Spring one might feel compelled to disagree with Gainer’s assertion that CSOs contribute to trust and stability. Even recent events in places as far apart as Turkey and Brazil suggest that in many parts of the world civil society organizations now either by choice or design are resorting to tactics that seem to undermine law and order if only to get their points across to governments that seem unwilling to listen to their demands and solve pressing national issues by way mutual consent. Again however one might say that in many parts of the world civil society activists usually find themselves on the receiving end of excessive State force or manipulation when they attempt to agitate for social justice, even when using peaceful methods. Indeed the *State of Civil Society Report (2013)* notes “In too many cases, the space in which CSOs can express their views is shrinking.” This it states is being done in the following ways:

- The implementation of restrictive laws and the persecution of activists
- Marginalizing civil society in national and international decision making processes.

It further notes that for civil society to thrive it needs an enabling environment comprising:

- Institutional structures
- Laws
- Policies
- Tolerant societies
- Resources

In that vein it is worth noting that the development of civil society research has contributed much to the world by way of scholarly literature. From the writings of Socrates to the myriad research findings attributed to modern day scholars such as Jeffery C. Alexander, civil society research is indeed a treasure trove of rich historical and topical significance.

Hypothesis

Civil society activities and research in Kenya now require increased participation by the State as a result of emerging political, social and economic changes.

Section 1: Contextual Background to Civil Society and Research

This section provides an overview of civil society in Kenya. One first needs to understand what civil society is in the Kenyan context; Wanyande (2009) alludes to it being a conglomeration of non – state actors that prevents the State from encroaching on the interests, rights and freedoms of citizens. Chemengich (2009) on the other hand postulates that civil society in Kenya is involved in myriad activities including service provision, the fight for democracy, the development of free market policies and spiritual development.

Those definitions are important because it is extremely easy to view Kenyan civil society as a movement dedicated purely to achieving political reform, upholding human rights and ensuring good governance. However there is so much more to Kenya’s civil society than politics. Its achievement in the spheres of social change and economic development cannot be gainsaid. Indeed the civil society in Kenya has been instrumental in effecting action and programmes that seek to among others: eradicate poverty; mainstream gender activities; protect children; ensure the interests of minorities are safeguarded; protect consumers; entrench corporate social responsibility; and promote public health. None of this would be possible without research which is the corner stone of any academic undertaking, all of which are critical to the advancement of society.

Civil society researchers in Kenya must now increasingly take cognizance of the need for increased accountability to donors especially in this era of Western austerity and subsequent reduced donor funding. Over and above that they need to take into account the following factors that now increasingly underline engagement with various stakeholders (especially the State) in undertaking research activities in Kenya:

➤ *Government Policy:*

CSO research now cannot take place outside the broad scope of administrative and legal State structures. Which is not say that civil society previously conducted research in total contravention of the law; it is just that there appears to be increased urgency and vigilance on the part of the State in monitoring the work of CSOs and scrutinizing their research findings. This has resulted majorly from concerns about donor funding being used inappropriately by CSOs in the country.

➤ *Funding:*

Increasingly Civil Society Organizations have to contend with the fact that there is less donor funding for their activities particularly research. This implies that civil society

researchers must now develop innovative and more cost effective ways of carrying out their research and/or rely on the State to fund and facilitate these research activities. Anything short of that might severely limit the productivity of these organizations because it may it may prove difficult raising sufficient funds from local sources outside government and large corporate entities.

Section II: Changes in Kenyan Civil Society Research

From the early 1920s until 1963, CSOs played a prominent role in the struggle for independence. From independence to the late 1970s, many CSOs worked closely with the government to complement its service delivery efforts. However, the 1980s and 1990s were characterized by new dynamics: as western donors made economic support to the Government conditional on good governance and democratization and CSOs began to demand a multi-party system. CSOs also became more vocal about national political issues such as constitutional reform and good governance.

CSOs largely aim at promoting development and improving the quality of life of Kenyans. In doing so, they:

- Ensure effective service delivery to all peoples despite gender, race, age or ethnic affiliation
- Promote community participation thus CSO act as an interface between government and the community
- Engage in capacity building
- Engage in integrated programming and implementation of programmes and projects in the community.
- Engage in advocacy for and with the poor, disabled and vulnerable people in the society

Research processes that explicitly require the attention of CSOs involve:

- Identification of research problems
- Establishing the purpose for research
- Data collection
- Analyzing and interpreting the data
- Reporting and evaluating research outcomes

In achieving the above process, the following must now be increasingly taken into account:

- *Validity of the research topic*

More and more civil society researchers in Kenya have to conceptualize research topics that directly meet the needs of the people. That is to say any research activity undertaken today

must be relevant to those it is ultimately intended to help and their full participation in conducting these studies is vital to the credibility of the subsequent research outcomes.

➤ *Manageability – including time, resources and safety*

Civil society research in Kenya requires a lot by way of logistical planning and investment. It could be argued that this is even more of a challenge now taking into account the prevailing insecurity countrywide and the ever increasing cost of services such as transport vital to the research process. Thankfully these situations can now be managed by way of embracing cost effective innovations such as Computer Assisted Telephone Interviews (CATI).

The Main Actors in Civil Society Research in Kenya

Government Agencies NGOs and Donors

The critical question of funding and facilitating civil society research activities largely remain the preserve of donors and the State largely due to logistical, administrative and legal realities. For instance many donors and Non Governmental Organizations (NGOs) now consolidate their funding and work thematically as shown below:

Table 1: Examples on NGOs working in Kenya, their areas of engagement and sources of funding:

Name of Organization	Areas of engagement	Funding
AMREF	1. Improving the reproductive health and rights of the nomadic youth through the Unite for Body Rights (UFBR) project.	Funds are raised from Europe and North America. Donors include Governments, Foundations, Trusts, corporate companies and individuals through private fundraising.
	2. Implementing an integrated intervention to reduce the impact of HIV and AIDS and to improve the quality of life for people living with HIV/AIDS in Kibwezi, Nzauzi and Makindu districts of Eastern Province	This money is collected from 12 national offices in Austria, Canada, Denmark, France, Germany, Holland, Italy, Monaco, Spain, Sweden, UK, and USA.
	3. Empowering the community of Dagoretti and its environs through working with children	
	4. Reducing eye diseases such as trachoma in Kajiado district by developing health education materials that are relevant to the Maasai people	
	5. Improving Malaria Diagnosis in Kenya and other malaria endemic countries	
	6. Improving the health of women and children by Putting African Mothers and Children First in Lamu	
	7. Strengthening HIV Strategic Information in Kenya through an AMREF led Consortium through the ADAM Project	
	8. Contributing to the increase in the ratio of the health workforce to population and the equitable distribution of health human resource through the Human Resources for Health (HRH) project	

9. Strengthening Community Health Systems to Improve Maternal Newborn and Child Health Outcomes in Samburu County

10. Contributing to reduction of maternal and child mortality through provision of information for action planning in selected districts through the CBHMIS project

11. Improving Maternal Newborn and Child Health (MNCH) in Makueni County through the Mama Na Mtoto Wa Afrika Project

12. Improving sanitation and hygiene and use of maternal child health and nutrition services in Nawuontos Sub-location of Turkana County.

Fred Hollows Foundation

1. Began training 130 doctors throughout East Africa in modern cataract surgery. (1995)

They get donations from individuals (ambassadors), AusAID, Vision 2020 (partnering with WHO)

2. In 2004, The Foundation formed a partnership with Kenya's Nakuru Provincial Hospital in order to provide sustainable eye care services in the district.

3. In 2006 the Nakuru Eye Unit in the Rift Valley Province was refurbished and the operating theatre upgraded with the support of The Foundation. The Foundation also purchased the medical equipment necessary to increase eye care service delivery in this rural area.

4. Opened a Low Vision Centre in 2008 to screen and support children and adults with irreversible low vision.

5. The Foundation expanded its work to support three additional rural eye units within the Nakuru district, and began working in a second district in South Nyanza – a remote region on Lake Victoria in Kenya's South West. (2010)

6. In 2012, we also scaled up our efforts to help the Kenyan Government eliminate trachoma – a painful and permanent blinding disease that affects the poorest of the poor and will further expand this work in 2013.

Danish Refugee Council

1. 2009, DRC has been directly implementing activities in Dadaab, e.g. construction of social

Three main partners are:

	infrastructure, improved livelihoods, and WASH activities.	
	2. Working to improve the resilience among pastoralist communities in northern counties of Kenya.	DANIDA (Danish Ministry of Foreign affairs)
	3. DRC has been implementing a programme in support of urban refugees in 2012. Activities target micro-entrepreneurs in and around urban centres.	ECHO (European Community Humanitarian Office)
	4. DRC Kenya programme started immediate shelter activities following the 2008 post-election violence in Molo in the South Rift Valley where thousands of people were left homeless and displaced. Similar activities were extended to Uasin Gishu County in North Rift in 2011.	UNHCR (United Nation High Commissioner for Refugees) Sida, Norad, Irish Aid, NEDA, US State Department, Cida, SDC and a few other European countries. Several other UN agencies also fund.
Amnesty International	They investigated into the following matters:	Fees and donations from its worldwide memberships.
	1. Post election violence	Doesn't take donations from governments or governmental organizations.
	2. Human rights violation by police officers	
	3. Communal violence	
	4. International justice	
	5. Refugees and asylum seekers	
	6. Internally displaced people	
	7. Forced evictions (housing rights).	
	8. Death penalty	

In 2009 the activities of NGOs in Kenya both foreign and local were mapped thus according to a report published by the Development Policy Management Forum (DPMF)¹:

Table 2: Mapping of NGO activities in Kenya (2009)

Areas of operation	Frequency				Total	
	Foreign		Local			
	N	%	N	%	N	%
Health	7	1	10	19	182	17
Education	5	9	7	13	122	11
Rehabilitation	1	2	4	9	61	6
Environment	4	8	1	3	62	6
Democracy	6	1	2	4	86	8
Employment	3	7	0	3	45	4
Humanitarian	7	1	3	6	101	9
Water and	0	1	1	3	23	2
Capacity-	4	9	6	11	108	10
Minorities	5	9	6	13	118	11
Micro-finance	0	0	2	5	27	3
Human Rights	5	1	1	2	65	6
Other	3	6	4	9	79	7
Total	54	10	53	100	1,079	100

Source: *The Contribution of Non – State Actors to Development in Kenya (report by DPMF)*

¹ Kingoro, S.M. and Burja, A. (2009) *The Contribution of Non – State Actors to Development in Kenya*

The Media

The Kenyan media has always provided the much needed publicity for CSOs and their activities, highlighting their various research findings. CSOs on the other hand have used the media to raise issues of concern to the people and scrutinize government activities. Whether this has always been done with noble intentions is debatable. The media has been accused many times of being rather too eager in painting the CSOs in good light while tainting the image of the State. This has influenced donor attractiveness as the CSOs with “the loudest mouths” tend to be heard and receive hefty donor funds that do not necessarily benefit those in need of them. Similarly the media at times has rushed to report on research findings by various CSOs without verifying them. Case in point is a recent report that was supposedly released by the National Aids Control Council (NACC) in collaboration with an American university that alluded to the increase of homosexuality in certain parts of the country. The media house that initially reported these findings was left in a rather awkward position when the NACC distanced itself from the report’s findings, the manner in which they were released (which the organization indicated was not procedural) and also seemed for all intents and purposes to deny any working arrangement between it and the foreign university in question. Clearly the media in this era of increased scrutiny and accountability need to verify their facts before they report on CSO research findings. Unverified CSO research findings will no longer be treated as the gospel truth it appears.

Resources Necessary for Effective Civil Society Research in Kenya

Human resource is the most basic and fundamental resource for research. Research is conducted with the aim of bettering the society. This means the people. It therefore provides for a range of ideas, input as well as output, as well as varied opinions and observations; and provides fantastic networking community. CSO researchers now have to pay more attention to ethical research issues. Similarly in this era of political correctness in Kenya, civil society researchers cannot afford to leave out minorities in their various research undertakings. Inclusivity is increasingly becoming a major factor underpinning civil society research.

Technology – with the advancement of the digital age, technology is proving to be a worthwhile investment in terms of manpower, time consumption, efficiency and the opportunity it provides for attention to detail in research. Innovations such as CATI (already mentioned), geospatial mapping and others are increasingly becoming the bare necessities for conducting civil society research while previously they may have been viewed as expensive and unnecessary.

Emerging Approaches Used in CSO Research in Kenya

Wherever indigenous peoples or rural communities relate to their environments, they make daily decisions regarding the management of their territories and resources (Borrini et al., 2008). These decisions impact greatly on cultural values, ecological diversity and society at large.

In Kenya CSOs primarily use two approaches in conducting research based on the society and/or the community. These are:

- Community-based co-enquiry and research

Research conducted by a range of participants with equally valuable expertise in the spirit of cooperation and collaboration.

- Mutual learning and participatory dissemination within the project

Research in which scientifically trained experts and community members work in an equal partnership.

- Increased collaborative efforts

The relatively new concept of basket funding (joint funding of programmes between the State and donors,) has also impacted heavily on the operations of CSOs and their research activities as it has resulted in intense scrutiny which all together may not be a bad thing for the purposes of accountability.

- The shift from highlighting issues of governance to those perceived to be of socio – economic importance

Kenyan CSOs' "obsession" with human rights, democracy and good governance in Kenya seems to be decreasing and their interests now lie primarily in the areas of health, education, minority issues and capacity building. As Ndegwa (1996) argues "there is nothing in civil society organizations that makes them opponents of authoritarianism and proponents of democracy". There is no theological virtue in the notion of civil society. Therefore civil society may advance without a democratic ideal. The culmination of events in Kenya after the 2007/8 elections precipitated in peace and reconciliation efforts by CSOs and government in unifying the populace and inculcating the spirit of love, peace and unity. Shortly after this, the constitutional referendum beckoned and civic education begun to centre on the proposed document with the aim to having it passed. Indeed, this is one of those rare occasions in our collective history that the State and civil

society were on the same page. By way of research many organizations presented a convincing argument to Kenyans for adopting the Constitution of Kenya 2010.

The run up to the 2012/13 polls saw an attempt to sanitize the political process and ensure a free and credible election by way of constitutional mechanisms and a concerted effort by civil society to achieve these aims through sustained civic education in which research was a critical component. After a peaceful and relatively successful election process, the push is now towards implementation of the Constitution and creating the necessary structures for devolution. This too will present great opportunities for civil society researchers.

Conclusion

CSOs in Kenya have come to the realization that for their interventions to be sustainable, workable in the long term, effective and efficient, they need to increasingly involve the government since most CSO programmes are project based and time bound while the State is there for the long term and is best placed to provide the necessary administrative, legal and logistical support especially in matters that require collaboration between the State and non state actors. Thus CSOs only come in to augment the government's efforts. In terms of research this implies that there is need to continually impress upon the government and donors that there can be no shortcut in the research process and that all resources available for research initiatives must be used fully.

CSOs in Kenya (including the media) through their research must develop a new narrative focused not just focused on the traditional areas of democracy, good governance and human rights, as Kenyans are seemingly now more concerned with those issues they perceive to have direct social and economic impacts on their livelihoods and collective dignity. Those who fund and facilitate these research activities must now engage the State constructively and avoid opposing initiatives put forward by government agencies simply for the sake of opposing and pursuing narrow political interests. This will not obtain as the Kenyan populace is now more aware of its rights and will not hesitate to demand for effective service delivery from the State and civil society especially using legal means backed by provisions in the Constitution. Rather civil society as whole and civil society researchers particularly must remember that the cornerstone of their calling is altruism and improving the lives of the under privileged, in collaboration with the State. This should guide their research undertakings always.

Even though foreign donors might still be the largest contributors to CSO activities (particularly research) in Kenya, this is unlikely to obtain in the long term due emerging global economic and political realities, and the increased participation of government agencies (both by way of funding and facilitation) in these activities.

Perhaps the most pressing matter for Kenyan civil society researchers is the acquisition of the most suitable technology for their research activities and the subsequent maintenance. Civil society researchers must continually adopt innovations that will enable them attain their research aims.

References

Chemingich, M. (2009) *The Prospects of Civil Society Driven Change in Kenya, Discourses on Civil Society in Kenya, 2009*

Dahl, R. A. *Polyarchy: Participation and Opposition. New Haven: Yale University Press, 1971.*

Elone, J *Backlash Against Democracy: The Regulation of Civil Society in Africa, Volume 7, Issue 2*

Ethiopia. *Proclamation for Registration and Regulation of Charities and Societies, 2009.*

Gainer, B. (2012) *Contemporary Issues in Global Civil Society Research*

Kingoro, S.M. and Burja, A. (2009) *The Contribution of Non – State Actors to Development in Kenya*

Sierra Leone. *Draft Policies and Guidelines for the Operation of Non-governmental Organization, 2008.*

O'Brien, R. (1999) *Philosophical History of the Idea of Civil Society*

Wanyande, P. (2009), *Civil Society and Transition Politics in Kenya: Historical and Contemporary Perspectives, Discourses on Civil Society in Kenya, 2009*

State of Civil Society Report (2013)