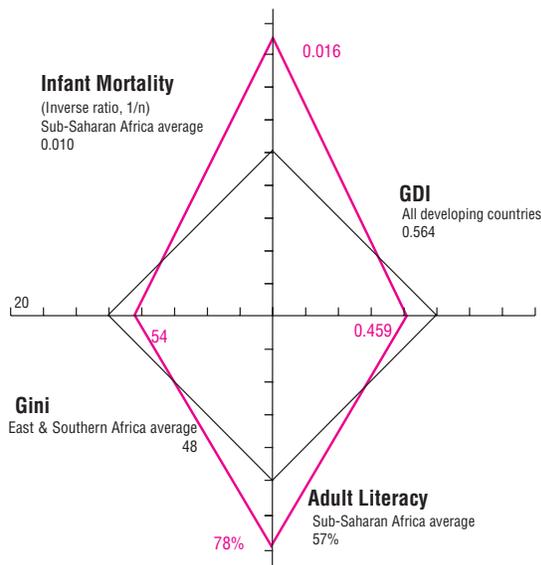


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The Equity Diamond: National values in terracotta compared to regional ones in blue.
Source: **Infant mortality:** UNICEF, *The State of the World's Children, 1998*; **Adult literacy:** UNICEF, *The State of the World's Children, 1998*; **GDI** (Gender Development index): UNDP, *Human Development Report 1998*; **GINI:** World Bank, *World Development Indicators 1998*. (The regional average for this indicator was calculated by Social Watch).

The World Summit on Social Development adopted a series of commitments on poverty, social disintegration and inequalities. The Fourth World Women's Conference committed governments to address poverty, gender discrimination, employment and integration of marginalised groups into the political, economic and social mainstream. The 1990 World Summit for Children presented evidence that spending on health and education is an investment in «human capital», which promotes growth of the national economy. Kenya was an

A TALE OF UNFULFILLED PROMISES

active participant at these and other summits and was party to the commitments made thereat. Four years after Copenhagen, it is important to take stock of how commitments have been honoured.

IS THIS A FAVOURABLE ENVIRONMENT?

Kenya reverted to a multi-party form of governance in 1992 after 23 years of single party dictatorship. This opened space for nominal freedom of political affiliation and expression. However, public servants are still compelled to overtly associate with the ruling Kenya African National Union (KANU) party or be sacked as «opposition sympathisers».

Since the reintroduction of pluralism, parliamentary and presidential elections were held in 1992 and 1997. These elections were marred by violence perpetrated chiefly by ruling party functionaries, apparently with tacit support of state security agents. Opposition parties' supporters were also not altogether peaceful in their campaigns. There were claims of vote stealing by the ruling party in both elections and both times the losers were persuaded to accept the results by civil society groups—particularly religious leaders. In both elections, independent election observers said the electoral process fell short of normal democratic standards.

Since the December 1997 elections, negotiations are underway for a comprehensive review of the nation's constitution. This process is hampered by government attempts to prevent it from being open, inclusive and consultative.

Kenya suffers from widespread corruption and lack of integrity in public life, misappropriation and misallocation of public resources, declining quality of public services, and erosion of justice and the rule of law. The civil service, the police and the judiciary do not function according to expectation.

Governance problems led to suspension in July 1997 of ESAF (Enhanced Structural Adjustment Facility) agreed with the International Monetary Fund in July 1996. In response to these concerns, the government introduced the Prevention of Corruption Act in 1997 and appointed an anti-corruption authority. Eight months later, the authority's chairman was suspended after he accused top revenue and treasury officials of engaging in corrupt deals.

Before the mid-1990s, macro-economic management was problematic with the government maintaining huge budget deficits. This trend was corrected and the deficit has been maintained at 2% or less since the 1994/95 financial year. Current revenue collection stands at 28% of GDP, while government expenditure is 30% of GDP. Due to previous government borrowing, however, interest rates remain at 27–30%, making investment very expensive.

Kenya's external debt stands at more than USD 7 billion and the ratio of debt to exports is about USD 150 billion, which is below the Highly Indebted Poor Countries (HIPC) threshold of USD 250 billion but large enough to necessitate the diversion of resources from social services and social infrastructure. The domestic debt stood at KSh¹ 128 billion (USD 2.1 billion) as of September 1997.

POVERTY ERADICATION

With per capita GNP of USD 280, Kenya is the 22nd poorest country in the world. **Kenya has the third most skewed income distribution in the world.** More than 48% of the population exist on less than one US dollar a day (1985 prices). 47% of Kenyans in rural areas (about ten million people) and about 29% of urban Kenyans are estimated to be food poor. Women are particularly impoverished as cultural practices and the legal regime discriminate against equal access to resources such as land and other properties. The disfranchisement of women impacts directly on children, for whom women are the primary providers and caregivers.

The Social Dimensions of Development (SDD) strategy was introduced by the government in 1995 to address poverty. This strategy has not succeeded because the government is reluctant to fully involve all stakeholders. For instance, having invited NGOs to participate in the SDD, the government used riot police to disperse meetings organised by the National Council of NGOs to explain the strategy and solicit poor people's views and input. Civil society organisations have advocated for the creation of an independently managed anti-poverty trust fund. There is apparent reluctance by the government, however, to create a fund it will not control. Recently, the government elaborated a poverty eradication plan with little participation of affected people and their organisations.

Spending in Basic Social Services (BSS) has dwindled in the recent past. As a percentage of government budget, real expenditure on all BSS declined from 20% in 1980 to 12% in 1995 to 10.9% in 1997. Of all BSS expenditures, only those for basic education (in shillings per capita) have risen as a result of increased wages for teachers. (Despite these increases, teachers are still so poorly paid that they are locked in dispute with the government.) As a proportion of overall government spending,

however, expenditure on education has gone down. The table below shows per capita expenditures by government on BSS between 1980 and 1997:

TABLE 1.

Per Capita Real BSS Expenditures, 1980-1997, in KSh					
	1980	1985	1990	1995	1997
Basic Health Services	16	13	15	30	28
Nutrition services	0	0	0	0	0
Reproductive Health and Family Planning	4	2	3	4	4
Water and Sanitation	20	9	21	9	7
Basic Education	122	118	124	228	232
All BSS Expenditure	165	145	165	275	275

Sources: *Public Expenditures on Basic Social Services in Kenya (First Draft)* prepared by B.M.Nganda and D.O.Ong'olo, May 1998, and various issues of *Quarterly Budget Review*.

FULL EMPLOYMENT

Under the SDD, the government committed itself to employment creation by promoting: small-scale enterprises in industry, agriculture and service sectors; youth and school leavers development; and self-help programmes for retrenched workers. These have remained dead letters as the government has been unable to mobilise the USD 182 million required in the first three years to fulfil this commitment.

Poor people's chief resource remains their own labour. Women are especially disadvantaged by the multiple demands on their time and energy and by inequitable access to other assets. Hence gender parity is required for the women to have access to full and equal employment opportunity alongside men. Since employment growth requires investment in education and training, progressive divestment from education and other basic social services has meant a trend away from full employment creation.

HUMAN RIGHTS

Despite some recent advances, the human rights situation in Kenya is far from satisfactory. Abuses by law enforcement officers and maladministration of justice continue unabated. Torture remains a standard procedure for extracting confessions in police investigations despite government ratification of the

1 Kenyan Shilling.

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment. Even where evidence of torture is overwhelming, the government has shown extreme reluctance to prosecute.

Extra-judicial killings have increased. For instance, in 1996 police killed 130 people. This number rose to 159 in 1997—an increase from an average of two people killed by police per week in 1996 to three in 1997.² Banditry, cattle-rustling and ethnic violence are serious problems, which the government appears incapable or unwilling to bring under control.

As the number of street children rise, harassment of this vulnerable group by police has increased. **Arbitrary arrests, torture, illegal detention, sexual abuse and extra-judicial killing of street children by police is rampant** yet no action has been taken against the perpetrators. Refugees also suffer inhuman treatment. In brazen breach of international law, the police often arrest, detain and brutalise refugees, treating them as criminals.

The Constitution was amended in August 1997 to include protection against discrimination on grounds of gender, but **customary law continues to impinge on women's rights, particularly with regard to ownership and inheritance of property.** A unanimous vote in parliament for equal representation of men and women among nominees for parliament was not acted upon by the political parties.

EDUCATION AND HEALTH

There was tremendous investment in education at all levels after independence in 1963. But gains in education were undermined by the structural adjustment programmes (SAPs). **Cuts in government spending on education and health have increased the number of children who do not enroll at all as well as those who drop out of school prematurely.** According to the National Council of Churches of Kenya (NCCCK), more than USD 500 (Ksh 28,000) is needed to keep a child in form one. Given the per capita GDP of USD 280 (KSh 15,680) and average monthly earnings of Ksh 2,000–3,500 (USD 35–62), many cannot afford to pay for their children's education.

During structural adjustment, the rate of enrollment in both primary and secondary schools dropped significantly. In the pre-adjustment decade 1972–1982, primary school enrollment grew at a rate of 8.2%, but slowed down to only 2.7% in the adjustment period 1982–1992. According to newspaper reports, only 64% of eligible children in Nairobi are enrolled in primary school. The current enrollment nationally stands at 76%, down from 95% in 1995.³

Secondary school enrollment witnessed a similar trend with enrollment growing at the rate of 9.1% in 1972–1982 and only 3.2% in 1982–1992.

This decline is reflected in teacher training colleges where enrollment rose steadily from 8,683 in 1972 to 21,011 in 1990 but declined to 19,154 in 1992—a trend the government itself attributes to SAPs. In terms of overall government spending, there has been a marked decrease in spending for education from 22.6% in 1986 to 18.7% in 1995.

Immediately after independence, the government discontinued pre-independence user fees in health facilities and proclaimed a policy of free health services to all.⁴ The focus, however, remained on curative at the expense of preventive medicine, with 65% of available funds spent on curative care compared with 21% on rural and preventive health services.⁵ Free health service was a major casualty of SAPs. Between July and September 1997, the Kenyan government spent 8.49% (KSh 2.1 billion) of its recurrent expenditure and only 3.67% (KSh 76 million) of development expenditure on health.⁶ Ailments that cause most morbidity and mortality are preventable. They are malaria (23%), respiratory tract infection (26%), skin diseases (7%), intestinal worms (4%) and diarrhoea (5%).⁷

Utilisation of primary health care is low: 80 per 1,000 in rural areas and 110 per 1,000 in urban centres. Women who deliver without primary health care and who are not immunised during pregnancy are estimated at 57% and 38% respectively. 37% of children are stunted and 20% are underweight.

The Kenyan government made commitments in Copenhagen to dedicate more resources to poverty elimination and provision of basic social services, but it is without the resources to make good these pledges. Problems of governance led to a freeze in ESAF in July 1997. Bilateral financial cooperation has dwindled and more of the remaining bilateral resources are directed at civic education, political reforms and economic restructuring. Both the Government of Kenya and bilateral agencies need to pay more attention to basic social services.

- SOCIAL DEVELOPMENT NETWORK, UNDUGU SOCIETY OF KENYA, PUBLIC LAW INSTITUTE, EcoNews AFRICA, National council of NGOs, PADEP, KENYA HUMAN RIGHTS COMMISSION, CODRACS.

² Kenya Human Rights Commission. 1998. *Mission to repression: Torture, illegal detentions and extra-judicial killings by the Kenyan police*. Nairobi: KHRC.

³ *Daily Nation*, 5 August 1998, p.5.

⁴ Government of Kenya. 1965. *Sessional paper N° 10 on African socialism and its application to planning in Kenya*. Nairobi: Government Printer.

⁵ Institute of Economic Affairs. 1998. *Our problems, our solutions—an economic and public policy agenda for Kenya*. Nairobi: IEA.

⁶ Government of Kenya. 1997. *Quarterly budget review first quarter 1997/98*. Nairobi: Government Printer.

⁷ IEA. 1998. *op. cit.*