

Chapter 1 : Electoral fraud and democratic struggles in Kenya | Pambazuka News

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Human rights and democratic governance in post Kenya: An introductory appraisal Morris Kiwinda Mbondenyei Part 1: Towards the realisation of a human rights culture 2. A new era in human rights promotion and protection in Kenya? Socio-economic rights and the potential for structural reforms: A comparative perspective on the interpretation of the socio-economic rights in the Constitution of Kenya, Nicholas Wasonga Orago 4. Entrenchment of democracy through electoral reforms 5. The quest for a more perfect democracy: Is mixed member proportional representation the answer? Ochieng Walter Khobe 6. Implementation of good governance principles 7. Towards realisation of the two-thirds gender principle Winifred Kamau 8. The constitutional and legal framework of devolved government and its relevance to development in Kenya Conrad Bosire Part 4: The accountability and integrity conundrum 9. Towards a corruption free Kenya: Demystifying the concept of corruption for the post anti-corruption agenda Ken Obura The leadership and integrity chapter of the Constitution of Kenya: The elusive threshold Juliet Okoth Unravelling judicial reforms and the state of justice Unclogging the wheels of justice: A review of judicial transformation in the post period Morris Kiwinda Mbondenyei Prosecuting the post election violence-related international crimes in Kenyan courts: Exposing the real challenges Evelyne Owiye Asaala

Chapter 2 : Front | Mediafocus on Africa

From the inclusive reform process that birthed a new Constitution in and credible and legitimate elections in until today, Kenya has achieved many democratic milestones. Among them was the creation of 47 new county governments, effectively creating a new devolved system of political power.

Further resources Why media development matters The media can be a powerful force for change in both developed and developing countries. In developing countries, it can have an important role in advancing a pro-poor development agenda, as well as supporting economic growth by stimulating consumer markets. Where it is able to effectively fulfill the roles of watchdog, gatekeeper and agenda-setter, it can improve governance by raising citizen awareness of social issues, enabling citizens to hold their governments to account, curbing corruption, and creating a civic forum for debate. It can also amplify the voice of marginalised and excluded groups Recent research has shown that the media particularly radio is serving a growing population of young, rural, and non-literate demographic groups in Africa BBC, In most countries the media sector is diverse, usually consisting of a combination of the following: These are small-scale, non-profit enterprises e. The financial sustainability of community media is often a major challenge. State-owned media, especially broadcasting services: Whilst private media are largely viewed as independent, they are driven by profit and usually reliant on revenues from advertising. They can also be influenced by business interests or government, for instance through government advertising or tax cuts. Moreover, a focus on financial returns can lead to the homogenisation of programmes and a bias towards entertainment rather than education content. In contrast to both state-owned and commercial media, Public Service Broadcasting PSB operates within a clear legislative framework, and enjoys substantial autonomy over programming and content. Programming is driven by public interests and is often funded by public subscriptions and fees sometimes supplemented by state funding and advertising. This article assesses different communication strategies in terms of short- and long-term development objectives. It outlines media performance indicators, and refers to recent events in Kenya to argue for a communication for development perspective that focuses on the self-development of local communities. Under these circumstances, there are questions about how and whether donors can ensure that supporting the media will benefit the public interest. Specifically, can and should donors choose to support some types of media, and media organisations, over others? Changes in the media landscape, in particular the rise of information and communication technologies, also require changes to the way in which media development is conceptualised. Donors can no longer conceive of conventional media as a stand-alone platform for communication, but need to integrate both ICT and traditional platforms in media development discourse and practice. News Media and Governance Reform ed. Norris, CommGAP, World Bank, Washington DC This review finds that news media are important in furthering democratic governance, provided they are set up in a way that allows them to act as effective watchdogs, agenda setters and gatekeepers. Barriers to the fulfilment of these roles include restrictions on press freedom, market failures, lack of professional standards, weak civil society, and limitations in media literacy and public access to the media. Further research is required to fully determine the relationship between a free media and democratic governance. This article argues that the concept of media development is marred by lack of definition and conflation of means and ends. If media development interventions are to impact journalism, democracy and development, clarity is essential. This chapter considers issues such as a lack of technical and financial resources, contradictory legal frameworks and disagreement about the role and professional standards of the media. Media development in Africa ultimately requires ideological change through citizen-led promotion of freedom of speech. Long-term measures such as public awareness campaigns and legal reforms are needed, making sustained support to the media sector crucial. The full text of a working paper version of this article is also available. For further discussion on ICTs, see the social media section of this guide. Supporting independent news media Media development aims to create a media sector that is both independent and pluralistic. Activities include developing legislative frameworks, training and curriculum development for media, content development and audience research. Recent research has called for donors to adopt a more

strategic and coherent approach to these activities across the media sector. This report outlines the findings of a survey of media in 17 sub-Saharan countries. The sector is growing and becoming increasingly diverse, but faces challenges such as state control and lack of investment. Support for media development in Africa must be strategic, holistic, collaborative and driven by local needs. Initiatives should be better coordinated and expanded in scale and duration. In particular, high-quality public service and public interest journalism should be supported as public goods in their own right. While specific initiatives to tackle problems and seize opportunities are valuable, a structural approach is called for, including support for comprehensive public policies on the media. PSB should be available and accessible to all with broad programming diversity, impartiality of reporting and protection from both political and commercial interests. PSB can contribute to good governance where it provides unbiased information to the public, gives voice to all and is obliged to promote alternative views which is critical for democracy. It can also play a role in fostering a common national identity, promoting tolerance and facilitating discussion around governance-related issues, for example PRSPs and Peace Agreements. What can be learned from the implementation of such reform in Bosnia and Herzegovina? This paper argues that public service broadcasting PSB can play a key role in promoting democratic governance and reducing poverty. However, broadcasting reform can only produce results at the same pace as democratic evolution in a given country, and should be integrated into broader democratic governance reform. Reformers need a strategic plan and a focus on the enabling legislative and regulatory framework. How can donors support community media? This article argues that community media represent a crucial input in development processes, playing an important role in democratisation, social struggles, and awareness raising. But they often face financial and legal difficulties due to the constraints created by national media laws. In many developing countries progress in this area is slow, with laws taking too long to be passed and, even where they have been passed, the government continuing to exert undue influence over the media sector. Harvey, *Internews Europe*, Paris, pp What steps enable the development of free and independent media? This chapter examines the relationship between free and independent media and democratic institutions. Each step in political and legal transitions contributes to an enabling environment for independent media, which in turn promotes achievement of broader political goals. It is not only laws themselves that must be addressed, but the institutional structures administering them. Impartiality of the media during electoral campaigns and after elections is difficult to achieve, even in well-established democracies. Where election outcomes are contested, media can either exacerbate or resolve disputes, playing a significant role in determining the likelihood of post-election violence. This chapter examines the impact of balance and bias in the news media on public opinions, political behaviour and, ultimately, election outcomes. Drawing on case studies of recent elections in Kenya, Russia, Mexico and Turkey, it argues that the media, particularly television, plays a key role in influencing election processes. This report presents the findings of a workshop which explored why election violence occurred after some elections and not others, drawing on experiences in Ethiopia, Uganda, Kenya, Somaliland, Tanzania and Sudan. The report suggests three ways of analysing the role of the media in post-election violence:

Chapter 3 : Institute for Education in Democracy (IED) â€”

Even the swirl of controversy generated regularly through the media, in the courts and Parliament is a good sign. It is a sign of expanding democratic space. Picture a process of law reform.

Horace Campbell Jan 03, National elections were held in Kenya on December 27, ; the results of the Presidential election were announced three days later. Within minutes of the announcement that Mwai Kibaki had emerged as the winner, there were spontaneous acts of opposition to the government in all parts of the country. The opposition was especially intense among the jobless youths who had voted overwhelmingly for change. A ruling clique that had stolen billions of dollars in a period of five years had stolen the elections. This was the verdict of the poor. This tribal narrative was intensified after the burning and killings of innocent civilians in a church, in Eldoret, in the Rift Valley region of Kenya. But while these killings had all of the hallmarks of the genocidal violence of Rwanda and Burundi, more importantly, they heightened the need for Kenyan society to step back from the brink of all out war. Violence and killings provided a feedback loop that threatened to engulf even the political leaders of the society. This analysis argues that the calls for peace and reconciliation by the political and religious leaders will remain hollow until there are efforts to break from the recursive processes of looting, extra judicial killings, rape and violation of women, and general low respect for African lives. This short commentary on the elections and the aftermath seeks to introduce a unified emancipatory approach: This analysis draws from fractal theory and seeks to place Africans as human beings at the center of the analysis. Fractal theory is founded on aspects of the African knowledge system and breaks the old tribal narratives that refer to Africans as sub humans needing Civilization, Christianity and Commerce. Those who condemn the post-election violence in Kenya have failed to condemn the traditions of killings and economic terrorism in Kenya. It should be stated clearly that using African women as guinea pigs for western pharmaceuticals is just as outrageous as burning innocent women and children in churches. Rape and violation of women, and exploitation of the poor and of jobless youth have been overlooked by the commentators who focus on one component of the matrix of exploitation in Kenya -- ethnicity. In tandem with much of the current discourse on fractal theory, this commentary is addressed to progressive intellectuals from Kenya and calls for a revolutionary paradigmatic transformation- one that is intrinsic to African knowledge systems and can be witnessed in practice in the everyday activities of African life. Revolutionary transformations are necessary to break from the processes that have been unleashed in Kenya and East Africa since British colonialism and the British Gulag. This break requires revolutionary ideas in Kenya, along with revolutionary leaders and new forms of political organization. Thus far, neo-liberal capitalism and neo-liberal democratic organizations, along with the focus on party organization have created leaders who organize for political power. These leaders are not even concerned about forming lasting political parties. Far more profound transformations are required in Kenya, beyond the winning of elections. However, until new ideas and new leaders emerge, the current struggles will serve to educate the poor on the limitations of the old politics and ethnic alliances that privilege sections of the Kenyan capitalist class. The analysis is presented as a drama of three acts. The first act was played out in the form of the election campaign. The second act involved the drama after the announcement of the results and the violent reactions from all sections of the society. The third act of this drama continues to unfold with the call for a fractal analysis that will place revolutionary transformation as the central question on the political agenda in Kenya and East Africa. Act One â€” The Struggles over the election and the campaign for the Presidency. Kenya had been the epi- center of imperial domination in East Africa from the period of British colonialism. At independence in December , Britain handed over power to people who, in essence, agreed to act as junior partners with British capitalism in Eastern and Central Africa. For forty years, Kenya was presented as a success story where a parasitic middle class and a thriving Nairobi Stock Exchange composed of foreign capital sought to prove that capitalism could take root in Africa.

Chapter 4 : Human rights and democratic governance in Kenya : a post appraisal in SearchWorks catalog

Read chapter Democracy and Governance in Africa: The global movement toward democracy, spurred in part by the ending of the cold war, has created opportun.

Role of Media in Promoting Good Governance Lal Babu Yadav Tribhuvan University, Kathmandu "One of the objects of a newspaper is to understand the popular feeling and give expression to it, another is to arouse among the people certain desirable sentiments; the third is fearlessly to expose popular defects"-Mahatma Gandhi. The foregoing statement by Gandhi explains the importance of media in upholding freedom, and in expanding education and social reforms and change. Media can inform people giving them the voice to be heard and heeded to. Democracy requires that people should have the right to know the activities of the government, especially the decision of the government that affects their life, liberty and property. Information is important for people to make choices regarding their participation in the State, the market and the civil society. Sufficient information helps people to decide rationally and take the right course of action beneficial to them. Media-both print and electronic-thus helps people to know what is happening around the world, socialize them with the values of pluralism and equip them with the elements of modernity. By publicizing information the media also make public services more responsive to the people. A responsible media equally helps in socialization of people into citizenship, democratization of the State and political society, institutionalization of civic culture through unfettered flow of information, and rationalized use of power in social relations. In a nascent democracy like Nepal, media can also help voters with the contents of civic and political education and strengthen the culture of democracy. This is the reason political scientist Karl Deutsch has called that the system of communication proves a "nerve of the polity," and any breakdown of the nerve may cause dysfunctional impact in the performance of the polity causing governance decay. Realizing this the Article 16 of the Constitution of Nepal says: This implies that the right to information has become a human and constitutional right of the Nepalese people. The denial of this right can be contested under Article 23 of the constitution. The Supreme Court of Nepal under Article 88 2 holds tremendous power to enforce this right. This suggests that free access to information on matters of public importance has become a core of the governing process. In fact, the key element of good governance postulates three essential features: This article deals with three sections: The first section deals with the elements of good governance. The second section elaborates the right to information as a key to good governance in Nepal. The third one deals with the precondition for media freedom and media culture in Nepal. The last section draws a brief conclusion presenting a synthesis of the whole analysis. Right to information as a key to good governance in Nepal: A governance that steers in normative order to achieve its goals-law and order, human and national security, voice and participation and the promotion of public goods is called good governance. The World Bank defines: Limiting the powers of the State by providing the citizens the fundamental and human rights. Article 12 of the constitution guarantees the right to freedom. Personal liberty under law of the land and abolition of capital punishment; Freedom of opinion and expression; Peaceful assembly; Freedom to form unions and organizations; Freedom to move and reside in any part of the country and Freedom to practice any occupation, profession, trade and industry. But these freedoms do not limit the sovereignty of the State to legislate and act if they lead to chaos and anarchy and undermine: The State can formulate laws and acts to constitutionalize the behavior of citizen and help them in conforming to the ideals of constitutional patriotism implying a kind of balance between the public order and individual freedom. Similarly, Article 13 provides provisions for press and publication right so as to make the functioning of governance as transparent as possible. This is the way to bring the institutions of governance closer to the people and allowing them to make choices on public and political matters. But again they are subjected to the vision, spirit and principles of the constitution. The arrangement tries to set an equilibrium between the sovereignty of the people to enjoy their press and public right and the sovereignty of the state to make laws so that citizens do not violate the sovereignty and integrity of Nepal, create disharmony in the society and disobey the laws of the land. This suggests that rights are tied with duties and accountabilities. Article 16 of the constitution of Nepal provides also the right to information.

This article establishes that: The constitution has thus established three critical elements-rights to freedom, press and publication right and the right to information-a crucial ground for good governance. Media as a key component of the civil society is testing the rights given to them in public affairs. The question then arises: Is the right to information context free? And closely connected to this question is: Are the available acts sufficient to provide the public access to information on matters of public interest? The second question can hardly be answered in a definite tone, but the first question can be answered clearly in a negative light. Knowledge about the right to information is not context free. In Nepal where public literacy is just about 40 percent and functional literacy is about its half, one can easily guess how many people know about their fundamental rights and duties. Secondly, like per capita income, the instruments of media are unevenly distributed among the various geographic regions. The access to media of the people of Far-Western region and remote districts is virtually nil. This means they are less "visible" in policy and decision making affairs. Thirdly, the pervasive poverty syndrome of the Nepalese society and mal-development of the nation as a whole reflect certain imbalance. The exploitative nature of the urban class has thus dissociated itself from the "diffusion effects of modernity" and, consequently, concentration of power, resource and communication implies a poor linkage with the life of ordinary citizens. Fourthly, the Information bill, which deals with comprehensively information access, is still pending in the parliament and has yet to be passed as an Act for legislative action. Any reader of Geroge Orwell clearly knows what the Ministry of Information means. This means that media must act as a "public sphere", aimed to educate the people. Only then the people can be socialized into "citizenship" and then finally into "public" that is capable of making governance transparent and accountable. Preconditions for media freedom and media culture in Nepal: In Nepal there is still dearth of empirical research to clarify whether: There are however, seminar proceedings, official compilations and secondary source data that suggest that the "magnitude" of media access and content coverage have grown in size and dimensions. But, what does it mean for the majority of the rural poor? Has their income increased to have access to media? In Nepal, the formulation of laws also does not mean much unless material resources, hardware, human development and training to enable the people to participate in knowledge-based economy support it. In the right to information invoked by citizens regarding privatization of industries, Arun III, and appointment of Ambassadors by the late King without the recommendation of the cabinet, the court versions of justice appear very confusing. The role of the press regarding "event-provocation" rather than objective reporting and promotion of business interest constitutes another issue. The politicization, polarization and sectoralization of Nepalese media culture suggest that the "code of ethics" must be brought out so that media does not indulge in the "manufacturing of consent" as Noam Chomsky said and become an instrument of assimilation, power, domination and indoctrination. Only a media culture rooted in the public life of the nation can adequately articulate the right to information, which is also the essence of good governance. The right to information, guaranteed rights and press and publication right are three vital means for establishing "open society" visualized by the Nepalese constitution. An information Act must be brought out as soon as possible both to help in the way of freedom of information, enforce the accountability of information as well as to endow substance and quality in democratic debates so that citizens can monitor the day to day functioning of public institutions and actors. The right to information is closely tied to the accountability mechanism, for monitoring every action of government which leads to good governance, places the dominant actors of governance-the state, the market and civil society in balance, and monitors their performance as per the boundaries for action defined for them. Media thus perform vital tasks of informing, socializing, communicating and articulating the power of the public and preparing them for social transformation and good governance. Friedrich Ebert Stiftung, Nepal Office The information on this site is subject to a disclaimer and copyright notice.

Chapter 5 : Role of Media in Promoting Good Governance

The main objective survey on Status of Governance in Kenya was to generate baseline data for programming by the three key partners who commissioned this study namely Uraia Trust, UNDP - Amkeni Wakenya and UN Women - Usawa ni Haki.

The major donors have been meeting frequently in order to discuss development and debt problems and to devise aid strategies for African governments. In turn, foreign aid has increasingly been linked to a set of prescriptions for changes in both economic and political policies pursued by African governments. The so-called new world order also has had significant effects on African governments. As the influence and interest of the Soviet Union in Africa declined and later collapsed with its demise, Western states and the organizations they influence gained considerably greater leverage over African governments, surpassing the general client-dependent relationship of the 1970s and 1980s. In the 1990s, the international financial institutions announced that the implementation of structural adjustment and economic stabilization programs would be conditions for their assistance to African governments. Agency for International Development took the lead in demanding policy changes, such as currency devaluation, removal of subsidies for public services, reduction of state intervention in agricultural pricing and marketing, greater concern to the development needs of rural areas, privatization of parastatal bodies, and reduction in the size and cost of the public sector. In the early 1990s, donors began to show interest in promoting political change in addition to economic reforms. African Views, African Voices. The National Academies Press. The Development Advisory Committee of the Organization for Economic Cooperation and Development is on record in support of "participatory development," which includes democratization, improved governance, and human rights. The condition that political reforms be undertaken is now attached at least rhetorically to almost all Western aid. Actual donor practices vary: France proposes greater liberty and democracy, Great Britain recommends good government, the United States focuses on good governance, Japan talks about linking aid to reductions in military expenditures. Yet, regardless of the approach, there is increasingly strong agreement among donors that political reforms in Africa must result in reduced corruption and more financial accountability, better observance of human rights, independent media and an independent judiciary, participatory politics, and a liberalized market economy in order to move closer to the ultimate goal of meaningful economic growth and development. A number of political scientists participating in the Namibia workshop found it necessary to point out that the concepts of democracy and governance were interrelated, but were not the same. They indicated that "good governance entails the efficient and effective reciprocity between rulers and the ruled, with it incumbent upon government to be responsive. Majoritarian democracy, on the other hand, entailed a broad consensus on values and procedures, the participation in the selection of ruling elites, and the accountability of leadership to the electorate. Both concepts were related to processes in society within the context of reciprocity. Still, there was agreement in the meetings that African governments are deeply in need of governance reforms. In the Namibia meeting, one participant was of the opinion that the argument that all of Africa has practiced bad governance "is not an accurate statement. In reality, there are few Mobutu Sese Sekos. Most African governments have been in difficult situations and they have opted for the easy way out. Foreign governments did not insist on good governance, either. Even when policies failed, assistance kept coming. Only recently have donors been raising the governance issue, linking it to assistance in order to ensure that the economy and politics be liberalized. Increasingly, Africans are saying that such conditions should be tied to policy performance, but not to a particular blueprint for democracy. Africans should design their own approach to democracy, make a good-faith effort to govern well and to have programs work in an efficient manner, and strive for the development of a culture of democracy between the rulers and the ruled. Perhaps improved governance will take hold before democracy. Africa is liberalizing, but it will take time, and one must be prepared to persevere for a long haul. This has been disastrous for the economies in African countries. Thus, economic liberalization, empowering ordinary producers, may well be an aid to political democracy. Furthermore, in most African countries, the small number of individuals with power have managed to erode any semblance of

accountability, legitimacy, democracy, and justice, which has been a basis of considerable disappointment to the planners, economists and policy makers who want African governments to introduce a reasonable and collective attack on poverty, disease, illiteracy, and other challenges to development. In the deliberations, certain desperately needed elements of good governance were identified, including popular participation in governance, accountability and transparency, the elimination of corruption, the protection of freedom of information and human rights, and the decentralization and devolution of power. Page 34 Share Cite Suggested Citation: This recognition emerged from the Arusha Conference "Putting the People First" of February , convened under the auspices of the United Nations Economic Commission for Africa and attended by over delegations representing grass roots organizations, nongovernmental organizations, United Nations agencies, and governments. The African Charter for Popular Participation in Development and Transformation, which was adopted by the plenary, holds that the absence of democracy is a principal reason for the persistent development challenges facing Africa: After all, it is to the people that the very benefits of development should and must accrue. In the three workshops, the importance of popular participation in building democratic society likewise was underscored: When one examines existing democratic societies, one realizes they have succeeded primarily because they have involved people to help make it work. Also, they have empowered those engaged in democratic projects. In short, they have succeeded by giving voice to those who have been voiceless. As such, critics of the government either are intimidated or absorbed. Page 35 Share Cite Suggested Citation: Foreign nongovernmental organizations also tend to work with governments and may be used by them in order to promote government patronage. For example, it was noted that "measures that require the registration of civic associations, such as trade unions or student movements, have been used by governments to dissolve associations on petty pretexts. It also was suggested that civic associations become institutionalized and begin to support one another. Explicit measures to this end have been taken in Zambia since the recent presidential elections. One participant also pointed out that nongovernmental organizations in Namibia were inculcating a sense of participatory democracy in their projects, including in the schools. In discussing the relationship between participation and efficiency, the question of what is meant by efficiency was raised. Participants suggested that "a technocratic approach to efficiency takes political issues out of the hands of the people and stifles participation. One classic example of this approach has been the imposition of structural adjustment programs, under which the entire management of the economy is removed from the realm of participatory politics. If, on the other hand, the efficiency of the government is to be measured by its ability to meet the needs of its people, then a high level of participation can only promote this end. Discussions could have helped people to be prepared for the impact of reforms. In this manner, perhaps the reforms even could have been softened. The misuse or diversion of assistance and domestic funds by corrupt officials, which was tolerated during the cold war to receive support in the international system, is being replaced by a new emphasis on good governance. In the past, said a number of participants, "aid appeared to be driven by certain political factors without a congruence of interests between givers and receivers. Among some participants, the assumption is that such groups can act as watchdogs, serving as the best deliverers of assistance; a number of participants did not agree, arguing that newly democratic governments should receive and channel such aid. With regard to public officials, participants pointed out that mechanisms must be devised to hold leaders responsible when they use public resources in ways that society considers unacceptable. To that end, they noted that any public accountability system should include periodic competition and a clear set of rules and expectations. Participants emphasized the notion that the principle of accountability, essential to democracy, requires exposing the truth, with stated and enforced consequences for violating the rules, without exception, even for those in power. The lack of accountability in Africa has led to the gross misuse of public resources. For example, single-party systems in Africa do not allow for much in the way of accountability. The effect has been rampant corruption and the deterioration of socioeconomic conditions"an indication that people in Africa were governed without being able to control their governors. This not only requires systems of financial accountability, but also the capacity and willingness to monitor the overall economic performance of the government. Another challenge discussed under the rubric of good governance was to achieve transparency in government transactions. In most African countries, participants

noted that it is difficult to find functioning establishments in which government accounts, external procurement procedures, and central bank operations are discussed objectively: The state must be deprivatized [from domination by the few] and a public arena must be created where there would be room for argument and discussions based on what is good for the entire society. Things should be argued in public terms so that everyone can participate on an equal basis. Several participants pointed out that government should not conceal information from its citizens. A number of suggestions were put forward by participants regarding the ways in which transparency might be achieved in Africa. Some participants also raised the question of whether donors genuinely verify democratic conditions in recipient countries, such as Liberia and Kenya. In the case of Liberia, participants suggested U. With regard to Kenya, participants pointed out the inconsistency in application of the good government policy advocated by the British, compared with other bilateral donors. One participant argued, "Perhaps democracy is being used as a legitimization of intervention. There is a need for transparency in the advice donors give to African governments. When projects [that have been agreed on behind closed doors] fail, the onus is put on African governments. Page 38 Share Cite Suggested Citation: One participant stated, "Having worked for several aid agencies, I will add that the donors need to undertake governance reforms. I hope that the progressive and democratic forces in Africa both during and after the transition will demand those reforms of the donors. For example, demand the publication of confidential reports of the World Bank and International Monetary Fund. They are confidential only in lessening the level of accountability of these agencies to populations and opposition. I think there should be much more transparency in the policy-making process, especially during structural adjustment negotiations. That lack of transparency has satisfied only the donors and the governments, and it will be interesting to see, after the transition, whether newly democratic governments will open up this process to the press, and I think they should, because it will much improve the structural adjustment process. In most African countries, corruption constitutes an important means by which individual wants and needs, especially in patronage-ridden personal regimes, can be satisfied. Although corruption is a general problem for all governments, governments of developing countries tend to exhibit the problem in a particularly noteworthy way. In countries such as Nigeria, Ghana, Sierra Leone, Zaire, and the Central African Republic, corruption is so extensive that it is viewed as a way of life. Because of an absence of effective structures with autonomy and strength to check corruption, the governing elites of most African countries have engaged in high and sometimes egregious levels of corruption, increasingly diverting state resources for personal gain. In Zaire, for example, one participant mentioned that corruption has been termed a structural fact, with as much as 60 percent of the annual budget misappropriated by the governing elite. Foreign aid, noted the participants, although designed to contribute to development, also has served as an alternative source of wealth for corrupt elites. It was also pointed out that, to the extent that government has been immersed in patron-client relations and in cases in which state office is granted as a means to amass personal wealth, corruption has increased in scale and proportion. One significant suggestion advanced by participants in both the Benin and Namibia workshops was that public monies siphoned off by corrupt leaders and public officials and deposited in the West must be returned. They made a plea for donors to suggest steps that African countries could take that might help retrieve the stolen money deposited in foreign accounts by these public officials. One participant stated, "Stolen monies do not belong to the few individuals who perpetrated the thefts. The people of African countries were robbed. If donors were to try to help get this money back, it maybe would contribute to democracy and democratization. Although participants acknowledged that corruption in Africa emanated from the lack of democracy and accountability, they emphasized that corruption is not unique to Africa and also may be found in liberal democratic systems. Consequently, they were of the opinion that the real issue is the absence of institutions capable of tackling corruption. As one participant argued, "With regard to corruption and stolen money, my own advice is to let sleeping dogs lie and engage ourselves more in how to create institutions that will help make a repeat performance impossible. I also think we can suggest to donors that we want a change in the form in which aid comes.

Chapter 6 : Democracy, Governance and Conflict | Kenya | U.S. Agency for International Development

The active and meaningful participation of citizens in public affairs is the distinguishing feature of democratic societies, which are judged by the extent to which governments open up to citizen involvement in public affairs and the space they give for citizens to hold the government accountable.

While most acknowledge that the influence and impact of changing media and communication on governance outcomes is growing, the degree to which new media landscapes are contributing to more informed, peaceful and accountable societies remains in question. For some, increasingly networked young, educated and information-empowered global citizens have the potential to be democratically, socially and economically transformative. For others, increasingly fragmented and co-opted media and communication environments are driving political polarisation, extremism and violence. Access to internet and mobile phones is rising rapidly, not least in fragile states, but radio and TV remain the key sources of information for most people. Over the last couple of decades powerful changes in media markets have had a substantial impact on patterns of information, communication and governance: Political, religious, ethnic or other factional actors have stepped in, supporting media outlets to promote their agendas. For much of modern democratic history, media has been considered one of the most powerful agents of democratic accountability. Extensive empirical research has demonstrated the connection between a free press and good governance, including the association between access to balanced, independent programming and improved knowledge and political participation. However, since the Rwandan genocide and the Balkan wars researchers have devoted increasing attention to the links between media, fragility and violent conflict. More recently, an emerging evidence base has shown the ability of media interventions to reduce polarisation. There are some notable exceptions, but overall, development actors spend relatively small sums on media support, often not investing for the long term and struggling to integrate the media into broader policy agendas. When they do, it is usually with the aim of achieving one or more of the following objectives: Democracy and human rights: To build an independent media sector as an intrinsic good, essential to the functioning of a democratic society and a key platform for freedom of expression. To enhance the accountability of governments to citizens, often in order to: Stability and conflict reduction: To improve debate, dialogue and tolerance in fragile or conflict-affected societies, often in order to: To create demand for services and use the media as an instrument to shift behaviour or change the social norms that prevent such behaviour. For example, improving immunisation uptake. Development actors have often struggled to have collective conversations on how best to support media, in part because they have these differing objectives. As the evidence base for media interventions builds, now is the time for the development industry to develop a more strategic approach to media support. Key readings Reading 1: Media and communication in governance: Alternative ideas and approaches eds. This book chapter provides: A framework for assessing media development. This report provides a set of indicators for measuring interventions designed to support independent media. It focuses on a set of media support objectives, such as regulation, diversity of ownership, and media as a platform for democratic discourse, rather than governance objectives e. It remains the most comprehensive and commonly referred to framework for media support. The impact of media development worldwide: This report from the Media Map project provides a reasonably comprehensive literature review, and an analysis of the history and roles of media support. The politics of media development: The importance of engaging government and civil society. This report provides guidance on how to engage governmental and political systems in attempts to reform or support media. This policy briefing summarises key trends shaping the relationship between media including digital media and fragility, including how media environments are increasingly reflecting, and sometimes driving, divisions between different identities or factions. It draws on analysis from Afghanistan, Iraq, Kenya and Somalia, and makes a series of recommendations for policy responses to media in fragile states. Questions to guide reading What do we expect to achieve by supporting media? What are the barriers to media playing an effective role e. Does it make most sense to support media as a set of institutions in society or, given our increasingly networked lives, support initiatives that consider all the ways in which people actually access information and communicate?

How can questions over the role of media be better integrated into governance assessments, political economy analysis, electoral support strategies or other processes? How does development support to media reconcile the tension between effectiveness and values? Should media be supported as an intrinsic democratic public good or should it be framed in terms of improved development outcomes? Does sponsoring paid for content distort incentives for media to pay attention to their publics? What are the most effective strategies for sustainable change in media organisations? How should institutional support strategies for media organisations integrate support for media content? How can media support strategies be better connected to broader social accountability objectives and programming such as access to information, open data and budget monitoring activities or other efforts aimed at improving social cohesion? James was formerly Executive Director of the Panos Institute London , another media support institute. He is a board member of Global Voices. His current focus is on the relationship between media and fragility. These cookies do not identify you personally. By using this site you indicate agreement with the use of cookies. For details, click "read more" and see "use of cookies".

Chapter 7 : UNDP Kenya Support to Electoral Processes in Kenya | UNDP in Kenya

It focuses on a set of media support objectives, such as regulation, diversity of ownership, and media as a platform for democratic discourse, rather than governance objectives (e.g. accountability, social cohesion, political freedom or participation). It remains the most comprehensive and commonly referred to framework for media support.

There is more hope than fatigue, more excitement than frustration. The organs charged with the implementation, from Parliament, to the Cabinet, the independent Commissions and civil society, are all actively engaged in the process, with a shared desire of ensuring the success of our new Constitution. Even the swirl of controversy generated regularly through the media, in the courts and Parliament is a good sign. It is a sign of expanding democratic space. Picture a process of law reform without controversy, and shudder at the thought. Group-think and conformity of thought led Kenya down a wrong constitutional path in It triggered two decades of decay in Controversy is a sign of movement, and movement signifies life and human endeavour. White Fang is neither a novel nor a short story. It is a novella, which falls in between. And it has one of the most thrilling openings of any work of literature I have come across. London explained, "The Wild aims always to destroy movement. It freezes the water to prevent it running to the Sea; it drives the sap out of the trees until they are frozen to their mighty hearts; and most ferociously of all does the Wild harry and crush into submission man â€” man, who is the most restless of life, ever in revolt against the dictum that all movement must in the end come to the cessation of movement. It means not to take any constitutional principles and precepts for granted, but to test and question them when in doubt. Since the roles of the different constitutional actors are dynamic, controversy leads to an efficient equilibrium. So I am not worried about controversies in constitutional implementation. I am worried instead about something else. I worry about the degradation of public participation. I am concerned about the gradual identification of public participation with an elite stratum of civil society to the exclusion of the grassroots. It is a fundamental principle of democratic governance. It is contained in the concept of sovereignty, and prefaces the Preamble of the Constitution with the momentous words, "We the people Effective public participation must be multi-sectoral. It must be multi-level, meaning at national, county and sub-county level. It should involve multiple stakeholders, including government, media, civil society, faith-based organisations and professional bodies. And most importantly, it should be democratic, which means participation down to the grassroots. It has been consultative, participatory and done without haste. For effective participation, the public need a well-planned process that gives them time and access. What Kenya needs now is a dose of moderate controversy and healthy competition between ideas.

Chapter 8 : Democratic Governance | UNDP in Kenya

It was established in July , then known as the "Civil Society Democratic Governance Facility (CSDGF)" and works through Civil Society Organizations in the areas of democracy, human rights, governance reforms, and the integration of a rights based approach in social and economic reforms in Kenya.

Chapter 9 : Human rights and democratic governance in Kenya: A post appraisal

Media thus perform vital tasks of informing, socializing, communicating and articulating the power of the public and preparing them for social transformation and good governance. Paper presented by the author at a Telegraph Weekly/FES national level media seminar on December 20, in Kathmandu-Chief editor.