

Promoting a Bi-partisan Approach in Responding to the Contemporary Socio-economic Challenges in Kenya.

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Abstract

The contemporary political landscape in Kenya has been marred by political antagonism and unhealthy competition among the political actors. The Kenyan citizens have bore the brunt of the negative outcomes of this approach to political engagement in seeking solutions to their socioeconomic challenges like poor roads, lack of access to health and educational facilities especially in marginalized areas, high crime rate, inflation, unemployment among others. There is need for a paradigm shift to ensure positive socio-economic outcomes are achieved. This paper therefore seeks to demonstrate how a bi-partisan approach in responding to the contemporary socio-economic challenges can help achieve socioeconomic development and milestones in Kenya. This study is grounded on political theory while the Search, Appraisal, Synthesis and Analysis (SALSA) framework was used to review different articles from revered journals related to bipartisan policy, non-confrontational political approaches and pragmatic political ideals. The reviewed literatures revealed that achieving bipartisanship in a competitive political environment is a tedious process but ultimately if achieved produces positive socio-economic outcomes like fast tracking of bills and policies in parliament meant to ensure provision of services to the people, value addition to suggested ideas and minimal obstruction in the implementation of projects and services to the people. The study recommends a wide stakeholder engagement and intensive training of Non state actors like the Civil Society groups, State actors like elected representatives at the, Constituency, County and National assembly on the value of bipartisanship and how to engage positively on issues of common good. These bipartisan ideals that will enhance their service delivery and ensure socio-economic development at the constituency. County and National levels.

Key words; Bipartisan, non- confrontational, political engagement, socio-economic, development

Background to the study

Socio-economic development is the aspiration and desire of every contemporary state. It is however important to mention that differences in ideologies held by diverse socio-economic stakeholders like the political parties, elected representatives, religious groups, interest groups, civil society the media, the citizens and the government creates a competitive environment which if not checked it derails the socio-economic development agenda (Hobsbawm, 2012). Bipartisanship is the situation where parties with conflicting and competing ideologies deliberately and intentionally seek to find a common ground and build consensus on how to forge forward on cross-cutting development issues together (Fromkin, 2009). It is the

process of appreciating the views of other parties and utilizing all shared ideas to serve the interests of all parties (Applebaum, 2010).

World leaders have courted the bipartisan concept by formulating the Bipartisan Trade Deal which brings together Peru, Colombia, Panama, Korea and the United States of America (Gantz, 2008). This agreement provides for a free trade area that seeks to create new economic opportunities for American farmers, ranchers, manufacturers, service providers, more choices for consumers, and help guarantee that the benefits of trade extend to all people (Bolle, 2016).

The development and formulation of the patient protection and affordable care Act in the United States of America was achieved through bipartisanship (Gregory, 2012). It elicited a lot of discussion and deliberations. There were arguments and counter arguments about the practicability of this policy. Wide consultations and consensus building ensued to ensure the views of all the stakeholders – politicians in senate and in congress, private insurance companies and the government among others were considered and finally the Affordable Care Act was passed into law (Oberlander, 2010). The relaunch of the bipartisan task force for combating anti-Semitism by the 115th Congress in America is another demonstration of the realization that it is through bipartisan approach that socio-economic challenges affecting society can effectively be dealt with. This task force seeks to address the rising hatred of people of the European descent living in the United States of America (Lowey, 2017). Survey results conducted by CBS in 2009 indicated that 60% of the respondents expected their elected representatives both Democrats and Republicans in congress and senate to be bipartisan while 32% favored the partisan approach (Harbridge et. al, 2013).

In Europe, bipartisanship has been useful in addressing socio-economic challenges like homelessness, refugee and immigrant issues, economic challenges among others (Ybbara, 2011). Spain has however realized bipartisanship has its shortcomings and have opted in being partisan in some issues affecting its people especially on foreign policy issues (Antentas, 2015).

While there is paucity of research about bipartisanship in Africa, bipartisanship is embedded in the African modus operandi. The struggle for independence from the colonial powers largely displayed the bipartisan nature of Africans (Boshoff, 2010). The African people in various countries came together regardless of their ethnicity to resist the colonial governments (Williams, 2016). Nelson Mandela called for the freedom of South Africans and the abolishment of the apartheid system in South Africa by seeking support from both the whites and blacks. The anti-apartheid struggle was engineered and supported by African states like Tanzania, Libya and America demonstrating how bi-partisanship can bear great results (Read, 2010).

The Kenyan history attests to the fact that bipartisanship was demonstrated by the different ethnic communities in fighting for the Kenyan independence (LeBas, 2013). In as much we had some community leaders collaborating with the colonial masters, there were those who came together to challenge the white rule in Kenya (Ocobock, 2010). The Kenya African National Union (KANU) and the

African Democratic Union had different ideologies (Seidman, 2016). However after attaining independence they started working together and finally dissolved to form one party KANU (Harrison, 2002). Bipartisanship comes into play again in 2002, when different political parties LDP, DP, SDP, FORD – Kenya among others came together to challenge the then KANU government for poor governance and economic run down of the country (Nyong'o, 2007). They all formed a coalition called National Rainbow Coalition so as to forge a common front under the leadership of Mwai Kibaki and Michael Kijana Wamalwa. NARC defeated KANU in elections conducted in 2002 (Anderson, 2002).

This paper does not advocate for the formation of one party states but rather seeks to elucidate on the importance of bipartisanship in addressing socio-economic challenges facing Kenya today. It seeks to identify the cross cutting socio-economic issues affecting Kenya that need bipartisan approach in addressing them, establish the constitutional framework advocating for bipartisanship, outline the merits and demerits

of using the bipartisan approach and finally develop a roadmap to achieve bipartisanship both at the National and the devolved units of government in Kenya.

Method

The literature on bipartisanship was searched on Google scholar, history of bipartisanship, case examples of bipartisanship, socioeconomic challenges in Kenya and the constitutional framework for bipartisanship. Article reference lists were also used the government articles and international organization documentations such as UN were also searched. Selected articles synthesized the literature on bipartisanship and socioeconomic challenges in Kenya were reviewed. The search was limited to English articles and excluded dissertations. Researcher reviewed each abstract to eliminate articles that were not relevant. Selected articles were reviewed to explore how to promote bipartisanship in addressing contemporary socioeconomic challenges in Kenya. Books and journals were also reviewed and analyzed using content analysis

Statement of the Problem

The competitive general elections in 2013 and 2017 in Kenya has made the Kenyan people to be divided along ethnic and political lines. The elected representatives in both County and National assemblies have abandoned their core mandate of legislation and oversight to ensure socio-economic development in their areas of jurisdiction. As a result there is an escalation of social-economic challenges like corruption, ethnic animosity, and dilapidated health infrastructure especially in marginalized areas, high inflation rates, low education standards and services among others. If this situation continues unabated, the Kenyan economy will continue to plunge into more turmoil. There is paucity of research on bipartisanship in Kenya is proof enough that the idea is not appreciated in Kenya. There is also negative view of bipartisanship to mean political betrayal and being compromised. As a result the socio-economic development stakeholders are afraid to acknowledge each other's view and work together towards the common good of the nation. The situation has been exacerbated by the increasing calls for secession in the NASA controlled counties. This paper therefore seeks to advocate for and promote bipartisanship in addressing socio-economic development challenges in Kenya with an aim of encouraging Kenyans to appreciate the strengths and ideas of each other therefore work together to address cross-cutting socio-economic challenges.

Theoretical framework

This study is premised on political theory which makes it possible to explain, describe and study political concepts and principles that people use to shape political events, landscape and institutions. Political theory was advanced by Connoly E. Williams in 1976 and helps explain concepts like democracy, freedom, equality, individuality and justice (Macpherson, 2010). Political theory is therefore better placed to help in explaining the emerging concept of bipartisanship, its merits, and demerits and how it can be applied in the realization of socioeconomic development in Kenya.

The Bipartisanship concept

The bipartisanship concept traces its origin in America in the late 18th Century when states delegates were discussing the idea of congressional representation. Roger Sherman proposed a compromise by suggesting a proportional house of representatives and a senate of equal representatives (Zagarri, 2010). President Lincoln would again use bipartisanship in 1860 by appointing his political opponents in the Republican Party nominations and also appointing a Democrat to be his secretary of war (Lincoln, 2008). Other instances where bipartisanship was applied was when President Truman appointed Republican Ohio senator Harold Burton to the Supreme Court, formulation of the bipartisan policy in 1945, the Civil Rights Act in 1964, The Great Society legislations proposed by President Lyndon Johnsons (Aaron, 2010), the formation of the National Aeronautics and Space Administration (NASA), the endangered species Act 1977, Social Security Act, Tax Reform Act in 1986, America's disabilities Act- 1990, the Welfare reform Act- 1996, No child left behind Act 2001, the cabinet selection by President Obama in 2008, the Tax deal in 2010, the Jump Start Our Businesses Start Ups Act in 2012 (Bomberg & Super, 2009).

Bipartisanship as demonstrated in the legislations aforesaid is about agreeing to put aside personal, political partisan interest, agreeing on and aiming at the greater good for all. It is a win-win situation for all

stake holders. It is a panacea to extremism, an expression of tolerance and accommodation. It requires moderation, open-mindedness and independence. Leaders practicing bipartisanship are required to use inclusive and objective language (Fahrenheit, 2011). It demonstrates ability to negotiate and reciprocate the goodwill of the other parties. Bipartisanship is hinged on principles of inclusivity, respect for diversity, open mindedness and greater good (Khan & Sabir, 2013).

The Cross-cutting socio-economic issues that need bipartisanship in Kenya

The 21st century has presented a myriad of socioeconomic challenges to Kenya. These challenges include but not limited to unemployment, poor infrastructure, corruption and misappropriation, industrial strife, high inflation, increased levels of crime, poor health infrastructure and service delivery, high taxation regime, food insecurity among others. The Institute of Economic Affairs (IEA) in its paper dubbed Policy debate on 5 socio-economic issues in Kenya: Elections 2017 highlights five socio-economic issues that in its view were important political themes for the just concluded 2017 elections. These issues are; Education, unemployment, housing, health and water and sanitation. The main challenges under education were; inaccessibility of education especially in marginalized area, poor quality of education in public schools coupled by high student teacher ratio, dilapidated facilities and inadequate funding, and finally lack of efficiency and accountability of allocated resources.

Unemployment was the second theme highlighted by IEA in which it asserted that the current rate of unemployment stands at 10.9% with the highest unemployment rate experienced among the youth at 22.17%. There are also inequalities between the males and females. There are more females who do not have no access to employment opportunities compared to men (Wambugu, 2010). The third theme was housing whereby 59% of urban dwellers live in single rooms with no adequate sanitation facilities, 35.1% of Kenyans who live in rural areas also live in single roomed houses. This situation is coupled by high cost of land especially in urban areas, low levels of income among urban dwellers thus they do not have the purchasing power to buy land and build houses.

Health was the fourth highlighted challenge was health and the key challenges are inaccessibility to health care facilities, poor maternal health services, poor management of health facilities, inadequate funding, corruption in health facilities and misappropriation of funds, emergence of lifestyle diseases like diabetes, cancer, obesity, hypertension, and cardiovascular diseases among others (Carerra, 2011).

Finally water and sanitation continues to be a perennial challenge to Kenyans. Many households have inadequate water supply, 50% of Kenyans especially in marginalized areas practice open defecation thus putting themselves and others at risk of contracting water sanitation and hygiene (WASH) related diseases. Statistics indicate that out of every 8 patients in a health facility, 4 present WASH related illness. This is an indicator that this is a major challenge for Kenyans. These among other challenges are plaguing Kenya and they need a bipartisan approach to realize meaningful progress across the country.

The Constitutional Framework that Advocates for Bipartisanship

The Kenya 2010 constitution encourages participation and active involvement of all citizens in the socio-economic development of Kenya. The excerpts below from the constitution confirms the emphasis and value the constitution has placed on public participation and thus recognizes the value of ideas across the divide (Elkins, 2008).

Article 1(2): All sovereign power belongs to the people of Kenya. The people may exercise their sovereignty directly or through their elected representatives.

Article 10 (2) a, b and c: The national values and principles of governance include; democracy and participation of the people; inclusiveness; good governance, integrity, transparency and accountability.

Article 27: The Constitution guarantees equality and non-discrimination. Hence, public participation should ensure equality and non-discrimination.

Article 33: Public participation should respect the freedom of expression of all participants.

Article 35: The Constitution guarantees the right to access information by citizens

Article 61: Gives the public, individually or as a group, a say in matters of land including acquisition, management, transfer, disposal, or ownership of private, public and/or community land.

Article 69(1) (d): The State shall encourage public participation in the management, protection, and conservation of the environment.

Article 118: (1) Parliament shall— **(a)** conduct its business in an open manner, and its sittings and those of its committees shall be open to the public; and **(b)** facilitate public participation and involvement in the legislative and other business of Parliament and its committees.

Article 119(1): Every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending, or repealing any legislation.

(2) Parliament may not exclude the public, or any media, from any sitting, unless in exceptional circumstances the relevant Speaker has determined that there are justifiable reasons for the exclusion.

Article 174(c): Objects of devolution are: to give powers of self-governance to the people and enhance their participation in the exercise of such powers in decision-making.

Article 174(d): Communities have the right to manage their own affairs and to further their development.

Article 184(1): National legislation shall provide for the governance and management of urban areas and cities and shall, in particular— **(c)** provide for participation by residents in the governance of urban areas and cities.

Article 196(1): A county assembly shall— **(a)** conduct its business in an open manner, and hold its sittings and those of its committees, in public; and **(b)** facilitate public participation and involvement in the legislative and other business of the assembly and its committees.

(2) A county assembly may not exclude the public, or any media, from any sitting, unless in exceptional circumstances the speaker has determined that there are justifiable reasons for doing so.

Article 201 (a): there shall be openness and accountability, including public participation in financial matters

Article 232(1) (d): The values and principles of public service include the involvement of the people in the process of policy making and **(f)** transparency and provision to the public of timely and accurate information.

Fourth Schedule Part 2(14): The functions and powers of the county are to coordinate and ensure the participation of communities in governance. Counties are also to assist communities to develop the administrative capacity to enhance their exercise of power and participation in governance at the local level.

The parliamentary standing orders S.N. 204 requires that house committees be constituted by members from all the political parties and independent legislators represented in the house in the key house committees proportionately depending on their numerical strengths. This ensures ideas from across the divide are brought together to address important national issues (Opalo, 2010). There six parliamentary committees in the Kenyan legislative assembly. These committees are Public Accounts Committee, Public Investments Committee, Budget and Appropriation committee, Committee on implementation, Committee on delegated legislation, and Committee on Regional Integration. It is however important to mention that the members of parliament have not been able to overcome their partisanship as they participate in this house committees. This has stalled discussions on important matters of public interest in Kenya. They therefore need orientation on how to conduct business utilizing a bipartisan approach.

Merits and Demerits of bipartisanship

Bipartisanship fosters unity, inclusivity and sustainability of development. It minimizes antagonism over non-issues and harnesses energies to focus on the common good of all. Saves time and money since there is a deliberate desire to understand the viewpoint of others without unnecessary confrontation in seeking to understand the proposed views (Confer, 2003). Ensures value addition to the bills or ideas being discussed thus making the outcome more valuable than the original idea. It enhances legitimacy since the agreed upon policy or law is always binding to all parties being represented (Carr, 2017). It fosters equity and equality among the stakeholders and ensures that no stakeholder is left behind as others move forward. This is unlike the partisan approach which is largely a competitive model where the winner takes it all at the expense of the loser. Minimizes discrimination and ethnic profiling and leads to increased levels of support for both the government and the legislature (Morris, 2001).

While the merits are glaring, the demerits also exist. The ruling party might compromise the representatives to ensure it continues to cling to power. It also promotes group think and social loafing. This therefore means stakeholders fear sharing contrary opinions so that they cannot be seen to be different from the rest of the group (Burgin, 2013). The elected representatives especially from the opposition might be tempted to accept bribes from the government. This is very common in budding democracies.

A road map to achieve bipartisanship in addressing socio-economic challenges in Kenya

There is need for public education on bipartisanship across the Counties. This will ensure there is understanding and appreciation of the bipartisanship concept. This will encourage dialogue among opinion leaders with different ideologies. They will then engage in constructive and inclusive dialogue that will seek to establish the best way forward for the challenges facing them. This model of engagement should then be encouraged at all levels of governance from the Constituency, County government and the National government level.

Conclusions

Kenya has great potential for socioeconomic growth and development yet still faces very difficult socio-economic challenges. The challenges therein have been worsened by the way the political elite have engaged themselves while addressing these socioeconomic challenges. The elected representatives especially in National and County assemblies have engaged in debates with a competition mindset which have not yielded the positive socio-economic development. The just concluded October 26th presidential elections have left Kenya more divided in terms of political and ethnic affiliation. Bipartisanship will give Kenya an opportunity to heal and address its issues with sobriety. It will also give an opportunity for all the legislative assemblies to spearhead the process of re-uniting the Kenyan people.

Recommendations

The State and Non- State actors need to be intensively oriented on how to engage in a bipartisan manner without necessarily changing their real identity. The Civil Society groups should prioritize bipartisanship training to all socioeconomic development stakeholders. The Constituency Development Fund Committees should ensure it is constituted by representatives from across the political divide to ensure diversity of ideas to be discussed in a bipartisan way. The elected representatives in the County and National assemblies need to change their attitude towards bipartisanship and reach out to every Member of County Assembly (MCA) or Member of National Assembly (MP) to understand their views with the goal of including their views in the legislative assembly. This will be done by conducting induction training to the MCAs and MPs.

This will help them change their mindset and agree to participate in addressing socioeconomic challenges facing their areas of jurisdiction in a bipartisan manner. The elected representatives should also build trust amongst each other so as to trust the suggestions from the MCAs or MPs from different political parties are in the best interest of the Kenyan people. The president and the deputy president should lead by example by promoting bipartisanship in their appointments, their talk and actions. They should promote and advocate for bipartisanship at all levels of government.

The integration of Civil Society groups in the socioeconomic development agenda will enhance progressive discussions. They CSOs should however change tact from the confrontational approach they have used in the past to a bipartisan approach which encourages, dialogue, negotiation, concession and compromise. This will create a conducive environment to discuss the real issues affecting the Kenyan people thus focusing on practical agreed upon solutions to deal with the socioeconomic challenges.

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