

Abstract from “A forecast of the role and effectiveness of devolved government in Kenya: four scenarios” - the scenarios

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Extensive information regarding methodology to compile the scenarios is available in the complete [research report](#).

SCENARIO A – good intent, but opportunity missed

2012–2017

The Transition Authority for Devolved Government was established with representation from independent candidates. They were prevented from completing any of their work in time for the elections, as a senior official from the provincial administration, supported by a network of corrupt politicians, managed to keep irregularities in the provincial and LA public service under wraps, when he was appointed to oversee the implementation of all required actions. The elections took place in December 2012, with the new national head of state being supportive of devolved government, but weak in rooting out corruption. Some violence erupted just after the elections in isolated cases in particular counties, but was easily stopped, as facilitators and the Defence Force were on standby. Many county governors attained their positions as they were candidates who satisfied the requirements of all the various ethnic groups, but lacked the required management experience. The salaries on offer at the county public service did not attract those with the correct skills, so that the positions were mostly filled by previous employees of the LAs and the provincial administration. Many of them knew how the old system worked, but were slow to accept the new way of doing things. The type of projects that the county public service submitted for funding was small, unimaginative and not at the scale required to prepare the counties for the major population growth anticipated. The county assemblies and Senate passed most budgets in a record time, but within two years major under-expenditure had occurred and a number of contracts were awarded to service providers who proved incapable of completing their work properly or in time. An attempt was made to improve own revenue generation, but economic activity was not sufficient to boost county revenue. Besides that, the valuations of properties were fraught with corruption and very little revenue ended in the county coffers. A minority group in one of the counties took to the streets and protested the non-delivery of services. After the governor met with them and explained that there were bureaucratic holdups, they agreed to return home peacefully. Towards the end of 2015 several counties in urban areas experienced unrest as inhabitants of growing shantytowns started to regenerate alternative structures of government, controlled by criminal elements, to try and provide some level of governance. Crime was rife, and one of the alternative structures decided to adopt a form of Sharia law to try and bring order to the area. The police turned a blind eye to the doings of the alternative structures, as they believed that their existence made their work easier. Several more young people joined the alternative structures, which started to form a paramilitary force. Even if the world economy had made major leaps forward, growth in Kenya would have started to stagnate, as the required infrastructure was not present to enable the movement of goods to markets. Kenya as a country, and the counties specifically, lagged far behind the rest of the world in the application of most fields of technology relating to infrastructure.

2018–2022

Due to major unspent budgets, it was clear that the counties' public service was not up to the job in most of the rural counties. However, the same government was voted back into power, but this time with a much smaller margin. Their charismatic leader managed to keep the support of the politicians, but an increasingly corrupt public service, and, in many instances, one that was infiltrated by criminal elements, prevented him from making any improvements. Most county governors struggled to deliver services to their citizenry, as the county public service lacked the capacity to deliver on the promises that they had made during the previous elections. The public within counties started to vote less according to ethnicity, and started focusing on the lack of service delivery. A number of new, much younger county assembly members and governors were voted into power, based on their message of unification of the people within the counties, as well as within the country as a whole. They had little experience of governance and, in addition, the lack of availability of technical skills in the county public service caused a lack of service delivery. The new guard also seemed to have been infiltrated by alternative structures of government in the shantytowns, with the structures concerned mostly being composed of young men in their late twenties who had lived on the streets during their teens. Despite an economic boom helping to boost the revenues of urban counties, they failed to come close to what was required to cover their own salaries or maintenance and operation activities. The counties as a whole, nevertheless, kept receiving the minimum allocation of 15 per cent of national revenue. The rural counties were then left with only sufficient funding to pay salaries, leaving almost no funding for capital infrastructure projects, and causing the rate of urbanisation to increase even more. Some of the urban counties managed to have some funds left over for spending on capital projects, but most of the projects were planned haphazardly, causing major traffic delays and disruptions in the urban areas. The government decided to build a new capital in the centre of the country, and started to work on plans to move the central government offices there, causing major unhappiness amongst UN and aid agencies that had their head offices in Nairobi.

2023–2032

By 2025, the government had managed to move the capital city to the centre of the country, which assisted in helping to create a better image of it trying to serve the whole country, but losing touch with many of its main stakeholders and other agencies that remained in Nairobi. Nairobi, Mombasa, Nakuru, Eldoret and Kisumu were bursting at their seams, with a large number of the city-dwellers living in squalor. Despite there being fewer children of which to take care, the presence of a very large number of unemployed young males, between the ages of 20 and 30, caused a very volatile situation. One of the political parties had been hijacked by an underground movement of young men, who ran their election campaigns based on populist sentiment, calling their party the 'young guns' and managing to take control of government. They had complete disregard for good financial management practices and awarded large government contracts to friends and family who were not capable of doing the work required. Kenya became increasingly isolated from the international arena. Citizens and corporations in more developed parts of the world refused to go on holiday, or to do business, in Kenya. Only after a major intervention from the African Union, did the 'young guns' agree to reinstate some of the government officials in their old positions, which enabled the public service to start functioning again. Only those counties that had their own revenues managed to deliver some form of service during the reign of the 'young guns', with the others being completely unable to function. Rural counties in the northern parts of the country were hit hard by a drought that lasted for seven years, whilst other parts were flooded, as a result of severe thunderstorms. A global relief fund, with country contributions based on the amount of CO² emitted per capita, helped to mitigate the effects of the inclement weather to some extent, but, nevertheless, many people starved. Kenya still lagged far behind in the use of the latest transport and biotechnologies. Even though, above the surface, the situation appeared to be bleak for Kenya as a whole, a number of Kenyans in the diaspora formed an online community of Kenyans who created their own virtual country, called Harambee, where Swahili was the spoken language.

SCENARIO B – opportunity taken

2012–2017

The Transition Authority for Devolved Government was established with representation from independent candidates, and oversaw a comprehensive audit of LAs' assets and liabilities. A number of officials were implicated in shady land deals, conspiring with politicians to acquire major portions of land where development was due to take place. Court cases were made against most of the officials concerned, but a number of white-collar criminals were given amnesty in return for their full cooperation in providing all the required information. Assessments of available and required human resource capacity were completed. A major drive was undertaken to motivate highly professional (e.g. engineers, demographers, town planners and lawyers), but disillusioned, Kenyans in the diaspora, and young graduates were encouraged to apply for government positions. The election date was moved forward to 1 March 2013 in order to ensure that all asset registers were ready for the counties to take onto their books, and that the current staff of LAs could be taken up in the correct place in transitional teams. A head of state and coalition of political parties with a deep understanding of, and support for, devolved government came into power and continued to support the work of the Transitional Authority. The celebration of 50 years of independence was carefully orchestrated to create a feeling of national unity right after the announcements were made of the outcome of the elections. Each county, and all ethnic groups within counties, were recognised on stage in a spectacular two-hour-long concert broadcast on television and radio and screened in public places, celebrating unity in diversity. At a conference of county governors and of selected representatives of county assemblies held together with the Senate, a charter of service delivery was signed. The major part of the charter focused on the concept of unity in diversity and a pledge by, not only the national government, but also by the county governments to serve its entire people, including all members of minority groups. In cases where ethnic minorities were present in a county, it was agreed to add the name of their group to the name of that county, with, for example, Migori county being renamed Migori-Kuria county. The recruitment drive to bring the right skills on board were further improved by offering competitive salaries for such specialist skills as those possessed by engineers and town planners so that such professionals would be encouraged to join the county public service. In central government, the Ministry of Local Government put in place a 'one-stop shop' to make specialist skills available on request to counties that failed to attract the required skills. Counties that managed to pass their budgets in time during the first cycle only received sufficient funding to pay their salaries and were then assisted within the year to be ready for the next cycle. Central government and the county governments formed a specialist task team to put in place a new human resources and financial administration system that could be customised to the need of each county, but which was still standard in form and function, so that it could be utilised for central financial reporting purposes. By 2015, a new geographical planning system had been put in place for use by the local county public service with the tele/video support of the Ministry of Local Government's 'one-stop shop' of specialist skills on standby. By 2017, a lean professional, well-paid county public service was busy implementing a record number of projects, spurring economic growth and new business in the manufacturing of environmentally friendly building materials and basic equipment. Towards the end of 2017, the urban counties were covering 70 per cent on average of their own salaries and operations and maintenance budgets. Plans were starting to take shape to build Harambee city – a new city that was approximately 50 km from Nairobi.

2018–2022

The transition to county public service was evaluated by a group of specialists and recognised as having attained an 85 per cent success rate, pointing out that there were still some constraints in some of the rural counties with a low revenue base. Additional attention was given to such counties. Due to population growth, Mombasa also reached city status and increased its capacity to serve as a major port for the import and export of goods to and from Kenya, Uganda, Rwanda and Burundi. The same central government remained in power and consolidated their power base through providing the various counties with the correct impetus to grow their own county public service, by means of support

granted through the one-stop shop. By 2020, the one-stop shop had been dissolved, as most counties had sufficient internal capacity to provide all their own town planning, engineering and financial management services. Most of the team of specialists concerned had become focused on the implementation of infrastructure for phase one of Harambee city. By 2022, the first business had started operating in Harambee City, mainly in the field of ICT services, with call centres serving other East African countries and biotechnology research. A superfast railway linking Nairobi and Harambee City provided transport to and from residential areas. The county assemblies held an annual conference, and the Senate managed to become involved, under the prescripts of new legislation, in foreign relations providing for investment opportunities between Kenya and the BRIC's countries. An annual trade fair was started, at which each of the counties could display the opportunities in their own area. The trade fair provided for healthy competition, but was coordinated by a subcommittee of the Senate to ensure that there was national cohesion in the offering provided. By 2022, the bulk of counties managed to have attained the targeted 99 per cent success rate of budget implementation and had raised sufficient revenue to cover their own salaries, maintenance and operations expenditure.

2023–2032

By then, the active working population formed the major part of the population. Unemployment was at the lowest level ever, and Kenya had established itself in the region and on the continent as one of the leaders in the fields of ICT and biotechnology. The East African parliament was in place, making the need for central government less and less. Few leaders were interested in the position of head of state, and many rather attempted to become county governors of some of the big city-states. By 2030, six formal city-states were in place: Nairobi; Harambee City; Mombasa; Kisumu; Nakuru; and Eldoret. Many people also did not mind living in rural lifestyle villages, as transport networks connected all major centres by means of a fast-speed train service. Electrical foldup cars were used to move around within the cities. All the counties were raising sufficient revenue to cover all of their own operations, maintenance and capital programmes. Due to the all-year-round good weather and the popularity of Harambee City, many ICT and biotechnology professionals from all over the world came to settle in Kenya. Scientists made first contact with a much more advanced society than with those on Earth, of which representatives were prepared to engage with the governor of Harambee City regarding their first formal contact and for discussions about a road map of engagement.

SCENARIO C – opportunity missed

2012–2017

The Transition Authority for Devolved Government was established, but only with representation from cabinet ministers and principal secretaries, with the authority concerned becoming known as the Transfer to Devolved Government Committee. In the elections took place in December 2012, a coalition of political parties with a leader who had little interest in devolved government was elected. Violence broke out during the elections and sporadic attacks continued for about another year. The county governors were all sworn in, and county assemblies reported for duty during the first month after the elections. Most of the counties did not manage to pass their first budgets, as they lacked the staff to prepare them and the central government had also not made any other contingency plans. The Commission on Revue Allocation suggested that the first transfer should only cover the costs of the county assembly, the governor and senior executive positions. The Senate approved the motion concerned across the board for all counties. Four of the counties that were ready with their budgets threatened to take their case to the constitutional court. After a short legal battle, they were provided with an additional transfer. Those counties with ethnic groups that were mostly different from that of the head of state's affairs were placed under the control of the central government after heated debates had taken place in the national assembly and the Senate. The counties concerned also took their case to the constitutional court after government withheld their budget for longer than the allowed period of time. The court ruled that the counties

lacked the capacity to run their own affairs, and agreed that central government could withhold their budget as long as the period was renewed following the correct procedures. An assessment of the human resources within the LAs was completed only by April 2014, and, in the meantime, the LAs kept operating until such time as county governments could appoint their staff. By 2015, most of the counties were staffed, but only 34 counties submitted budgets that were approved. A county capacity building programme was planned by the Transfer to Devolved Government Committee, but never came off the ground, as there were battles between the county governments and central government about who should be responsible for the procurement of an ICT service provider to set up a financial and human resources management system. By 2017, all the counties were up and running, although most of their budgets were spent on staff costs. Their budgets, in many cases, consisted only of the central government grant and only some counties with major urban areas had any revenue that covered only 10 per cent of the costs of salaries of the governor, the county assembly members and a people-heavy, but inefficient, public service. Minority groups in four of the counties applied for their own new counties, but their application was ignored. Tension was brewing between the different groups in the counties. In the major urban areas, alternative structures resurfaced in the shantytowns, taking protection money from small traders attempting to make a living there.

2018–2022

A new government with stronger centralist tendencies came into power. Only a few counties were not under central government administration. The new government managed to amend the Constitution to allow for only five of the counties to continue operating their own county assemblies and to have their own governors. One of their major arguments was the occurrence of a few isolated examples of civil unrest in those counties where minority groups were protesting their exclusion from services. A report later showed that their exclusion was not due to targeted discrimination, but rather due to the general non-performance of the counties' public services. The report received no attention. In the other counties, only the public service remained, controlled by central government. A major overhaul of the overall public service started with technical assistance being granted by Chinese, Indian and Brazilian advisors in a south-south governance improvement co-operation agreement. The technical assistance project had ambitious targets. Chinese and Indian construction firms were awarded major contracts to build infrastructure, causing an outflow of reserves, and the pace of growth of the Kenyan economy to slow down, with very few jobs being created outside those in the temporary construction works. Alternative government structures in some of the shantytowns then formed bigger organised networks of criminals that also had links with the Chinese Triads. All of the counties continued to generate their own revenue, although the amount generated was insignificant in the rural areas. In the urban areas, the amount of revenue generated was still more or less at the same rate as it had been in 2011. The county public service became a major burden on central government, and towards 2023 the central government started proposing doing away with the rural counties' public services altogether and only having five city states with a public service of their own. A small-scale civil war broke out in some of the counties between the minority and larger groups, resulting in the Defence Force having to step in. After ten years of military intervention and a negotiation process, in 2021 Somalia once again unified. During the negotiations, facilitated by the African Union, the issue of Somali independence arose again and, at independence, Somalia insisted that the north-eastern part of Kenya join Somalia. The local population in north-east Kenya were almost all in support of such a move, but they were manipulated and misrepresented by Kenyan Somali members of parliament and business people who had vested interests in Nairobi and who did not want to lose their positions of privilege that they would have done if the area had joined Somalia.

2023–2032

Some of the infrastructure built by the Chinese and Indians firms started to crumble by the mid- 2020s and it was clear that much work that had been done was about to collapse. A severe rainstorm and floods caused the entire ring road that was built around Nairobi to become impassable for half a year. Few Kenyans with good qualifications remained behind after the incident. Many became naturalised in other countries and did not wish to return to their mother country. Initially, they sent back remittances to their families, but the amounts concerned dried up as they became increasingly more self-orientated. Central government was attempting to put in place a new electronic governance system dictated to it by an international body. A major ICT contract to implement the system was awarded to a businessman with strong links to organised crime, but with no relevance to the situation in Kenya. The amount of government revenue in relation to the population decreased considerably, leaving the cities basically bankrupt. Relations with India, China and Brazil soured, and no more bailouts were made available. China was courting Somalia as a strategic partner on the horn of Africa, and Kenya accused them of supporting Somali militants in north-east Kenya. Kenya was on the course of becoming a failed state.

SCENARIO D – opportunity taken, but failed, due to divisions

2012–2017

The Transitional Authority for Devolved Government was established, but only with representation from cabinet ministers and permanent secretaries. They completed their audit of government assets and liabilities and the assessment of skills required in time for the set-up of the county public service, but a number of issues could not be cleared up, as some of the LAs in areas of minority ethnic groups did not want to cooperate and were also not given much attention by the team that was mostly composed of a majority group. The elections took place at the end of February 2013 and a head of state who had supreme technical skills, but little regard for unifying the nation, came into power. Election violence broke out, but was quelled by the Kenyan Defence Force in a very short space of time, leaving underlying tensions unchecked. The opportunity to use the celebration of the 50 years of independence to unite the nation passed without creating any deepening of national unity. The CRA did calculations based on a formula of which the outcome was that it would not be feasible to transfer even the minimum 15 per cent of national revenue to the counties and to deposit a large amount into a contingency fund that might be used as soon as counties were ready to implement their budgets. In four of the counties, minority ethnic groups were unhappy with the pace of service delivery in their area and took to the streets in protest. In one of the counties, the Defence Force was called in to block the assembled crowds from approaching the governor's residence and a shootout took place, in which five of the protestors were killed. County governments composed of mainly one group progressed better, and by 2015 a number of them started to undertake major projects. Their doing so further skewed the allocation of resources in the country and the differences between 'rich' and 'poor' counties caused a further major influx of people into Nairobi. The Transitional Authority started a programme of capacity-building to assist those counties that were underperforming. The assistance did not result in any sustainable improvement in the counties concerned, however, as the team was composed of technologists who were mostly prejudiced towards those they were trying to assist, and who failed to recognise any potential in them. The counties that were assisted, in general, did not take kindly to the central government's attempts, tending to see the assistance offered as interference in their own affairs, rather than genuine aid. After a debate in the Senate in 2016, just before the elections, it was agreed that the programme of assistance would be stopped and that the counties concerned would once again resume work on their own projects, causing a major slump in service delivery, to the benefit of the political party in control of the central government.

2018–2022

An assessment of county public services showed that the major urban areas and only a few counties would be able to sustain their own salaries and operations in the medium term if government funding were withdrawn. The report was skewed negatively towards those counties that were made up of minority groups and a number of public management decisions were made based on stereotypes, which further entrenched such thinking. The same government was voted back into power. Within the counties, most people voted according to ethnic allegiances and the same county governments also remained operational in most cases. The urban-based counties and a number of other counties started to improve their ability to raise revenue, but, in some counties, it was clear that the benefits were only applied to the gain of the predominant ethnic groups in those counties. Underperforming counties remained in a state of underdevelopment, causing increasingly greater divisions between the urban rich and those living in the shantytowns around the cities and the rural areas. Central government kept transferring sufficient funding to such counties to sustain their assemblies and public service salaries, despite them becoming increasingly irrelevant. After a ten-year military intervention and a negotiation process, in 2011, Somalia once again unified. During the negotiations, facilitated by the African Union, the issue of bringing all Kenyan Somalis under Somali rule again arose. Somalia insisted that the north-eastern part of Kenya should join Somalia. The local population in north-east Kenya was almost all in support of such a move, and started to organise themselves into a formal resistance. The Kenyan Defence Force was ordered to scale up their actions against the Somali population, who remained dissatisfied with their situation.

2011–2012

The five major city states of Nairobi, Mombasa, Kisumu, Nakuru and Eldoret came into being. They were managed fairly well, but were still not prepared for the major influx of people. Infrastructure was in place, but served mainly the urban areas. To a certain extent, it was sufficient to stimulate economic growth somewhat, but the required good will was not there, as international companies were afraid to invest in Kenya, sensing the tension existing between groups and especially the problems that were experienced on the border with Somalia. Young people found sufficient employment opportunities, but not in the fields in which they were really interested. A large segment of the population started to suffer from depression, losing their previously important family structures due to the decreasing size of families. New technologies were implemented and mobile phone technology was used in business to serve customers, but could not be used in government services, as there were no agreements about the single integrated system that was required. In the rural areas, tensions flared up between smaller and bigger groups within the counties. The central government sent in the Defence Force and facilitators to assist in keeping the calm, but doing so resulted in the opposite effect. Several of their leaders of one of the minority groups that took up arms were incarcerated. A Somali militant group recruited sufficient Kenyan Somalis to attempt an armed attack on Mombasa. The governors of the north-eastern provinces managed to keep them from launching further attacks.