

# **Transitional Processes and Citizen Inclusion in Kenya and South Sudan**

**Local Perspectives on Sustainable Peace**

## **Executive Summary & Conclusions**



## Executive Summary

Post-conflict transition periods offer a brief, but critical opportunity to build the legitimacy of emerging democratic systems and to establish a foundation for inclusive political processes and institutions. Despite an emerging consensus that citizen inclusion in transition processes are necessary to foster legitimate and stable political systems, significant knowledge gaps exist on how to create opportunities more effectively for citizens to be included and develop trust in transitional processes, as well as enable them to be in a position to influence the design, implementation, or evaluation of the transitional process.

This report tests several current assumptions about citizens' inclusion during transitions in their country. One of the most significant of these is that citizens want to feel included during all stages of the complex negotiations and political maneuvering that often accompanies negotiated settlements that fundamentally transform societies. Recent evidence from Brexit suggests that despite the theory, most citizens aren't really interested in being included in the bureaucratic and political details of easing the United Kingdom out of the European Union. Rather, the prevailing sentiment has been that "they need to just get on with it!" This study wanted to test this assumption in African states that are in, or have been through a transitional period in the recent past.

From May 2017 to December 2018, the National Democratic Institute (NDI), the Oslo Center (Oslo Center) and the Electoral Institute for Sustainable Democracy in Africa (EISA) conducted research in South Sudan and Kenya to identify innovative bottom-up indicators of citizen inclusion and confidence (CIC) in transitional processes that can inform national and international policymakers' understanding of citizen priorities around inclusion and how inclusive processes can be designed. The research had three main goals:

1. Identify citizen priorities, needs, and expectations around transition processes in South Sudan and Kenya;
2. Identify innovative accountability mechanisms (citizen-derived indicators) that can be applied in various contexts and settings to increase accountability for citizen-centered design and evaluation of transitional processes; and
3. Increase knowledge of donors, development practitioners, national policymakers, civil society, and citizens about citizen priorities, needs, and expectations around transitional processes.

The study adopted a bottom-up method of data collection very loosely adapted from the approach used in the development of the Everyday Peace Indicators (EPIs) (Firchow & Mac Giny 2017). The indicator process developed for the purposes of this report was based on responses of participants (through focus groups) chosen from different cities around Kenya and South Sudan. These responses were consequently clustered and grouped with thematically related terms and indicators. This enabled our indicator generation process and understanding of inclusion to be informed, therefore empowering local responses in cities in Kenya and South Sudan to determine what inclusion is, how people feel about inclusion, and when they feel more/less included in processes that affect their lives. It also engaged these citizens in the measurement of their personal circumstance, and the types of processes they most want to be included in. These focus group discussions were held between August 2017 and September 2017.

Using this information, the research team defined four key thematic areas reflected by the focus group discussions separately for South Sudan and Kenya. The four key areas are:

1. Peace and security;

2. Development;
3. Governance; and
4. National Identity

Under these four themes, multiple categories and sub-categories were developed from the transcripts. This process allowed the voices of the citizen at the local level to inform the research, increasing the validity of the indicators used to measure inclusion. Using these country schema, the research team was able to develop a list of indicators for validation and testing through surveys, which were conducted in July 2018. On the basis of the responses to these, the researchers analyzed their data and presented the findings in this report.

## Key Observations

Does a sense of inclusion by citizens during transitional processes matter to the citizens themselves? What type of engagement qualifies as inclusion for citizens in different countries? Are transitional processes enhanced materially when elite negotiations include the views and concerns of the citizens affected during transitional periods? According to the data collected during this project, citizens do care about the extent to which they feel included in transitional negotiations and processes, but the sense of what this constitutes and how important it is varies along a continuum—from cursory consideration, to fully immersed participation.

A key determinant of where a citizen falls on this continuum is strongly influenced by their expectations from a transitional process. When citizens have high hopes that a process will lead to tangible and substantial improvements in their personal circumstances, their expectations from the principal actors in a transitional process, most commonly political actors, are increased. With increased expectations comes a stronger sense of personal ownership in the process that influences citizen satisfaction about their levels of inclusion in this process.

The second major finding of this research is that the idea of what constitutes inclusion for citizens varies dramatically based on several key variables, including age, gender, ethnicity, and economic status. However, the clearest evidence for variance between citizens on how they view inclusion during this study was regional location. More than any other factor, where a respondent lived determined how they viewed inclusion, and how satisfied they were with the level of inclusion they experienced during transitional processes. This goes beyond a mere urban/rural divide, which was observable in the study, down to the communities in which respondents lived and interacted. In Kenya, where the government has pursued a process of devolution following the enactment of the country's 2010 Constitution, respondents' views on their trust in and engagement with local government varied considerably, but specific areas consistently demonstrated similar levels of trust in local government.

In South Sudan, regional differences were also important to the respondents. One area of dramatic variation is around that of the role of the military. While citizens tended to be joined in their belief that the military does not protect all citizens well, signaling some level of exclusion from army protection, there was little agreement on whether professionalization of the military is a viable solution. Indeed, South Sudanese respondent views differed dramatically on the merits of a professionalized army. South Sudanese were no less settled on disarmament as a solution to instability. While some communities felt that disarmament has merits, those in other communities disagreed. This may be attributed to the common practice of carrying arms in order to protect land and cattle. Imposed disarmament may be perceived by some as leaving their community vulnerable to aggression from communities that may not effectively disarm.

Confidence in South Sudan's core governing institutions – the national government, the parliament, political parties, and police – also differed widely across regions. Most lack trust in these institutions to handle the problems facing South Sudan effectively, but in Yambio confidence was fairly high. Against this backdrop and with the South Sudan's National Dialogue stalled, there is also little consensus regarding the prospects for peace among South Sudanese surveyed. About as many in the regions believe that the National Dialogue will result in peaceful settlement as those that do not. Should the peace process move forward, however, respondents believe that non-military strategies, such as promoting dramas and sports could be fruitful avenues for settlement.

Understanding the extent to which a sense of inclusion by citizens in transitional processes strengthens or undermines the said process was perhaps the most challenging aspect of this study to assess. Citizens from both South Sudan and Kenya affirmed their view of the importance of their concerns in order to ensure that transitional agreements are trusted and robust. However, given the wide ranging and vastly different views of what inclusion meant to respondents, it is clear that a comprehensive process of engagement to solicit citizen views would be a complex and time-consuming process. For comparative purposes, the African Peer Review Mechanism (APRM), which undertakes such an exercise to solicit citizens' views on governance in their country, rarely completes the process in less than 18 months. Transitional societies rarely have this length of time or space to engage with their citizens comprehensively, and even were this to be possible, the variance of views would add to the complexity of transitional negotiations, which are, in most circumstances, already fraught with challenges.

To this end, the project sought to identify key country specific indicators that might serve as approximate measurements for citizens' sense of inclusion in transitional processes. These indicators were derived from engagements with citizens directly, where the respondents reflected in their own words on how they assess inclusion and when they feel more or less included in during and after transitional processes. While some indicators were common for both South Sudan and Kenya, other indicators were very specifically relevant for particularly communities, down to the local level. The section on "Common Indicators" later in this report goes into this in more detail.

One further finding is worth noting here: that the bottom-up approach to developing the CIC indicators was itself an experiment for this project. One of the questions the study examined was whether or not a bottom-up approach, loosely adapted from the work done by the Everyday Peace Indicators (EPIs), generates meaningfully distinctive findings from the more commonly used method of desk research into method design and then field testing. The approach used in this project, described in more detail in the "Methodology" and "Scope of Work" sections, went into the field with a relatively blank canvas, inviting the focus group respondents to fill in the details directly with minimal interpretation from the research team. The approach we developed was significantly more resource intensive, required greater allocation of resources (human, time and financial) after the focus groups, and arguably produced a less cohesive picture of elements of inclusion than might have been developed using a top-down approach. The schema produced from these focus group discussions are represented diagrammatically in the next section of this report, and while the positioning and grouping of some elements of citizen inclusion are surprising, the overall picture is much the same as the research team conceptualized it prior to going to the field. This may have been due to the fact that we collected indicators at a local level, since these were necessarily general to reflect the broad understanding of a very diverse and

multifaceted city context. So what value does this bottom-up approach add to the discussion then, given the limitations of such research?

Perhaps the biggest advantage of this type of research is the depth of responses facilitated through a free form research process with limited framing. The richness of the responses, and the collective affirming or disputing views expressed provided an incredibly detailed and informative template for the research team to use in forming a picture about how inclusion is viewed in South Sudan and Kenya. While the study was not designed with the intention of comparative analysis, a comparison of the same process in two countries yields common and distinctive understandings of certain issues. Given the ongoing conflict in South Sudan, it is not surprising that the two countries demonstrate distinctive differences in how they view peace and security, but perhaps less obviously, the same context impacted massively on how freedom of movement is viewed between the two countries. Whereas in Kenya, freedom of movement was viewed as an indicator of freedom related to economic activity, South Sudanese participants reflected that the ability to move about freely within and beyond their own village would be a useful sign that security was improving.

The other advantage of the bottom-up approach was the unanticipated local flavor introduced into the study through concepts and ideas the research team had not previously encountered. In Kenya, the researchers were informed of the value of sports and cultural activities as a means of building peace, as well as the “Peace Caravans” that are familiar to many Kenyans but were not previously on the radar of the research team. These types of anecdotes added distinctive tonal variance to the research that would have otherwise likely been missed using alternate approaches.

A final note on the use of quantitative data generated by surveys (as reflected in the country findings chapters of this report): the quantitative data was used to validate the findings and draft indicators developed first through the focus group discussions. There was never an intention to reflect this data as representative of the specific regions/demographics surveyed. The sample is small, and where possible, the same participants who engaged in the focus group discussions were surveyed in order to validate the schema and indicators. Although the general trends were endorsed during validations in Kenya and South Sudan, this research project did not carry out the validation survey with the intention of inferring to the general population. The results of all tables laid out here should therefore be viewed as such.

## Organization of the Report

This report has five core sections. First, we consider in the introduction, different conceptualizations for “inclusion,” and, second, we provide an overview of the general approaches to inclusion found in the academic literature and used by policy makers and practitioners. The third section describes, in detail, the methodological approach of the research, and includes the rationale for selecting Kenya and South Sudan, the research design, as well as limitations of the research. In section four, we share the research findings for each country. The analysis entails background information on each country’s transition process, followed by an analysis of the results, which are based on mutually reinforcing focus group and survey findings. We also highlight similarities between country findings and the overall implications for the method itself. The report ends with general findings, conclusions, and recommendations. In this section, we outline the inclusion indicators developed based on the unique research approach and consider the extent to which the research is useful for other purposes.

## Conclusions

To conclude, outcomes from the research in Kenya and South Sudan reveal several points of convergence on both results and indicators. First, findings from Kenya and South Sudan suggest that communications and information dissemination is critical for both populations. Be it communication around information related to transitions and / or peace processes, managing citizen expectations in a manner that contributes to empowerment and inclusivity is essential. In other words, government stakeholders should avoid framing outcomes in zero-sum terms. Gains for one ethno-tribal group does not have to translate into a loss for the other. Amid perceptions among both Kenyan and South Sudanese respondents that some ethno-tribal groups benefit more than others in terms of the distribution of state resources and opportunities, respondents' express willingness to become more familiar with ethno-tribal groups that are different from their own, and are open to engaging in economic transactions as well. Such attitudes suggest points of entry, and that tolerance can be leveraged to build confidence and cooperation, as transition and peace processes move forward in Kenya and South Sudan.

Fruitful contributions to peace, according to Kenyan and South Sudanese respondents, could include activities, such as sports, peace caravans, and dramatic plays. These activities build trust, familiarity and thus, a sense of citizen inclusion.

The study further finds that nuanced differences in Kenya and South Sudan exist regarding women's sense of exclusion and vulnerability. In Kenya, for example, there is not a great deal of evidence of perceived exclusion among women respondents. However, female respondents in Kenya were more likely to feel restricted in their ability to move around freely, in particular after dark, than male respondents. In South Sudan, by contrast, findings underscore a heightened sense of vulnerability. Though according to Kenya results, there is a sense that women are more vulnerable, this does not seem to preclude the belief that women can ultimately rise to positions of power. In both countries, the lack of personal safety is exclusionary for women. In Kenya, men are less vulnerable and able to conduct activities at any time, which creates more opportunities for men.

Finally, looking forward, for both Kenya and South Sudan, development indicators are powerful measures of safety and of inclusion. For Kenya streetlights, potholes, and roads are priorities among respondents. For South Sudan electricity looms particularly large. The level of emphasis of these indicators for either country was surprising. Kenya findings suggest more complex views on agency, however. When Kenyan respondents were asked to describe their priorities, they mentioned cheaper food prices, affordable education, and creating an enabling business environment. Considering views on infrastructure, Kenyan citizens appear to want the state to create favorable circumstances for citizens to have access to opportunity, and but then want to have a chance to take ownership. There appears to be a distinction between what people want to actually do versus what they want to be given, at least in the Kenyan context.

### Applying the Model in Other Settings

Perhaps the greatest utility of this model lies with its application to other settings, especially conflict-affected countries. The current model demonstrates the possibilities for developing indices for various complex concepts, and for doing so in other different types of environments. The constant is the consistent and rigorous application of the methodology's participatory, bottom-up strategies. This research endeavor emphasized

inclusion. However, the model can be used in settings confronted by violent extremism, or in countries where women or vulnerable populations are subject to gender-based or other forms of violence. Countries such as Burundi, South Africa, and Liberia may be interesting settings for future research on such issues. In addition, the matter of corruption is fraught with complexity, as local conceptualizations do not always align with definitions of corruption used by the international development or academic community. As the international and national-level actors attempt to stem corruption, it would be worthwhile to understand how local communities see corruption in order to substantively address this issue.

## Research Gaps

One of the key gaps in this study is the ability to conclude how important a sense of inclusion in transitional processes is for the ultimate success of that process, how robust it is during periods of adversity, and the degree to which the post-transitional dispensation enjoys legitimacy in the eyes of the citizenry. Anecdotal and self-reported evidence from Kenya's study suggested that citizens in that country believe their sense of inclusion is important to confer legitimacy to a transitional arrangement. However, in South Sudan, levels of trust in the actors negotiating to end the conflict there was very low, suggesting they don't believe their views matter very much.

This is an opportunity for follow up research to explore a longer-term view of transitional processes factoring in both the views of the citizenry as well as the outcomes of negotiated agreements during transitional processes. Such a study would want to measure the sense of inclusion at the time of the transition, post-transition, and then assess the success of the transitional agreements entered into.

Another key research gap in this study is how the development of localized indicators translate to areas where the research team did not engage with citizenry. Given that one of the major findings of the study was the importance of localized indicators and issues, this study is presently unable to say anything useful about how locally developed indicators work when used in areas other than those used to develop them. Intuitively, there could be potential problems with such an approach, but this is an assumption that remains untested by this particular study.

Finally, the replicability of this type of study in contexts outside of Kenya and South Sudan remains untested for now. The intention of the study was to develop both a method and draft set of indicators to consider in other transitional contexts, but the usefulness of the outputs of this study remain untested. The study is therefore unable to assert the usefulness or value of this approach in other country and transitional contexts. This is however, an area where further research would provide immensely useful elaboration to the Citizen Inclusion and Confidence Indicators.