Voices of the socially excluded

Fighting of social justice every step
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The struggles and times of a social justice campaigner

BY FAITH MUIRURI

As she prepares to answer my question about her social justice struggles, Winnie Ogot stares up the ceiling and takes a deep breath. “It has been a tough journey,” she says, affording a smile.

Her journey to ensure the underprivileged populations in the society have access to basic services has been wide and long. She has had to endure abuses, insults and mistreatment at the hands of those in power.

Her encounter with discrimination when she was young seems to have shaped her interest in pursuing causes that many people would not want to discuss leave alone take an active role in helping transform the situation.

Winnie lost her parents when she was only 15-years-old and had to drop out of school when no one came forward to support her education. She was forced to relocate to her rural home in Nyakach to live with her grandmother.

Here, she was forced to do odd jobs to support her grandmother who was also struggling to provide for her two siblings.

It was around this time that she became actively involved with community work. “While volunteering as a community health worker, I came face to face with women who were stuck in poverty, violence and abuse. Majority were grappling with illiteracy, unemployment, healthcare and legal representation.”

This experience would decades later shape Ogot’s life and convictions. Today these are the very issues that have come to confront her. In the county where she resides, poverty, social exclusion and mistreatment of the poor is the order of the day. Children from poor families are still not able to access school bursaries.
She says that this is despite the fact that money that meant for supporting their education is lost in fraudulent deals or ends up assisting undeserving cases. Ogot is now one of the leading social justice campaigners to help change this mode of doing things.

The poverty and suffering of the masses is not due to lack of funds, but due to the misuse of the same, she bemoans. Hundreds of expectant mothers who need maternal care are not getting quality services. Women who seek maternity services at the Jaramogi Oginga Odinga Teaching and Referral Hospital, for instance, have to share a bed due to the overcrowding.

The funds that have been allocated to the County since 2013 to help ease this problem have not had a major effect. One of the key problems identified by the residents of the County is lack of transparency and accountability on how resources allocated to the County are used.

Compounding the situation is the failure to involve the locals in decision making processes that would give them an opportunity to share their views on what they think is priority or of greater need.

“Critical areas have been deprived of resources over the last four years as the county government allocates substantial resources to non priority areas,” says Ogot.

Failure by the County government to respond to the needs of the locals has triggered a series of demonstrations. These are designed to hold duty bearers to account and demand that taxes go into financing quality and basic essential services.

Those who are at the forefront of mobilizing communities to demonstrate and demand for justice have met the wrath of those in power. This challenge to the status quo and how business is done has not been welcomed.

Ogot is one of the social justice activists who have been attacked by goons in the course of doing her work. But the social justice campaigners have not stopped applying pressure on the decision makers to be transparent and accountable. Ogot and others have been able to petition the county government on a number of issues affecting the community.

In one of the petitions, she urged the Members of County Assembly (MCAs) to reject a proposal by the executive to borrow Ksh 1 billion to plug a deficit in the budget. “The petition received unanimous support in the assembly and the proposal was rejected.”

Another petition on rising cases of insecurity in Kisumu County was delivered to the Governor. In the petition, the community demanded a number of things to be done to boost their security. These include: transfer of notorious police officers, formation of a metropolis security unit, regulation of boda boda, erection of streetlights and demolition of incomplete buildings which served as hideouts to criminals.

Ogot is happy that their unrelenting efforts are bearing fruits. The criminal activities have gone down. “We now have streetlights across the county, the police rapid response unit has been equipped and hotline numbers have been circulated to the public to report any crime they witness.”

It is this and other successes that have made Ogot, a human rights defender, a shining beacon of hope for the community. She is among a handful of women in the County who have been able to bulldoze their way to public forums to share their views on how the county is run and should be ran.

Community media too has become a key ally in the struggle for social justice. Ogot and other activists have used public forums and community radio stations to articulate many rights including the rights of young girls to go to school, the rights of women to live in peace and assume every leadership role.

These struggles have also resulted in a good number of women empowered on how to be effective participants in the budget making processes.

“Women are now taking up leadership positions. They sit on the Sub County community policing committees. One of us is a village elder. In addition we have representation at the County Government,” says a beaming Ogot.

As the Vice Chair of Kisumu County Women Leadership Caucus, Ogot has been organising forums where women meet regularly to discuss many social justice issues that affect them.

“We have been able to ensure that women not only come out and take leadership positions at the community level, but they are not subjected to retrogressive traditional practices such as wife inheritance and widow cleansing.”

Ogot and her team have also managed to train 170 women in entrepreneurship and IT through the Ministry of Labour. This is to enable them engage and benefit from opportunities that are designed to bridge the inequality gap. Such opportunities include access to the 30 percent procurement quota which has been set aside for the women, youth and people with disabilities.

She is happy with what her and other activists have achieved so far in their social justice struggle. She says the war might not be won today and the fight has to go on.

“My little contribution is speaking out against inequalities. Whether the county government listens or not, the important thing is not to be silenced. I will keep talking, doing, mobilizing and pushing,” she says with a broad smile on her face.
Voices of the socially excluded - Fighting of social justice every step

By Faith Muiruri

Every day Vincent Odhiambo is a worried man. The number of people in his neighbourhood who are struggling to make ends meet is on the rise.

"Levels of inequalities are soaring and the authorities seem not to be concerned," says a disturbed Odhiambo.

No week passes without a story of a child from a poor family who has dropped out of school or are unable to join a premier national school for lack of fees.

"Most of these learners are victims of unfair system of giving bursaries, which tend to benefit those are able and have a voice at the expense of the voiceless," says Odhiambo.

The bursary kitty, according to Odhiambo, is designed to help those who cannot raise school fees access education. However, political expediency has taken centre stage with the Members of Parliament and Members of County Assembly, chiefs and village elders determining who gets the support. In most cases, it is not the needy that benefit.

Tired with these kind of injustices, Odhiambo decided to mobilise the youth to put a stop to this. "Together we scrutinised the list of beneficiaries and unravelled the rot that had led to the needy, orphans and those with disabilities suffer".

They found that some of the Fund beneficiaries were ghost students who received double allocation at the expense of needy students. They had to do something.

Odhiambo mobilized the local community to hold several demonstrations to protest against nepotism and disparities in the disbursement of bursary by Constituency Development Fund (CDF) officials. This was the turning point of his advocacy work.

Community initiative succeeds in forcing public institutions to account
After successfully pushing for fairness in allocation of bursaries, Odhiambo and his friend decided to form a self-help group - the Lake Victoria Youth Initiative. It this group that has for a number of years been on the forefront fighting inequalities in Kisumu County.

Once the group was formed, the first thing they did was to engage the leaders and train communities on social audits. “We trained communities on needs identification and prioritization of projects in their respective areas and this helped us register remarkable success.”

They would mobilize communities and help them identify their priorities after which they would vote on each of them. The ones that got many votes would then be forwarded to county council for support.

Odhiambo says projects selected through this route also emerged the best in term of investment. He cites the renovation of Migosi Health Centre a couple of years ago which was ranked the best in the local authority ranking score card.

Their initiative has also ensured that bursaries are distributed in a just manner. “Kisumu County has introduced a scholarship programme where six people in every ward receive full scholarship from High School to the University level in every financial year. We have ensured that young people within our network access bursaries disbursed at both the ward and constituency level.”

“MOST OF THESE LEARNERS ARE VICTIMS OF UNFAIR SYSTEM OF GIVING BURSARIES, WHICH TEND TO BENEFIT THOSE ARE ABLE AND HAVE A VOICE AT THE EXPENSE OF THE VOICELESS.”
VINCENT ODHIAMBO

The efforts of his organization have been recognised by USAID, which selected them to steer the “Yes Youth Can” project in Kisumu.

“When I was the District Coordinator, Kisumu East, I managed to mobilize over 1,300 youth groups in the entire county in a process that culminated with the formation of Bunge (parliaments) at the village level.

Now each ward has a bunge which comprises of representatives from different neighbourhoods. These local groups nominate representatives who sit in the regional and national councils.

“The bunges gather every evening to discuss politics and any emerging governance issues. If there is an issue at the ward level, they will discuss it here before it moves to the neighbourhoods.”

Similarly, the Lake Victoria Youth Initiative has been mobilising the youth to attend budgeting processes. It has also partnered with the International Republican Institute (IRI) to push for gender responsive budgeting. Under the programme, they mobilise women and people with disabilities to attend these forums where budgets are discussed and decisions made.

“In fact IRI in partnership with the Lake Victoria Youth Initiative convened the first ward level budget meetings.”

The group has also succeeded in getting the County government to establish a Youth docket after applying a lot of pressure on the duty bearers.

“We petitioned the governor and through the assembly, they named the County Executive Committee member in charge of youth, education and culture.”

Another petition they filed saw the amount allocated to the Youth kitty increased from a paltry Ksh 7 million to Ksh 100 million. This money is now being used to finance youth projects in the County.

It is also this group that mounted several demonstrations that resulted in the stoppage of construction of an ultra-modern assembly at a cost of Ksh 800 million. “At the time, roads were in a deplorable state, hospitals were ill equipped and we didn’t have water. This was not a priority,” says Odhiambo.

Massive demonstrations saw the money rechanneled to ward development fund which speak to the priority needs of the locals. These successes have emboldened young people and women to see the need to participate in social justice campaigns.

But it has not been an easy journey. Odhiambo says that they have had to grapple with threats by contractors and other interested persons including Members of County Assembly.

“I remember, when we petitioned the CDF, we were told the MP is very powerful but we stuck to our guns until the CDF committee was reconstituted.”

For Odhiambo, every day is struggle for social justice, and they are always ready for it.
Residents demand public participation to sort out social exclusion issues

BY ODHIAMBO ORLALE

Every morning droves of people walk past the headquarters of Kisumu County government to eke a living from their small businesses.

And as they pass by the Governors’ office, they mummer about how the devolved government is investing on things that have no bearing on their lives.

The tarmac road being repaired does not impress them at all. In their rural villages, access roads that desperately need such face-lifting are not getting this kind of attention.

They also mummer many parents are struggling to get and maintain their children in school and put food on the table.

The roads under construction in the central business district make the residents very mad. They believe nobody is interest in their problems and desire for greater social inclusion.

Says one of them: “This road does not need repairs; who decided to give it priority over the ones in my village?”

Other issues the residents consider of priority and which they feel the county government is not addressing effectively include: employment, water and sanitation; and supportive business environment.

According to George Kopallah, a programme officer at Winyanam Community Development Centre (WICODECO), the public feels the source of their problem is who is deciding what is important and what is not. They say the “Executive-driven” problem solving and decision making process the cause of their plight.
Voices of the socially excluded - Fighting for social justice every step

Says Kopallah: “Our key role there is to mobilize people to attend and to identify key areas that needed their attention. During one the public forums, people felt that the areas that the county government should be addressing are: agriculture, healthcare, infrastructure development, water and sanitation, industrialization and job-creation.”

Indeed, from the looks of things, it seems that the County government is reading from a different script from the one its customers have.

This is just one of the many social justice issues that a group of leaders in the civil society like George Kopallah have decided to confront. They have been working to empower the residents to be involved in the public participation forums, where decisions on how funds will be used, are made.

The Constitution of Kenya 2010 in Article 196 under County governments provides for public participation in county government affairs as non-negotiable. But this rarely happens.

The decision makers have tried to skillfully lockout the public from such forums so as to pass decisions without resistance. This is what Kopallah and other colleagues working at the grassroots level have been trying to challenge.

Through empowering residents to understand how county government work and raising critical questions about its decisions, the decision makers are now under pressure to respond to the questions of the public.

Non Governmental Organizations such as Transform Empowerment Action Initiative (TEAM), Kisumu Local Urban Forum (KLUF) and WICODECO, work with communities, helping them appreciate their rights and why they should demand for transparency and accountability from public officers.

Says the Kopallah, who is a WICODECO programme officer, and also a member of Transform Empowerment Action Initiative: “We started WICODECO in 2006 with the objective of empowering the youth and women on issues of governance and economic empowerment in Kisumu County and parts of Siaya County.”

The empowerment is designed to respond to the serious social exclusion that many residents in the County are experiencing.

Organizations and individuals fighting for social justice have spend many of their time creating awareness on why residents should participate in the processes that determine how resources sent to the local level are utilized.

Advocates of inclusive governance are using various strategies and platforms to have the views of the voiceless heard.

One such platform is the social media, which has become a major tool used by the social justice campaigners to get more people to be engaged in conversations on how best issues of social exclusion and poverty need to be addressed.

Use of Kisumu Community Action Groups within the seven sub-counties is another strategy that has been employed to help reach as many people as possible with information on accountability and transparency.

The social media platforms are also being used to give the local people advance notice of the meetings coming up and what is likely to be discussed. This has helped to pre-empty the short-notices given by the county government on upcoming meetings.

These strategies to get people involved are paying off. In one of the meetings the residents attended, they raised critical questions on certain budget proposals of the County Government.

They questioned why huge amounts of allocations are going to recurrent expenditure, paying salaries, not on development programmes.

This questioning and interest by the public has started to work. The Kisumu County Public Participation Act 2015 was enacted due to pressure by local people demanding a framework that provides how they can engage with the county government.

Responsiveness exhibited by the County Executives when dealing with the questions from the public; and establishment of the Kisumu County Ward Fund of Shs 280 million to be shared equitably in all the seven sub-counties, are the other successes recorded.

Says Kopallah: “There was an improved participation and engagement by most stakeholders and the public in the forum. Even the attendance by women is better.

“On its part,” add Kopallah, “the County government has improved on its timing of public hearings, availed the documents early for the meeting and started the sessions on time. Most participants were given a chance to freely give their input and advice.”

Concerns however still remain on how best to ensure that the views of the residents are reflected in the final decisions taken by the County Government. Some county government officials are accused of refusing to disclose to the public how they have utilized resources given to them.

Nevertheless, Kopallah and other social justice advocates are a happy lot now than was the case four years ago. Their struggles have started to pay off.

“I can say that so far so good. I don’t have any regrets because I believe we are playing our role in promoting transformational social justice in Kisumu County,” says Kopallah in a very optimistic tone.
By Faith Muiruri

Streams of noisy motorcycles and cars charge down a busy, dusty market road lined with stalls and shops, whose owners seem to care less about the confusion.

On one line of the market is a string of traders selling second-hand clothes known as Mitumba. On the other line are a myriad of other businesses engaging in the sale of dry foods, vegetables, shoes, furniture and hardware.

This is Ojino market, a place that epitomizes the struggles of the many people who live in Kisumu town. One such person is Mildred Onyango, who sells second-hand clothes.

On average, the 30-year-old Onyango makes Ksh 300 per day which goes into paying rent, food, transport and a daily levy of Ksh 30 paid to the County government. This is in addition to the Ksh 2,500 she pays every month to the County government as rent for her makeshift structure at the market.
Half of collections every month go to paying the County Government levies and rent.

“The council takes a lot of money in taxes. But this money does not benefit us. The Ojino market is in disarray, there is no drainage or clean water and garbage collection system is poor. We have also been demanding a modern market in vain,” moans Onyango.

During the 2016/2017 financial year, the county government had allocated Ksh 13 million to build permanent stalls for the traders. “Last year, Kisumu County governor came here and promised to build Juakali sheds for us. Nothing has happened. We urge the governor to fulfill his promise. It is difficult for us during rainy and hot seasons,” she adds.

Onyango says times are bad for her and she is barely able to fend for her two children. “The business has continued to record low returns when prices of other commodities keep on soaring,” says Onyango, who has been in this business since 2007.

She bemoans that traders in micro businesses pay more in taxes than the boda boda operators. “For instance, Mama Mboga pays Ksh 900 in taxes on a monthly basis while the Boda operators pay the same Ksh900 per year. Yet they make in excess of Ksh 20,000 in a month.”

“Prior notification is rarely given, hence we do not actually know when the meetings are being held.”

This is despite the fact that Kisumu County has both a public participation law and policy which require that timelines and venues for public consultations are communicated at least two weeks in advance of the consultation to ensure that people prepare themselves to participate.

Further, the Constitution provides a strong legal framework for citizen participation. Articles 118(1) (b) and 196(1) (b) of the Constitution direct the national and county legislatures respectively to “facilitate public participation” in their work. Article 184(1) (c) further requires that mechanisms “for participation by residents be included in legislations in urban areas.

Together with other women, they have been unable to register their concerns with the county government. Onyango says women rarely participate in public forums organized by the county government, an avenue where they can air their complaints. The biggest problem is that the time and days when such forums will happen is a privy of a few people.

In addition, the County Government Act gives full effect to the broad principles of public participation outlined in the Constitution. The Ministry of Devolution and Planning and the Council of Governors have also launched county public participation guidelines.

But according to Farida Salim, a nominated Member of County Assembly, this largely remains on paper. “Public participation forums in the county are still held in complete disregard of provisions in the law.”

Recently, she says that the Executive under the ministry of planning released a schedule for public participation on budget estimates for 2017/18 financial year that was not in line with the law.

“The public participation exercise was scheduled for 2pm in complete disregard of the legally stipulated time frame to allow meaningful citizen participation on the budget estimates.”

It is at this public participation that Onyango and other traders can experience their views about a system they feel perpetrates social injustice. A tax system that even those working in the County Government agree is unfair to women.

Salim is one of those who advocates for the fixing of the system to make it just to Onyango and others who are struggling to survive. She says women are hard hit by the unfair tax system and blames this on illiteracy which affects their participation in formal meetings where they can challenge some of these issues.
It is tough life for Owuor
BY ODHIAMBO ORLALE

Year in year out traders like Josephine Akinyi Owuor of Kisumu County have been hearing about devolved funds that are meant to bridge the inequality gap and reduce poverty, but all that has remained just promises.

Although both the national and the County governments have created several funds- Uwezo Fund, Women Fund, Youth Fund, Constituency Development Fund, and People with Disability Fund-to assist the youth, women, and people with disabilities, they seem not be transforming lives as promised.

Owuor, a social justice advocate, believes there is a problem somewhere. In a forlorn voice, she says: “Those funds “ni ya wenyewe (have their owners)”. She blames bureaucracy, nepotism and graft for their plight.

In addition to this frustration, the county government is yet to address their grievances which include frequent harassment of women traders by county enforcement officers over payment of a daily levy for hawking clothes.

The situation had left Owuor and her colleagues frustrated. Tired with what is happening, they decided to mobilize and start a major campaign to get the decision makers to listen to them.

“I am glad that our leaders now know our plight and cannot claim we did not tell them. We have seen some changes, though small,” she says.

While the levies used to be manageable about four years ago, things have changed. “We used to pay the Kisumu Municipal Council Shs20 per day as levy to carry out our business along the road reserve of major streets, but we are now forced to pay Shs30 daily as service charge,” says Owuor.

In addition to paying Shs900 per month, the mother of two must also part with Shs2, 000 as monthly rent to the stall-owners and Ksh 1,000 as storage fees. In total, she spends about Ksh 6,000 to ensure the business runs smoothly. This against Ksh 8,000 she gets every month, leaving her with a profit of Ksh 2,000 to meet all her needs.

Even after spending this amount of money on the county government, they have not managed to put a smile on her face. “We pay all this but don’t get commensurate services from the county government. Where I operate from I have not seen the county cleaners come to pick up garbage.”

The only county services Owuor and her fellow traders are enjoying is the street lighting. They can now operate late into the night without fear of being mugged or their premises raided and looted by criminal gangs.

Although they have valid concerns and problems, they are yet to find avenues of ensuring their views reach the decision makers at the County government.

Sadly, Owuor is not even aware of meetings such the public participation forums where she can ventilate these issues and influence how the County government deals with matters her and other traders feel are of priority.

“I have heard of it, but how can I attend when I don’t know where they are meeting and what the agenda is? I have also heard that some of our leaders hand-pick people to attend and push their selfish a gendas. And when you ask them (organisers), they say they only wanted a few people to attend.”

She recalls how last August they sent a representative to air their views on the persistent drainage and sewerage system during the public participation forum on the budget-making process. Nothing has come out of it, 10 months after the forum took place.

“Now that I am more empowered about the importance of the public participation in county budget making progress, I plan to be more active and visible in standing and demanding for my rights,” says an elated Owuor, with a sense of determination.

This suffering at the hands of public institution did not start today; but many years ago. Things have just worsened in the recent past. The County security officers have become a major source of her sorrow in the past eight years. Her business in second hand clothes has been the target of the security officers as they force her to pay the daily levies demanded by the County Government.
On the frontline of social justice fight

BY FAITH MUIRURI

From an early age, Farida Salim abhorred social exclusion. She was willing to confront unpopular narratives and challenge the status quo.

She started by defying tradition to acquire education at a time when most Muslim girls her age were being married off. This trend made her very angry. As a student, she pioneered an initiative to increase the number of Muslim girls in school. This became her first social justice issue she started to confront. “Muslim girls lagged behind boys in academic achievement. Majority had dropped out of school either after being married off or taking care of their families. This hindered them from attending school, causing many to eventually drop out,” says Salim.

Salim started off by sensitizing parents on the need and importance of supporting the girl child education. “I used the initiative to encourage the girls to complete their studies so as to be competitive.”

This initiative later metamorphosed into a mentorship programme that has helped improve access to education for girls in Kisumu County and contributed to the elimination of gender gaps in education. But it was not easy.

She was fought and labeled as rebel who wanted to poison the minds of the young girls.

She did not give up. Upon completion of her studies at Kenyatta University, Salim joined the Kisumu National Polytechnic where she served as a lecturer for close to 15 years. She decided to quit and join politics. Today, the legislator is the only Muslim woman nominated as a Member of County Assembly (MCA) in the entire Nyanza region.

“I went through a lot of attacks when I presented myself for nomination. Some people believed that the nomination slot belonged to them. However, the nomination rules set out by IEBC were very strict especially in relation to the protection of minorities.”

Renowned for her passion in defending the rights of the vulnerable and carving out a space for women issues in the assembly, Salim has made invaluable contributions in the promotion of social justice.

From pushing for the enactment of Kisumu County Maternal Health care bill to Prevention and Management of Gender Based Violence (GBV) in Kisumu County.

“When I joined the assembly, there was no money earmarked for maternal healthcare. I did a motion to compel the county government...
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to ensure all public health facilities have fully equipped maternity wings.”

The motion also sought to ensure the county has a model hospital offering women related services – especially reproductive health services, as women had to go all the way to Nairobi to access the services.

“I WENT THROUGH A LOT OF ATTACKS WHEN I PRESENTED MYSELF FOR NOMINATION. SOME PEOPLE BELIEVED THAT THE NOMINATION SLOT BELONGED TO THEM.

FARIDA SALIM - Nominated MCA
Kisumu County

“This motion received unanimous support in the assembly and as we speak, Migosi hospital already has a unit offering specific services to women,” she says.

The county government has also been allocating Ksh 30 million for maternal and reproductive healthcare services. Salim is a contented woman. “I can now look back and say this is a milestone worth celebrating.”

According to her, the county has made sure that most healthcare facilities have a maternity wing as a measure towards increasing the number of women delivering in hospitals.

In addition to this, Salim also struggled to get the Prevention and Management of GBV Act become law. This law provides for establishment of rescue centres for victims of GBV in all the seven sub counties of Kisumu County.

“Construction of the rescue centres is already ongoing in Nyando and Kisumu West sub counties. The idea is to have at least one rescue centre in all the seven sub-counties,” she said.

In the past couple of years, she has been on the forefront fighting for initiatives that would uplift women in the throes of poverty. She was instrumental in the establishment of a revolving fund for women which has been funded to the tune of Ksh 100 million by the county government.” This, she says, is a significant increase from a paltry allocation of Ksh6 million previously.

Still Salim is not resting on her laurels. In her pursuit for social justice, she has filed motions that include the status of sanitation in Kisumu County, strict adherence to the budget calendar, and motion raising concerns over insufficient public participation in the county governance processes.

Her struggle for social justice has not been an easy one. In 2014, she was assaulted her in the assembly by a colleague for pushing issues that some members said were “irritating”. “I recorded a statement with the police but none of my colleagues who witnessed the incident were willing to record a statement. The case was dropped.”

Salim is worried that passing motions that promote social justice especially for women and young people are resisted by his colleagues, especially the male ones. Every time she presents a motion, she is hit by a quorum hitch.

“This, she says, has derailed her legislative work. “Why inject so much energy when you know your motion is going nowhere.” One such agonizing motion was the one she had introduced in the house to decongest public hospitals.

“This motion was to address the plight of patients who have been forced to share beds while others sleep on the floor. The men ganged up against me during the debate and made sure the motion did not go through.”

Outside the Assembly, things are not good either, especially for gender justice. Salim speaks about the Kisumu Muslim Association which she says is a welfare body but there is no woman in the leadership. “I intervened and leaders agreed to create separate wings for both the women and the youth but up to date, the wing has never been operationalised.”

For her, fighting social justice will continue to define who she is despite the many roadblocks placed in her way.
Getting out of the poverty trap

BY ODHIAMBO ORLALE

It is a fact that most businesses, especially the small enterprises, fail after the first three months because of market forces beyond their control.

Another major frustration is the unfriendly national and County government laws and policies that target small-scale traders like Grace Atieno Otieno.

Otieno complains that these laws and policies are more friendly and supportive of the established businesses and do not favour small struggling traders that are run by underprivileged people.

Poor people in Kisumu County complain that
their efforts to get out of the poverty trap by running businesses are being frustrated by the very public institutions expected to push for social inclusion and uplift their living standards.

Says Otieno: “When I ventured into this business four years ago, my dream was to some day succeed and turn it around to be a big business like the leading stores in the country. But that is yet to happen.”

Small traders like Otieno have decided to form their own networks to help them address issues of inequality they are battling with. One of the networks is the local women’s chama (investments group) where women are occasionally invited by some micro enterprises outfits for capacity-building seminars and later offered short term loans.

These empowerment programmes have boosted Otieno’s skills in doing business, communication, branding, and in marketing her products. It is such support and the skills gained that have seen the likes of Otieno start slowly emerging from the inequality trap.

“When I started the business under Metro Park Ltd., they gave us an exponential fund to get started. We were 53 members, but only a handful, like me, soldiered on,” she recalls with pride.

Each member was given Shs1, 500 each as seed money to venture into business; they had to first form chamas (investments groups) and make the best of the skills they had learnt and the limited available funds.

By the end of the first cycle, Otieno had earned Shs4, 500 enough to get her on her feet to start a business of her choice. Her business is now thriving, going by the standards of the area she is operating in.

To sustain her business, she has had to be smart. She has been using a friend’s house in Migosi Estate as a base and an outlet to market and sell her wares. The strategy has helped her save on the rent she would have paid if she were operating the central business district.

She is an example to her colleagues of hard work and resilience, as she specialises in selling garments, beddings, women’s hand bags and shoes in addition to beauty products. She uses her cell phone effectively as a tool to brand, market and sell her products in addition to having two staffers who hawk the products in the streets, homes and offices.

“When business is good, I can earn as much as Shs6, 000 a day, but when it is low it goes down to Shs2, 000,” says the trader.

To her, garments’ business is her passion and life. She does everything to ensure that it succeeds as it the source of income she uses to support her siblings who depend on her after their parents died.

“WHEN I VENTURED INTO THIS BUSINESS FOUR YEARS AGO, MY DREAM WAS TO SOME DAY SUCCEED AND TURN IT AROUND TO BE A BIG BUSINESS LIKE THE LEADING STORES IN THE COUNTRY. BUT THAT IS YET TO HAPPEN.”

GRACE ATIENO OTIENO: Small scale trader in Kisumu County

Still, life is not a bed of roses. She has to pay a daily levy of Shs30 to the Kisumu County officials as service charge and Shs4, 000 rent for her house, which doubles as a stall for her customers.

The other challenge is financing her business. Since the banks charge commercial rates and sometimes auction goods if a person fails to pay the loan, Otieno has decided to seek financial support from the shylocks.

She recently borrowed Shs10, 000 to stock her stall and repaid it after a month at an interest of 30 per cent. The shylock only requires photocopy of her national identity card before giving her the loan after filling a form identifying and listing her moveable assets. This, is not bureaucratic, says Otieno.

“I am aware of the national and devolved funds like Uwezo Fund, the Women and Youth Fund and the Constituency Development Fund and Ward Development Funds, but I fear applying for financial support from them.”

For now, Otieno says the struggle toward getting out of the poverty trap looks difficult but surmountable.
County Government levies sinks trader deeper in poverty

BY FAITH MUIRURI

Every Friday, Eunice Amam leaves her shabby house in the sprawling Nyalenda slums in Kisumu County to catch a bus to Nairobi’s Gikomba market, famed for its second-hand clothes.

At the market, it is a mad rush as she jostles to replenish her business with enough stock. She buys second hands clothes on wholesale and sells them in Kisumu town.

But things are getting difficult for her every passing day. She has lost several customers since she is unable to pay rent for a stall where they could come and buy her clothes.

“I have been forced to abandon my stall and hawk my wares in the streets of Kisumu because I cannot afford the rent and at the same time pay the daily County taxes.

Getting customers is now next to impossible. “What I used to sell in a day ten years ago, I cannot sell in a week today. I cannot pay rent on time, which I used to pay when I had children in school.”

For the past 24 years, Amam who is a single mother, has been doing this business to fend for her five children. All her income goes into buying food, paying rent, school fees for her children and medical care.

“I separated from my abusive husband in 1993 and thereafter lost my job at Lake Basin Authority.” In the face of adversity, Amam decided to venture into business. “Initially things were not bad and I would spend Ksh 5,000 to bring stock and on a lucky day, get double that amount,” she recalls.

As result of this, she adds, “Majority of us were able to access more credit through SMEP and K-REP and repay within a week.”

“Most of these micro finance institutions had advised us to get into groups of ten people to reap from the benefits of scale. I joined a group and we started saving both at K-REP and SMEP and by the time my daughter was...
going to Form One, my savings were Ksh 50,000.”

But her life has been turned upside down with the taxation and other policies that are pursued by the County Government of Kisumu, which she says, is contributing to further exclusion of the poor people.

She points out that she has to pay the county officials levies every day to be allowed to set shop in undesignated areas. “Every time county officials accost me, I have to pay Ksh 100 and an additional Ksh 60 on Sunday’s to sell from Kibuye market, yet the county government does not offer any services in return.”

Sometimes she is left without nothing after paying the taxes. On other occasions, when she has not made any sells, she is forced to borrow money to pay the County government’s levies. And when things are really bad, the County officials usually take her stock as payment for the dues.

Looking distraught, Amam says that while the charges have been in existence for many years, they were a bit lower. “Before we used to pay Ksh30 in tax to sell our wares in Kibuye market, but this has gone up to Ksh60.”

Without sufficient returns from her business, Amam has been forced to depend on borrowing to finance the education, healthcare, security, water and almost every other social amenity that her family needs. Life, to her, is a nightmare.

As she wakes up every morning, lost in thoughts of how her day will be, Amam says her greatest fear is not being able to make enough sells for essential necessities such as healthcare, food and shelter. The other question that troubles her every morning is how she will pay the County government Ksh 100 tax fees.

Recently, this government earmarked Ksh 13 million to build permanent stalls for traders but this yet to be implemented. “We were recently called for a meeting by the County Government which promised to build permanent stalls for us but nothing is forthcoming.”

Among suggestions that have been floated to improve the situation of traders like her is giving weekend trading zones to hawkers, allocating them open places from which to operate, and charging daily rates. Again, none of these has been implemented.

Desperate traders have turned to their local Member of County Assembly to help them overcome the difficulties they are experiencing. Nothing has happened.

What annoys many traders like her is that the taxes paid to the County government are not being ploughed back into programmes that will help uplift her life and that of others like her.

“We are paying taxes but we are not getting any services from the county government and therefore majority of us are pushed further into poverty,” she adds.

The situation has been compounded by the rising cost of living. Amam says the money she makes fizzles out when she gets down to buy her household items. “The cost of essential goods at the supermarket keep spiraling. We have been living from hand to mouth over the last four years.”

According to the Kenya National Bureau of Statistics (KNBS) in its Consumer Price Indices and Inflation Rates for April 2017, food prices continued to rise pushing up the cost of living beyond the reach of most Kenyans.

Prices of Sukumawiki (kales) and cabbages, which are consumed in most households, more than doubled as inflation hit a five-year high of 11.48 percent in April. Inflation or the general rise in prices of goods and services stood at 10.28 percent. “The year on year food inflation stood at 20.98 percent in April 2017,” added the report.

This inflation and the punitive County government taxes and policies are making Amam live a frightening experience. She says unless the county government puts in place measures to boost small scale traders, then she will never cross the poverty line.

Her efforts to go beyond the County government to get support from national initiatives such as the Women Enterprise Fund (WEP) and the Uwezo Fund have not borne any fruits. She now relies on informal community based credit groups where members contribute some money every two weeks. Each member of the group can take a lump sum in turn, rotating every fortnight. These groups ensure that by the end of the rotation, each member has benefitted before starting the process all over again.

Amam says this however not sustainable. Her cry to the County Government of Kisumu is to exempt small scale traders like from paying taxes or from levies charged every day.
Voices of the socially excluded - Fighting of social justice every step

BY FAITH MUIRURI

About seven years ago, Kenyans were happy that a framework had been established that guaranteed social justice and inclusion of women, men, youth, and marginalised groups in how national resources were utilized.

This was the Constitution of Kenya 2010 that was adopted by overwhelming number of Kenyans. The law provided for elaborate ways of closing the inequality gap and ensuring social justice.

But many years after the passage of this redefining law, the inequality gap has widened and social inclusion remains a major source of pain for many people. While the law had envisaged that the people be at the heart of decision making processes in regard to how resources are raised and applied, those in power think otherwise.

They have worked very hard to frustrate the participation of the marginalised groups in deciding how resources send to the County governments are utilized.

Yet, the Constitution of Kenya 2010 Articles 118(1) (b) and 196(1) (b) direct the national and county legislatures to “facilitate public participation” in their work. Article 184(1) (c) further requires that mechanisms “for participation by residents be included in legislations in urban areas.

Further to this, the Ministry of Devolution and Planning and the Council of Governors have launched county public participation guidelines. The guidelines developed in 2016 are to be used by all stakeholders including National and county government officers, civil
society and all government institutions engaged in public service delivery.

At the County level, the Kisumu County Public Participation Act provides for the establishment of the office of Public Participation which is vested with the responsibility of ensuring timely access to information, data, documents, and other information relevant to or related to policy formulation, implementation and oversight.

The sad thing is these laws are not being translated into practice. The residents complain the forums where they are expected to air their views on project they think will transform their lives have remained a mere formality and an opportunity for County Assemblies. “Without this information, key budget documents two weeks to address the notice, the structure, and duration of the public participation forums as directed by the County government. “Some county executives tend to give extremely short notices for budget forums, and when the budget forums happen, insufficient time is afforded to citizens to scrutinise proposals, ask questions, and build consensus.”

Residents interviewed claim that the county officials only circulate three copies of the budget to be shared among 100 people. This makes it difficult for people to scrutinize and offer informed views on the proposal made in the budget.

According to Ogot, the law requires that timelines and venues for public consultations are communicated at least two weeks before such forums are held to allow people to prepare themselves to participate meaningfully.

“MOST OF THESE LEARNERS ARE VICTIMS OF UNFAIR SYSTEM OF GIVING BURSARIES, WHICH TEND TO BENEFIT THOSE ARE ABLE AND HAVE A VOICE AT THE EXPENSE OF THE VOICELESS,”

VINCENT ODHIAMBO

“The county government has been giving short notices in the newspapers for people to attend the forums. Women have no access to the media and the adverts placed on national newspapers and electronic media reach only a small segment of the population,” she complains.

Ogot cites cases where she has been called in the morning to mobilize women to attend a budget making forum in the afternoon. She blames the County government, which she says has done very little to provide sufficient information in key budget documents two weeks to the event. “Without this information, it is impossible for the public to meaningfully participate in the budget making process.”

The usual trend is for these forums to be dominated by men. In most cases, the few women who attend do not understand the economic jargon and no one bother to step down the language for them to understand.

Margaret Omondi of Women Concerns, a Community Based Organisation in the county underscores the need to address the notice, the structure, and duration of the public participation forums as directed by the County government.

“The petition they rejected is currently working with the International Republican Institute to increase the voices women in budget making forums. The petition was successful as the idea was abandoned. Public participation must be safeguarded to ensure that it is not sacrificed at the altar of an accelerated budget making process.”

George Kopallah a governance activist is worried by new trend among the public. He thinks that there is need to conduct a comprehensive civic education program in Kisumu to provide information about the nature and purpose of devolution, its technicalities and opportunities for public input.

But all is not lost. According to Odhiambo of Lake Victoria Youth Initiative, the county government is currently working with the International Republican Institute to increase the voices women in budget making forums. The petitioning of the county government by the public on how Ksh 800 million was going to be used is a strong indicator that the locals have started taking these processes seriously. In the petition they rejected the use of such money to construction of a modern assembly, saying there other priorities. The petition was successful as the idea was abandoned.
Voices of the socially excluded - Fighting for social justice every step