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**L'Afrique et les défis du XXIème siècle
Africa and the Challenges of the Twenty First Century
A África e os desafios do Século XXI
إفريقيا وتحديات القرن الواحد والعشرين**

**"SAFARI NI HATUA":
Entrenching Constitutionalism through Civic Agency**

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The Kiswahili saying: "*Safari ni Hatua*" ("A journey is (a series of) steps") reflects the constitution-making process in Kenya. When, on August 27th 2010, Kenya promulgated a new constitution - the first of the post-colonial era, it was an important step; however it only marked the end of one stage of a long journey. After decades of sustained negotiation, first for a replacement to the independence constitution agreed on at Lancaster House in England half a century ago, and secondly for an inclusive process in the formulation of the new constitution, there was, understandably, much celebration when the 2010 constitution finally came into being. That constitution was seen as a "home-grown" covenant that would radically transform the nation, given the re-conceptualisation of the structure, responsibilities and obligations of the state on one hand, and the articulation of principles, frameworks and provisions enduing citizens with greater agency on the other. As has become clear in the year following the essential event of the promulgation, a new set of challenges (articulated here as a series of questions) lay ahead with the onset of a new stage of the journey. How does a nation translate the written document that is its constitution into the experiential reality of constitutionalism for both its state and its citizens? What is it that citizens can and should do to work with the state in ensuring that it lives up to its constitutional obligations? What role can civil society play in facilitating civic agency as the essential ingredient in entrenching a culture of constitutionalism in a nation?

This paper engages these questions, furthering research presented at the 2008 CODESRIA General Assembly on what was then Kenya's National Civic Education Programme (NCEP), also known as Uraia (Kiswahili for Citizenship). As a donor basket fund, NCEP facilitated a partnership between a collective of about 70 civil society organisations, several foreign states and a number of multilateral development agencies, all of which were involved in the provision of civic education in Kenya. NCEP ran for about a decade, growing into what was widely recognised to be the most influential facilitative civic society program in the country. It concentrated on the establishment and strengthening of a vibrant democratic political culture, and the capacity building of civil society in order to consolidate the gains made in social and political democracy in Kenya. However, as NCEP came to the end of its two phases of work, it found itself at a crossroads. Critical questions were raised as to the identity, ownership and sustainability of the program given its nature as a donor basket fund, and to what extent it should and could continue to occupy this critical facilitative space in the nation. The first section of the paper revisits this history and then traces NCEP's subsequent evolution into a Kenyan

organisation, the Uraia Trust (UT) in 2011. It delineates the ways in which the Trust responds to the critiques offered earlier, and the new challenges it now faces in consolidating its position as an institutional leader in the area of national reform, while evolving into the possibilities offered by its change in status.

In the second part of the paper, I examine how this institutional transformation occurred within, and was therefore influenced by, a socio-political context dominated by the negotiations around the 2010 constitution. I argue that the structure, mission and strategic goals of the Trust are, in fact, a performance of the critical lessons learnt by Kenyan civil society in its continuing struggle to see the 2010 constitution become lived experience on the ground. Three critical issues (civic education; civic empowerment; democratic transformation and development) at the heart of UT's work are essential to the entrenching of a new constitutional dispensation in Kenya. Citizens, not the state, are at the centre of the imagining into being of the nation as envisioned in the 2010 constitution.

In the conclusion, I posit the importance of nurturing a civic competent society within Africa. Such competency enables and encourages citizens to take the lead in holding a state accountable in the execution of its obligations to its citizens. I see this as critical to making this century the era of Africa's renaissance. African institutions, like UT, that are committed to this goal provide a means through which the continent will meet the challenges of the twenty-first century.

Bibliography

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