
Synchronizing Security Strategies Between the National and County Governments in the North Rift Region of Kenya

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Abstract. In a politically contested environment, apart from contestation over *whether* to bring security to the county level, strong divisions also exist over *how* to do this. This paper provides an overview on how security strategies between the national and county governments in the north rift region of Kenya could be synchronized. The main argument is that a high level of diversity in the national-county relationship is emerging such that there is need for synchronizing security strategies between the national and county governments. The Fourth Schedule of Constitution of Kenya (2010) places police services and the courts firmly in the hands of the national government, leaving county governments without any such powers. On the other hand the National Police Service Act 2011 (amended 2016) created County Policing Authorities to, inter alia, “develop proposals on priorities, objectives and targets for police performance in the county”, “monitor trends and patterns of crime in the county” and “promote community policing initiatives” [section 41 (9) (a-c)]. Therefore County Policing Authorities are “a way for the community to get involved in policing at the county level”. While there is nominal clarity over security not being a devolved function of government, historically the Kenyan government has endeavoured to provide security evenly across the country. The situation creates political tensions where local stakeholders feel the need to advocate for a security apparatus more in line with community self-perceptions. On account of the fact that the very performance of security services further depends on cooperative and communicative relations with the population, the implementation of constitutional provisions has focused on adapting to local community diversities. Under these conditions, it is impossible to fully understand the developments at play without direct engagement with county-level security strategies reflective of nationwide differences. This paper concludes that there is a clear separation of powers between security services and local politics, according to the constitution: governors are not to manage law and order. Concern stems from the historical perception of an uneven security presence across Kenya – hence, it would seem impossible for governors to ignore the security concerns of their local residents. Alongside advocacy for constitutional reform that would give them greater say on security issues, governors are active in the politics surrounding local security provision. This tends to bruise relations with County Commissioners and the national government, since governors could easily politicize matters and can often be in support of particular ethnic communities at the expense of others. However the new situation calls for security services to acknowledge local diversities and the value of more community-inclusive law and order strategies. The constitution in Article 6(2) recognizes that these governments are distinct and inter-dependent and requires them to conduct their mutual relations on the basis of consultation and cooperation. The governments are also required to cooperate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities. The Intergovernmental Relations Act (2012) further establishes a framework for consultation and cooperation between the national and county governments.

Key words: Security, Security strategies, National Government and County Governments, Decentralization, Devolution

Introduction

The government of Kenya recognizes the north rift region as a gateway to the growing markets with its neighbours in the Horn of Africa. However, insecurity and conflicts have a major impact on the sustainability of development efforts in the region. The county governments being closer to the people, are expected to play a significant role in promoting peace and security for development and improved livelihood of the citizens. Devolution provides an opportunity to enhance citizen-state relations by ensuring that communities engage in transparent and accountable decision-making processes. It provides an avenue through which opinions and grievances are expressed in a non-violent manner. It should also enable conflicts and differences among communities to be managed and resolved peacefully through dialogue and negotiation.

Since the formation of County governments in 2013, a lot has been done by both levels of government in promoting peace and security but still cases of conflicts and insecurity are being reported. While Kenya's national government structure abolished the province level (provincial commissioners), it created a new administrative post of county commissioners (CCs) at the county level alongside the elected county governors. At first, the 2012 County Governments Bill specified that national government officials should report directly to the county governor and not the president. This was to ensure that the national government would "respect the system of devolved government" that the constitution mandated and would weaken executive power as the population envisioned (Hassan, 2014).

Contrary to these initial intentions, the finalized County Government Act of 2012 made no such comment on the relationship between CCs and governors, meaning that the legal relationship remains the same as stipulated in the 2010 constitution – that each performs duties pertaining to their respective functions, concurrently over the same territory. The ambiguity this causes was anticipated to some extent in section 17 of the constitution's Sixth Schedule, which demanded the restructuring of the provincial administration to "accord with and respect the system of devolved government" within five years of the constitution's promulgation.

In a politically contested environment, apart from contestation over *whether* to bring security to the local level, strong divisions also exist over *how* to do this. The argument is that a high level of diversity in the national-county relationship is emerging – this calls for recognition of the security strategies employed by the local communities to counter their respective security challenges so as to incorporate them into the national-county governments joint security strategies. While there is nominal clarity over security not being a devolved function of government, historically the Kenyan government has endeavoured to provide security evenly across the country.

The situation creates political tensions where local stakeholders feel the need to advocate for a security apparatus more in line with community self-perceptions. On account that the very performance of security services further depends on cooperative and communicative relations with the population, the implementation of constitutional provisions has focused on adapting to local community diversities. Under these conditions, it is impossible to fully understand the developments at play without direct engagement with county-level case studies reflective of nationwide differences.

Debate on Security Mandate: The National and County Governments

There is a clear separation of powers between security services and local politics, according to the constitution: governors are not to manage law and order. Concern stems from the fact that there has been a history of an uneven security presence across Kenya – meaning that, it would seem impossible for governors to ignore the security concerns of their local residents. Alongside advocacy for constitutional reform that would give them greater say over security provision, governors are active in the politics surrounding local security provision. On

the one hand, this tends to bruise relations with county commissioners and the national government, since governors easily politicize matters and can often be in support of particular ethnic communities at the expense of others. On the other hand, the new situation is calling for security services to at least acknowledge local diversities and the value of more community-inclusive law and order strategies.

It is worth noting that the National Police Service Act (2011) established the County Policing Authorities on recognition of the need to involve the local communities in security matters at the county level. On face value, the provisions of the National Police Service Act provide much less authority than what many governors asked for. Governors have been vocal in demanding that policing become a function of devolved government. They point at: the role governors play and intend to play in reconciling inter-ethnic differences and conflict; recognition among governors of the priority security has for voters' perceptions of county government performance; and resentment at the way policing structures can and may be used by actors within central government to circumvent local development plans, local aspirations for inter-ethnic harmony, or local enforcement of free and fair elections. It can be speculated that a further, negative reason that may exist is the fact that local control of security might allow governors to themselves manipulate political events and inter-ethnic relations to their advantage.

Issues of managing security continue to dominate discussions on the national-county governments relationship. However unlike in 2013, debate on devolving security seems to have lost traction. With the introduction of devolution as a system of governance in Kenya, the Council of Governors (CoG) led a heated debate on the need to make security a devolved function. This argument was partly on account of the fact that crime and insecurity were felt on the ground and they were best suited to deal with it.

It is a historical fact and current reality that some counties, particularly in the North Rift region, like Baringo, Elgeyo Marakwet and Turkana have emerged as centres of various resource-based conflicts. Therefore county governments and their leaders felt they had a critical role in averting these conflicts by facilitating inter and intra-community dispute-resolution. However this debate seems to have ended without the security function being devolved.

A second contentious matter that also seems to have fizzled has to do with the role of county commissioners (CCs) in handling security matters. The appointment of CCs was controversial and there was robust debate on their legality. This is largely because some were of the view that with devolution, the Provincial Administration had no relevance, and if it were to be retained, it could only work under governors. Retaining CCs under the office of the President, some argued, was an attempt at undermining devolution – by keeping them, the national government was clawing back powers that had been taken away by the Constitution.

However, on 14 May 2013, President Uhuru Kenyatta, through an Executive Order, re-designated all the officers ranging from CCs, Deputy County Commissioners (DCCs), Assistant County Commissioners (ACCs), chiefs and their assistants to be known as the national government administrative officers (NGAOs). Furthermore, new positions of eight regional coordinators were created and the officials charged with the responsibility of coordinating a cluster of counties. The police and NGAOs were then put in-charge of security within counties.

While police do most of the everyday policing functions, the NGAOs closely work with them. Some of the matters they have been involved in include cracking down on those brewing illicit/illegal alcohol and those involved in cattle rustling, besides addressing issues of drug abuse, vigilantes and criminal gangs among other criminal activities.

As direct representatives of the President in the counties, some CCs are viewed to have projected state power in a manner that has tended to overshadow governors, at times even competing with them. This has led to friction and tension between the NGAOs and some county

government leaders in areas like Kilifi, Kisumu, Mandera and Mombasa. The most high profile public case was the exchanges between Mombasa governors Ali Hassan Joho and the then coast regional coordinator Nelson Marwa over issues like extra-judicial killings of gangsters and holding political meetings and demonstrations.

Nevertheless, the administrative impact of this reconfiguration has an impact on policing and security management in counties. In Bomet County (south rift region) for instance, a study by scholars from Masai Mara University showed that the reconfiguration had significant negative administrative consequences on selected aspects of crime management from 2010 to 2014 compared to earlier years. The study concluded that “frequency of joint security operations on illicit brews dropped from weekly to monthly and need basis; the duration of response to scenes of crimes increased from minutes to hours; and the frequency of security committee meetings increased to weekly and need basis from monthly and need basis.”

This was attributed to the changed command structure in the Provincial Administration, inadequate resources, and entry of independent security institutions as well as the county government itself. Similar studies focusing on counties in the north rift region are important to offer a complementary perspective of the potential impacts and influences of the national government on policing.

There is mutual, albeit unstructured, cooperation and engagement between some of the counties and the national government. Most counties have created the office of a security advisor to provide technical support to the governor and county governments on security issues. These advisors work closely with higher levels of the national government such as the county police commanders and the CCs. Further the private sector has also been supporting the police by donating vehicles and engaging in other activities which aid in improving security, for example street lighting and erecting flood lights in strategic places.

In both rural and urban counties in the north rift region, leaders are facing challenges of development as well as pressure from unemployed youth. Lack of sustainable livelihood opportunities remains a serious problem perceived to contribute to their recruitment into criminal activities such as drug abuse, gangs and banditry. Unfortunately, potential for improving local security through intervention by county governments and other local actors remain largely unexploited.

Many issues remain unaddressed regarding how the two levels of government can collaborate and harness their capacities and allocate their resources. In many counties, the County Policing Authorities, which have the mandate of providing strategic leadership and advice on policing are yet to be set up. In places where they have, they are yet to be operationalized yet they are important for coordination between the national and county government security strategies.

Many of the major and urgent problems of security are linked to gaps and deficiencies of development policies and require local-level solutions, local knowledge and network (Thatcher, 2000). At the county policy level, it requires them to make a connection between their development agenda captured in the County Integrated Development Plans (CIDP) and addressing questions of insecurity. This would allow counties to adopt a multi-actor approach and undertake practical development-relevant measures.

Contribution of non-state actors is neglected but valuable. Issues of policing are much broader, involve and are carried by other actors including women and youth groups as well as local residents in different ways through gangs, vigilantes, neighbourhood watches, community policing committees and *Nyumba kumi* initiatives. If well utilized, these mechanisms can also provide an opportunity for innovation, increased organizational efficiency and adaptation of crime control measures to the local context. This is crucial since improving security calls for better national-local collaboration, partnerships and linkages (Thatcher, 2000).

Legal Framework: Security Strategies between the National and County Governments

The Fourth Schedule of Constitution of Kenya (2010) places police services and the courts firmly in the hands of the national government, leaving county governments without any such powers (Kangu, 2015). On the other hand the National Police Service Act 2011 (amended 2016) created County Policing Authorities to, inter alia, “develop proposals on priorities, objectives and targets for police performance in the county”, “monitor trends and patterns of crime in the county” and “promote community policing initiatives” [section 41 (9) (a-c)]. Therefore, County Policing Authorities are “a way for the community to get involved in policing at the county level”.

The constitution in Article 6(2) recognizes that these governments are distinct and inter-dependent and requires them to conduct their mutual relations on the basis of consultation and cooperation. The governments are also required to cooperate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities. The Intergovernmental Relations Act (2012) further establishes a framework for consultation and cooperation between the national and county governments.

Moreover, since the governance of security incorporates a multiplicity of actors, of which the police are just one, counties are expected to contribute their expertise and knowledge to ensure sustainable security outcomes. County governments' role as security players is embodied in the CPAs, headed by governors or their representatives. Other members are drawn from county security committees, the County Assembly, and six appointees from among county stakeholders including business community, youth and women, persons with special needs, religious organizations and community-based organizations (CBOs).

CPAs are responsible for monitoring trends and patterns of crime, developing proposals on priorities, objectives and targets for police performance, monitoring progress and achievements, overseeing and promoting community policing initiatives, facilitating public participation and providing financial oversight for the budget for policing. The CPA occupies an advisory role to the CSIC and provides for civilian representation in security decision making, and a mechanism for accountability of police to the public. There is need for a clear guideline on how the CPAs should coordinate with the national government security structures in counties, and how the lower tiers should share information and collaborate for security.

In 2011 Kenya also drafted the National Policy on Peace Building and Conflict Management. This policy lays out clear measures “that increase the potential for peaceful coexistence, and human security, as a driver for sustainable socio economic development. This policy also provides an institutional framework at national, county and local levels in the country for implementing the policy in line with the Constitution (Pastoralist Parliamentary Group, 2014).

The Constitution of Kenya in Article 244 (e) while pronouncing the objects and functions of the National Police Service demands that the service fosters and promotes relationships with the broader society. This provision is operationalized in the NPS Act 2011 (2016) and any other relevant laws. According to the Act, in section 96(1), the service shall, in order to achieve the objects contemplated in the constitution, liaise with communities through community policing initiatives, with view to eliminating the fear of crime and social disorder, through joint problem solving, and prevention of crime. The concept of community policing is as illustrated in the following organizational structure:

Community Policing Committees

Security Committee

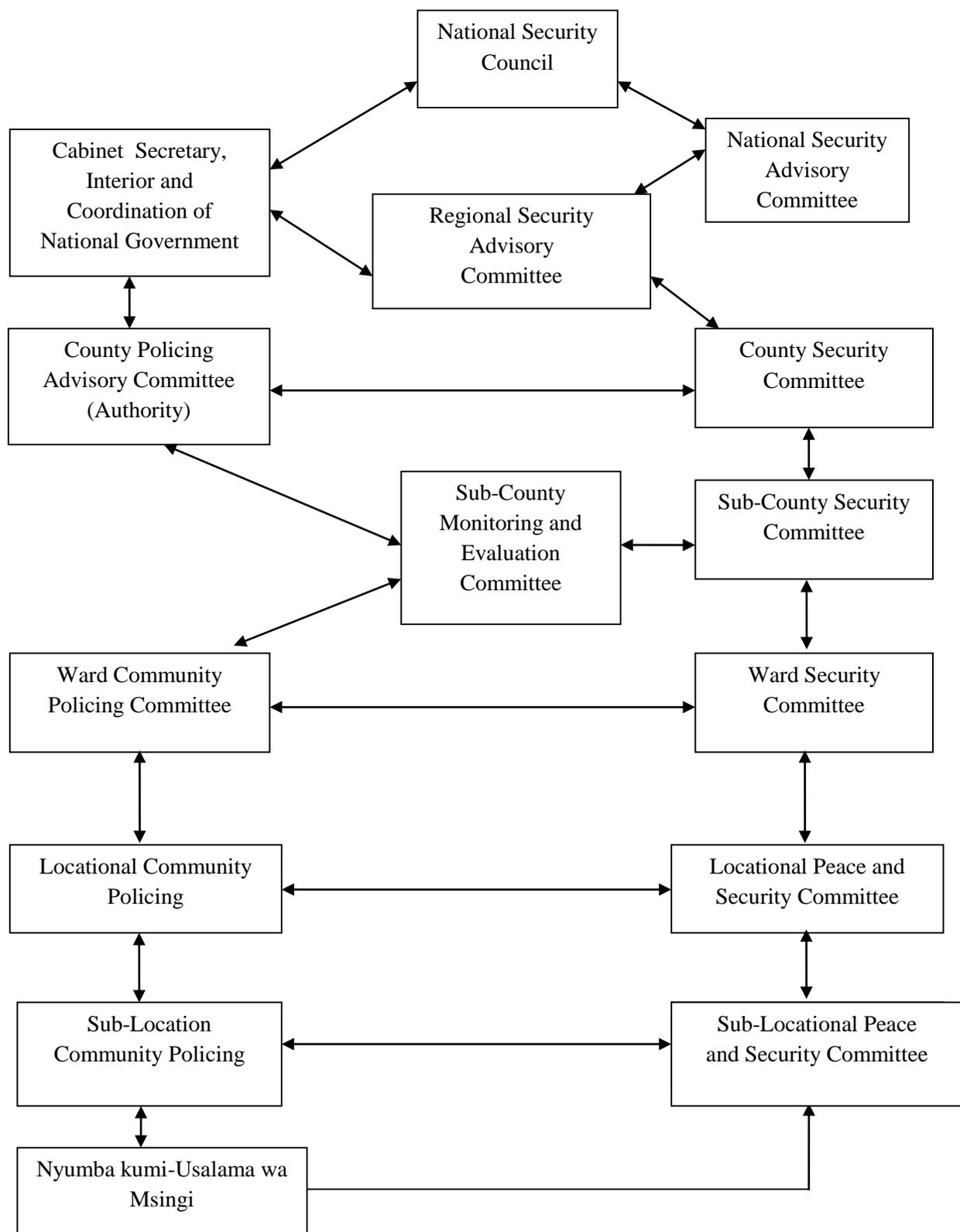


Figure 1. Organizational structure

Source: 4th Draft Guidelines on Community Policing 3rd March 2015

Membership of Nyumba Kumi

The committee is composed of members of households or any other generic cluster. This is the basic level and the most critical of all the committees. Every member within the cluster is entitled to attend meetings and participate in decision making. The households democratically elect office bearers; the chairperson represents the cluster in the Sub Locational Community Policing Committee (CPC).

Other members are: 3 members of public (ethnic balancing, gender, disability,...); 1 representative from each religion that has a presence; 1 business person; 1 county government representative; 1 youth; 1 woman; area assistant chief; 1 representative from each government policing agency with a presence in the cluster/locality, however they should not be more than 1/3 of the members of the cluster; the Nyumba kumi committee co-opts any specialized member of the cluster for a period it deems necessary.

All office bearers except government officials (who would have been selected on merit), must be democratically elected by members of the cluster and the respective security committee supervises the election. The office bearers of Nyumba kumi committee serve for a 2 year term and are eligible for re-election. All permanent and bona fide residents of the cluster are automatic members and academic qualification is not a prerequisite for membership. However, training of the members on effective community policing as per the taskforce manual is mandatory.

Membership of Sublocation Community Policing Committee

The committee is composed of: the area assistant chief; 1 representative from Nyumba kumi committees in the sub location; one representative from each of the government policing agencies with a presence in the sub-location; representative of county government; 10 members (taking into account of gender, area, ethnic, youth, people living with disability and so on) – however the community must form 2/3 of the membership. The chairperson, vice-chairperson, and the secretary are elected from the members of the public.

Membership of Location Community Policing Committee

The committee is composed of: the area locational chief ; 1 representative from various sub locational committees in the location; one representative from each of the government policing agencies with a presence in the location; representative of county government; 10 members (taking into account of gender, area, ethnic, youth, people living with disability and so on) – however the community must form 2/3 of the membership. The chairperson and vice-chairperson are elected from the members of the public.

Membership of Ward Community Policing Committee

The committee is composed of: the area assistant county commissioner; 1 representative from various locational committees in the ward; one representative from each of the government policing agencies with a presence in the ward 10 members (taking into account of gender, area, ethnic, youth, people living with disability and so on) – in any case, the community must form 2/3 of the membership; area member of county assembly; and, representative of county government. The chairperson, vice-chairperson and the secretary are elected from the members of the public.

Membership of Sub County Community Policing Committee

The committee is composed of: the deputy county commissioner; 1 representative from the various area/ ward committees in the sub county; one representative from each of the government policing agencies with a presence in the sub county; 10 members (taking into account of gender, area, ethnic, youth, people living with disability and so on) – in any case, the community must form 2/3 of the membership; area member parliament; and, representative of county government. The chairperson, vice-chairperson and the secretary are elected from the members of the public. The sub county community policing committee is charged with the

responsibility of monitoring and evaluating all other committees below it. This includes coordination of community policing activities in these levels.

Membership of County Policing Advisory Committee (CPAC)

Membership is per the National Police Service Act. Functions of CPAC are similar to other community policing committees at county level. Its other functions include: supervision and coordination of community policing activities in the county; advising community policing committees; and, submitting reports to the cabinet secretary, interior.

Debate on Membership of County Security Committees

From the membership of Nyumba kumi and the various community policing committees at different levels in the county, it is evident that the county government is represented. However, the security committees at all levels in the organizational structure does not have representation from the county governments. This is despite the presence of representatives of the county government in the field – as ward and sub county administrators, whose areas of jurisdiction are equivalent to that of the assistant county commissioners and deputy county commissioners respectively.

The argument which has been presented against the inclusion of county government administrators from security committees include the need for them to be vetted so as to ascertain their compliance with the required threshold of leadership and integrity as provided for in Chapter Six of the Constitution of Kenya (2010). The county government administrators are viewed to be direct representatives of the governor at the grassroots – and hence considered more politicians than administrators.

Those who subscribe to this school of thought seem to neglect the fact that even the national government administrators (chiefs, assistant county commissioners, deputy county commissioners and county commissioners) are direct representatives of the President who is also a politician. However the President is viewed as a national leader, having been voted for by voters from all over the country, unlike the governor whose votes are only from within the county.

Moreover the national government administrators can be deployed to any county in the country while the county government administrators are only deployed locally within their counties. This further complicates their moral capacity to be able to handle, with the required impartiality, sensitive security intelligence information discussed at the peace and security forums – such as the security committee meetings.

This study appreciates the need to incorporate county governments into the national government legal frameworks and organizational structures where peace and security strategies are deliberated. However there is need to restructure the induction training curriculum for the county government administrators so as to match the national government administrators' standards of induction training on peace and security intelligence – including paramilitary training. The entry behaviour should also be reconstituted – the county government administrators may need to be drawn from outside their counties of deployment for the purpose of impartiality.

Security Strategies: National and County Governments in the North Rift Region of Kenya

From the foregoing discussion on the legal framework it is evident from the constitution, the county governments' legislation and practice, that while counties do not have a direct mandate to provide security, they have vital functions in priority setting and an important development mandate which impacts upon drivers of insecurity such as unemployment, inequality and disputes over land. Moreover, it is within counties that what are termed national security concerns emerge, crystallize and are ultimately resolved. Consequently, county

governance is inextricably weaved with the national functions of security management and governance.

Even in the absence of an explicit constitutional provision, in practice, security is emerging as a concurrent function with both the national and county governments co-financing security activities (Mutuku, et al., 2014). This signals an important innovation with regard to security governance under the devolved system of government. The extent of the link between county governance and processes of security and insecurity is a critical policy question. After all, it will be remembered that one of the uncertainties surrounding the question of devolution was the fear that it may lead to more conflicts, destabilization and national insecurity.

Since the devolved system of governance came into place, it is evident that the system has precipitated changes in various sectors sometimes blurring the lines of the demarcations envisaged by the constitution or introducing new unanticipated dynamics. In particular, the constitution is explicit that security is the mandate of the national government. Nevertheless, devolution has introduced new variables to the processes that generate security and insecurity as well as to the management of security in general.

This paper examines security strategies by the national and county governments in the north rift region of Kenya with the view of discussing how these strategies could be synchronized while at the same time upholding the spirit of the constitution. The county governments in the north rift region have the capacities to complement security programmes by facilitating infrastructure development and networking which would massively help security organs to efficiently fight insecurity. It is therefore important that the national government consults and collaborates with these county governments to address emerging security concerns in the region.

Whereas policing and security are a national mandate as per the constitution, counties have been allocated development roles that provide them with the opportunities to significantly shape security outcomes (Mutuku, et al., 2014). Looking at the constitution, there are several roles explicitly assigned to counties that will lead to security and safety outcomes. This means that by carrying out their roles and functions, counties are in reality security actors.

The direct involvement in security provision is in flagrant disregard of the constitution's demarcation of security as a function of national government. However, County governments from the north rift region should borrow a leaf from the county governments with success stories on engaging in security strategies that enhance or are enhanced by county public service provision. For example, Machakos county touted as one of the most entrepreneurial and successful cases of devolution, has treated security in a way almost equivalent to any other area of county-level public service provision.

Mutua justified the purchases by framing security provision as a duty in which all Kenyans should be involved, emphasizing that "security is not a national government or county government issue only. In this way, he tactfully employed reference to the neighbourhood watch scheme (*Nyumba kumi*), organized by national government, to give the impression of promoting the national government agenda. In terms of county government budgeting, the purchases were made as part of a labelled "Machakos Comprehensive Security and Emergency Program". As such, vehicles came already painted; their branding of "Police/Machakos County" giving Mutua credit in the eyes of voters whenever the cars are on patrol.

This has meant organising procurements tailored to suit the needs of security and police services that operate in the county, and maximising the visibility of these procurements as brought about by the county government. Apart from purchases of 500 closed-circuit television (CCTV) cameras and 40 police dogs, in a highly publicised event Mutua unveiled 120 police cars for use within the county. Subsequently, Mutua financed the construction of houses for security officers.

Some queries could be raised by the auditor-general over the procurement processes of security vehicles by the county government. However, specific recommendation should be given; for example, since the duty of security provision is primarily for the national government, the purpose for which the vehicles are provided to the police should be clearly stated. This could dismiss further requests for documentation – not any fundamental questioning of the constitutionality of a county government operating through a memorandum of understanding with the police force.

Whereas under the constitution, the core mandate of the counties is development, several roles with security implications have been allocated to the county governments. The control and regulation of alcohol, drugs, pornography, transport, public nuisances, trade development, traffic management, street lighting and health – all county roles have an indirect, but nonetheless important implications and impact on security

Control of drugs and pornography as a function of the county government could be exploited as a security strategy. Most criminals often happen to be under the influence of drugs during their criminal activities while suspects of rape and defilement could have been influenced by both drugs and pornography. One of the prevalent crimes in the north rift region apart from cattle rustling and livestock theft is related to sexual offences – defilement, rape and Female Genital Mutilation (FGM). FGM is a cultural issue requiring cultural solution which is not the case with defilement and rape (Pkalya, *et al.*, 2004).

The county governments' role in public service provision of county transport includes county roads, street lighting among other services. These services could be viewed as security strategies on account that one of the security challenges in the north rift region is the poor road network and the difficult terrain – this could be addressed by improving county roads. Another safety function assigned to the county governments is traffic control and regulation of transport. Transport may not seem as an obvious security matter but in reality operations of public transport, in terms of location and erection of bus stops for instance, have a direct impact on public security.

Lighting of counties is another obvious intervention that has a clear and direct security and safety implication. The flood lights have improved security situation by lighting streets in the townships. Moreover, county governments have a role in the management of health institutions (hospitals, health clinics). Hospitals have crucial security and safety functions as they are for instance, the first line institutions in addressing domestic violence and violence against children.

The constitution provides that the policing mandate remains under the national government, though counties have some input into priority setting with regard to policing. However, in both policy and scholarly discussions, it is accepted that security is broader than just policing. Many of the roles that the constitution assigns to the county governments have both direct and indirect linkage with security. County governments, for instance, are responsible for controlling drugs and alcohol use as well as the regulation of housing all of which have a bearing on crime and security.

County governments are responsible for controlling drugs and alcohol use and the distribution of pornography. The relationship between alcohol and drug abuse has been established in crime studies globally. Through the Liquor Licencing Act county governments can implement local security strategies by vetting potential bar operators and regulating the number of liquor premises. Some of the liquor selling joints have been suspected to be harbouring criminals while others could be dealing in illicit liquor. These scenarios are viewed as factors contributing to insecurity.

The county government's function of cultural activities, public entertainment and public amenities is another significant aspect of security strategies that needs to be synchronized by the national government's security strategies. Sports creates values, freedom and pride for

individuals, communities and corporate (Pkalya, *et al.*, 2004). In this regard, the Baringo County First Lady Peace Marathon was inspired by the Baringo county first lady on realization that peaceful coexistence among warring communities exacerbated by cattle rustling and insecurity is essential for socio-economic development and that conflict is preventable.

County planning and development is another function of the county government that is crucial as a security strategy that could create an enabling environment for peaceful existence between communities. For instance, through land survey and mapping the county government could address land boundary conflicts in thus solve the perennial land question in the north rift region. Housing problem has exacerbated insecurity in the region hence the county government comes in handy.

The north rift region of Kenya is one of the most underdeveloped areas of the country and suffers from a high level of human insecurity, with more than three-quarters of the population living below the poverty line (Asfaw *et al.*, 2009) – this calls for food security strategies. To this extent therefore, the functions and powers of the county government on agriculture is another avenue for synchronizing security strategies between the national and county governments in the north rift region of Kenya.

The county government is in charge of crop and animal husbandry; and, plant and animal disease. These functions if well discharged so as to achieve sufficiency in crop production, could lead to food security and thus promote security and peace among the communities in the north rift. The county government could also keep vigilant while managing livestock sale yards and county abattoirs. This would assist in tracking stolen livestock – the county government reinforcement officers could collaborate with the national government police officers to see that suspects of livestock theft identified from these sites are arrested and taken to court.

Conflict over water resources is one of the key dispute areas in the north rift region. Therefore the function of county public works and services – including water and sanitation services can be used as a security strategy. The county government should ensure there is sufficient and constant supply of water to the both the pastoral and agricultural communities in the region for peaceful co-existence.

The legal framework through proper legislation is another avenues for synchronizing security strategies between the national and county governments in the north rift region of Kenya. The County Policing Authorities should be fully operationalized for the county governments be able to: monitor trends and patterns of crime in the counties; promote community policing initiatives; develop proposals on priorities, objectives and targets for police performance at the counties [National Police Service Act, 2016: section 41 (9)].

With the recognition of the enabling functions of the county government, there is need to enact a law that allows governors to be part of security affairs at the county level (Mutuku, *et al.*, 2014). For example, the idea of incorporating certain county government officials into the national government security committees should be re-considered. There are suggestions from peace forums that have pointed at the need to classify cattle rustling as a capital offence while others have asked for the leaders from the north rift to provide a list of cattle rustling sympathizers and financiers for legal action to be taken against them. The judiciary has also been asked to expedite hearing of cattle rustling cases as a way of synchronizing the security strategies between the national and county governments in the north rift region.

County governments are also responsible for issuing tradelicenses and regulating housing, two functions which can be used effectively to curtail illegal and exploitative businesses and business practices and enhance the security and safety of residential neighbourhoods and their inhabitants. The question of marauding hawkers and street children should be jointly addressed by the national and county governments. It has been noticed that most of the criminals who engage in street mugging, robbery with violence, stealing and so on within the town centres have been masquerading as either street children or hawkers.

This calls for cooperation between the national government police and county government enforcement officers. For instance it was recently reported that security teams in Uasin Gishu county supported demolition of illegal structures and eviction of hawkers near schools for harbouring criminals. The CC, Abdi Hassan, was quoted as saying, “Our investigations have revealed that structures near schools and other learning institutions are hideouts for criminals who exploit students to traffic illicit brews and hard drugs.” The Deputy Governor, Daniel Chemno, also reiterated the CC’s sentiments saying, “Traders should relocate to markets and areas constructed to accommodate them, instead of violating the law by selling their wares on streets.”

Economic empowerment of the youth is paramount to attainment of security and peace. The national and county governments in the north rift region should capitalize on the rich natural resource base of the region to create employment for the youths. The region is also a preferred global tourist destination due to its rich African culture. All these should be considered as security strategies to be synchronized between the national and county governments in the north rift region. It should be noted that one of the big four agenda of the Jubilee government is ‘manufacturing for job creation’ – the national and county governments in this region should work together to facilitate the realization of this agenda by mobilizing youths to consider engaging in manufacturing goods from livestock products; for instance, shoes made from cattle hide.

On synchronizing security strategies between the national and county governments, governors and CCs from four counties (Baringo, Samburu, Laikipia and Isiolo) converged at Lake Bogoria Spa Resort on 23 March 2018 to officially launch an initiative aimed at ending recurrent conflicts in the region. They signed a memorandum of understanding to guide the operations of the Amy Triangle Initiative. Modernizing pastoralism through establishment of feedlots and fodder preservation is one of the key components of the initiative. Other areas of focus include infrastructure, water, environment and natural resource development, tourism and trade, education and training. The leaders also launched public-private partnerships.

Emerging Issues on Synchronizing Security Strategies between the National and County Governments in the North Rift Region of Kenya

From the foregoing discussion the study highlights the following issues that are relevant to security in the context of devolution:

Challenges Posed by Incomplete Devolution

The process of devolution is yet to be complete. In many places, county governments are yet to recruit lower tiers of administrators, although top tiers of government and county assemblies are in place. Various structures that would address security issues and facilitate better coordination between the county and national governments are not yet in place in many counties.

In addition, most counties are yet to build capacities to creatively address preventive aspects of security through targeted development investments. Moreover the devolution of available funds from the national level to counties has been facing some delays. There still exists a heated debate on what should be sufficient amount (percentage) of funds to be cascaded from the national to county level.

Coordination of Security Agencies

Overlapping roles, tensions and mistrust abound between various security players in counties, including county governments, NGAO, and the police. This has created security gaps in some instances. CPAs are not up and running due to legal delays in setting them up, making it difficult for counties to articulate their role in planning for security.

There are concerns that the CPAs and governors could easily be sidelined by the national government security actors, since they have an advisory rather than implementation role. In

addition, no structures exist with regard to cross-county coordination on security issues within most county governments.

Youth Unemployment

In both rural and urban counties, youth unemployment and lack of sustainable livelihood opportunities remains a serious challenge perceived to contribute to their recruitment into criminal activities such as drugs, gangs, banditry and terrorism. Some counties are rich in resources but long-standing marginalization, poor infrastructure investment, and insecurity concerns continue to dissuade investment. County governments are now facing the challenge of development as well as the pressure from unemployed youth.

Gang and Militia Culture and Violence

Analysts have linked the gang and militia to unemployment and poverty, exclusion, a culture which legitimizes use of violence, poor relations with police and political patronage and mobilization. Many counties in the north rift region are faced with the growing problem of organized crime that poses challenges to plans and strategies for development.

Unresolved Resource Conflicts

Recent mineral and oil discoveries in the north rift region of Kenya offer a chance to boost the economy. However, there are serious concerns over the nature and extent of benefits that will accrue to the local communities. Control over extraction of natural resources, such as oil, falls under the national government as per the Constitution of Kenya (2010).

In Turkana County, there have been tensions between the local community and oil prospecting companies over employment, business opportunities and land. Unresolved land disputes and tenure in various counties in the north rift region are also feeding into intra-county and inter-county conflicts. Counties and county governments have emerged as new arenas for articulation of frustrations over unresolved conflicts over resources such as land and oil.

Ethnic Exclusion in Counties

It is perceived that devolution has introduced counties as new arenas for political organizing. Almost all the counties in the North Rift Region are diverse; either they have residents of different ethnicities, or have clan or regional divides even where they are wholly inhabited by a single ethnic group. Counties have therefore introduced new minorities and new majorities (ethnic, clan or regional).

In many counties across the region, there seems to be some discrimination and in some cases outright hostility against those perceived as 'outsiders' (whatever this means is variable according to the context and the grievance raised). This 'indigenous' versus 'outsiders' divide poses the potential for conflict and also limits the field of available capacity and expertise in the counties.

Role of Business Actors in Security

In the various counties in the north rift region, business actors have played a key role in supporting county investments in security processes. Some of them have supported investment by providing equipment, such as vehicles to the police, and have driven the investment into technologies such as CCTVs.

Summary of Findings, Conclusion and Recommendations

This chapter outlines a summary of the findings, conclusion and recommendations drawn from the discussions on, "synchronizing security strategies between the national and county governments in the north rift region of Kenya."

Summary of Findings

What has clearly emerged from the foregoing discussion is that: County leadership in the north rift region need more engagement; they need more inclusion in security forums at the county level to ensure the national government strategies are well implemented at the

grassroots. Their enhanced consideration in security matters should not in any way suggest devolution of police commands to the county as misinterpreted by some national government leaders. The governors are in charge of counties as far as their election to power is concerned – they therefore have a mandate to secure their citizens first since it is illogical to talk about development in the north rift region when people are insecure.

Whereas policing and security are a mandate of the national government as per the constitution, counties have been allocated development roles that provide them with the opportunities to significantly shape security outcomes. Looking at the constitution, there are several roles explicitly assigned to counties that will lead to security and safety outcomes. This means that by carrying out their roles and functions, counties are in reality security actors.

When county governments carry out their constitutional functions of public service provision according to the Fourth Schedule of the Constitution of Kenya (2010), they actually provide an enabling environment for security and peace to thrive. On the other hand, when the national government carries out its crucial security and peace building function it is considered to be creating an avenue for sustainable development. What remains to be realized is: synchronizing security strategies between the national and county governments in the north rift region.

Conclusion

There is a clear separation of powers between security services and local politics. According to the constitution, governors are not to manage law and order. The concern comes with a history of perceived uneven security presence across counties– this makes it impossible for governors to ignore the security concerns of their local residents. This is paper therefore concludes that in as much as the existing legislation places security services firmly in the hands of the national government, the county government has an obligation to enhance partnership and cooperation to implement suitable peace building efforts.

It is evident that there are diverse security concerns across counties in the North Rift Region of Kenya. Both the national government and county governments have laid down security strategies to address these security issues. There is mutual, albeit unstructured, cooperation and engagement on security between some of the counties and the national government. This calls for synchronizing security strategies between the national and county governments with the view of enhancing partnership and cooperation so as to implement suitable security and peace building efforts.

Recommendations

The study made substantive recommendations and recommendations for further research based on the foregoing findings drawn from the reviewed previous empirical research and conclusions made from the findings.

Substantive Recommendations

From the foregoing findings and conclusion the study reveals that considerable opportunities and capacities for improving security have emerged in the counties since the inception of devolution. The recommendations if implemented would help in synchronizing security strategies between the national and county governments.

Building on Local Good Practices on Community Policing and Community Security Initiatives

The study's assessment reveals some good practices in community security or community policing (as it is referred in some cases), and community-state partnership in security. Where successful, community policing has been well supported by civil society. These successful initiatives highlight the importance of mutual respect and collaboration between the police and community.

County governments and authorities have more local knowledge on what is working and they also enjoy greater local legitimacy than the national government. Consequently, they are better placed to identify and strengthen local good practices of community-police partnerships and other promising initiatives in improving community safety and security. Counties are likely to be flexible and innovative in addressing security and conflict issues.

Strengthening Peace and Conflict Resolution Initiatives

There are already good initiatives that demonstrate the potential for county governments to play a key role in resolving conflicts and peace promotion. Since county governments have better local knowledge, as well as enjoy greater local legitimacy, they are well placed to address conflicts and promote peace.

Better Coordination of Security Actors

There is need to streamline the operations of security agencies and strengthen the cooperation between the police and provincial administration (NGAO) to ensure better collection of intelligence, better responses to insecurity and better long-term planning.

Improving Police-Community Relations

Citizen participation in security remains weak in the counties assessed. Although devolution was intended to strengthen citizen participation in governance, the structures for facilitating that participation are weak or absent in some cases. Moreover, police approach to security, to a considerable extent, remains repressive with little attention to community confidence building. Fast-tracking the implementation of mechanisms, such as the CPAs, is critical to building this essential community trust in the police and security agencies.

Targeted Investment in Opportunities for the Youth

Counties are now the development vehicles under the devolved system of governance. Unlike the national government, counties have a better understanding of the spread and distribution of unemployed youth, their potentials and vulnerability to recruitment into criminal activities and extremist groups. Consequently, counties have the opportunity to develop and invest in strategies as well as programmes, which link these youth to training opportunities and potential employers.

There is the opportunity to link the youth-focused livelihood opportunities promoted by the national government with the initiatives of the county governments. For instance, the proposed programme for youth training and skills placement proposed under the NYS can be linked with skills development under youth polytechnics that fall under the county governments' mandates. The 2013 regulations under the Public Procurement and Disposal Act reserving 30% public procurement for the youth, women and persons with disabilities (PWDs) are another area of innovation in addressing youth livelihoods.

Dealing with Radicalization

Since all successful counter-radicalization and counter-extremist initiatives are local, there is an opportunity for county governments to address radicalization through preventive measures of livelihood investments in youth at risk. Counties can also creatively provide mentorship opportunities for young people who are at risk of radicalization. Governors and local leaders enjoy greater legitimacy on questions of radicalization and might be more trusted by the local populations than the national leaders. The county governments can therefore partner with the national government in its counter-radicalization initiatives.

Controlling Gangs and Militias

As with the case of radicalization, counties have the opportunity to use their development mandate to address the problem of youth unemployment that predisposes them to crime and gang activities. This is another area for partnership between the national government and county governments in terms of data collection and analysis of trends as well as harmonization of policies at both levels to ensure maximum returns.

Resolving Resource and Land Conflicts

In many of the counties, long-standing resource conflicts- including those linked to land – are yet to be resolved. County governments and county leaders have critical roles in preventing these conflicts by facilitating inter and intra-community dispute resolution and strengthening mechanisms for protecting community interests, particularly where resource extraction is currently being expanded.

Preventing and Addressing Ethnic Exclusion

Counties must reflect the broad ethnic diversity of the residents in positions of leadership at all levels and strive to ensure that these diversities are celebrated rather than discouraged. Counties should develop diversity policies and strategies as a statement of their commitment to the principle and also as part of their fulfilment of the constitutional obligation to ensure diversity.

Collection of data on diversity should be initiated or strengthened where it has started. As part of their development plans, county governments should be required to report on efforts to promote and ensure diversity. The area of ethnic exclusion and inclusion is another opportunity for county government-national government partnership. The National Cohesion and Integration Commission (NCIC) should partner with these mechanisms to promote diversity and national cohesion.

Investment in Research and Data Collection

It is important that counties be encouraged to collect data on security and insecurity as an integral aspect of development planning. Frameworks for collection of data relevant to security planning and improvement should be developed and capacities strengthened in the various counties to collect and utilize this data.

Strengthening Capacities for Planning for Security

A majority of counties continue to see security in terms of policing provisioning, and consequently, as a national government mandate. Whereas a number of counties have invested in security through financial allocations to support the purchase of policing equipment, only a few have made the obvious connection between their development mandate and the preventive aspect of security.

Capacity for this form of analysis and consequent policy planning and resource allocations is urgently needed for the county executive and also the assemblies. This will allow counties to adopt a multi-actor approach to dealing with security challenges and logically incorporate the contributions of the business actors, civil society, and other concerned actors into their planning and development implementation processes.

There should be legislation that incorporates the county government officials into the national government security committees at the county level. The officials could be vetted in compliance with the constitutional requirement on leadership and integrity in Chapter Six of the Constitution of Kenya (2010). The county government enforcement officers and the national police service officers at the various county levels should be integrated and deployed accordingly when carrying out joint patrols, raids, and at road blocks and county revenue collection toll stations.

Finally, county governments should treat security in a way almost equivalent to any other area of county-level public service provision. This would mean organizing procurements tailored to suit the needs of security and police services that operate at the county level, and maximising the visibility of these procurements as brought about by the county government. Most county level service provisions should be recognized as prerequisites for security in the North Rift Region – agriculture; county transport; cultural activities, public entertainment and public amenities; county planning and development; county public works and services, among others.

Recommendations for Further Research

The study recommends that further research should be conducted on factors that contribute to lack of consultation and cooperation between the national and county governments contrary to what was envisaged in the Constitution of Kenya (2010). Such a study would provide an in-depth analysis of Article 6(2) of the constitution with the view of understanding the constitutional recognition of these governments as distinct and inter-dependent and the requirement for them to conduct their mutual relations on the basis of consultation and cooperation.

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