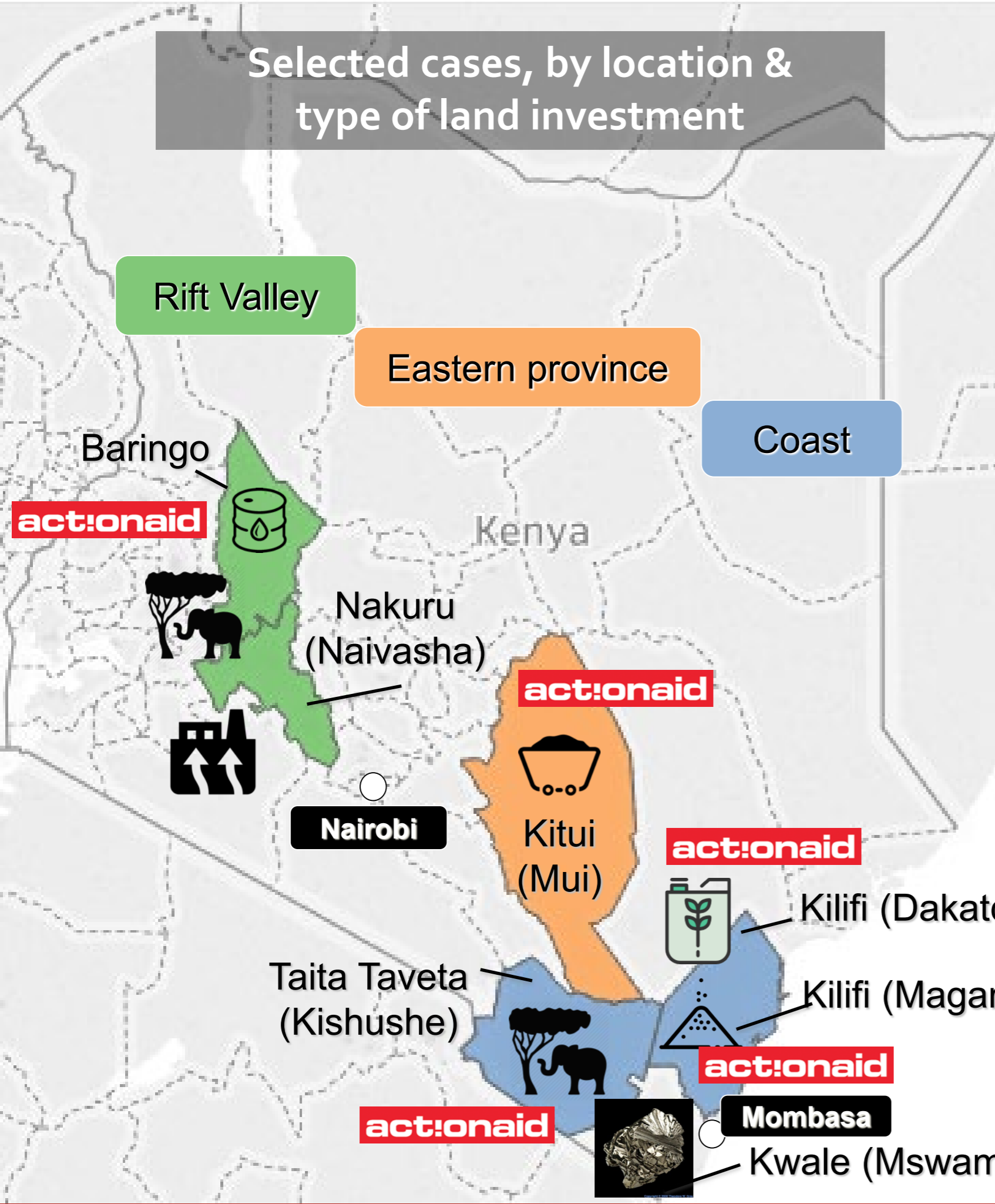# CIVIL SOCIETY ENGAGEMENT WITH LAND RIGHTS ADVOCACY IN KENYA: WHAT ROLES TO PLAY?

Include workshop 8 October 2019

Selected cases, by location & type of land investment

Salt mining

Coal mining

Biofuel (jatropha)

Geothermal energy

Nature conservancy

Oil

Titanium

Rift Valley

Eastern province

Coast

Baringo

actionaid

Kenya

Nakuru (Naivasha)

actionaid

Nairobi

Kitui (Mui)

actionaid

Kilifi (Dakatcha)

Taita Taveta (Kishushe)

Kilifi (Magarini)

actionaid

Mombasa

actionaid

Kwale (Mswambweni)

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Findings: CSO roles and strategies

- Most CSOs combine direct advocacy together with a 'catalyst'- and civic education role, but combining service delivery and advocacy is rare. CSOs and community members see advantage in combining the latter, yet funding has constrained this option.

- Within coalitions, CSOs typically divide tasks based on expertise, thematic issues and spatial levels of operation. Strategies, however, are not necessarily consciously divided.

- Strategy formation is a dynamic and fluid process. The choice of a certain strategy depends on the political context, the goal of the CSO, the nature of the advocacy target(s), funding options, membership preferences and the identity of the organization.

- Strategies are furthermore constructed through interaction with other stakeholders. Predominantly, the choice for cooperative or confrontational approaches is strongly dependent on the attitude of the advocacy target and its openness for dialogue with CSOs.

- (Multi-)stakeholder dialogue can only be useful when parties take each other seriously, establish some degree of trust, and are willing to compromise.

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Findings: CSO legitimacy

- CSO legitimacy can be derived from a variety of sources ranging from regulatory requirements for government, to visible impact and presence for constituencies on the ground. Some sources are universally valued, while others may be valued by one actor but viewed as delegitimising by others.

- CSO legitimacy is more often a challenge for advocacy organisations than for service delivery or development organisations, due to the political nature of the issues they advocate on.

- A focus on specific actors is advisable to CSOs to determine their legitimacy priorities; however, a certain level of legitimacy towards the state is necessary for organisational survival.

- CSOs that aim to represent grassroots populations may have to ignore intra-communal diversity when defining advocacy priorities. Consequently, most CSOs focus on including marginalised groups ('hidden voices'), rather than the largest possible representation of community members.

Policy messages for CSOs

- The dissemination of advocacy efforts and outcomes beyond community leaders to local constituencies cannot be taken for granted, but should be actively integrated in CSO planning and budgeting in order to avoid the creation of elite cliques, or exacerbate divisions and leadership struggles.

- CSOs should engage communities in decision making on advocacy strategies, but realise that many community members may lack the time, skills and resources to take the lead. Where possible, resources for grassroots-led advocacy (e.g. travel allowances) should be allocated to community representatives for further dissemination.

- CSO are advised to create coalitions so as to benefit from pooling of resources, sharing of knowledge, providing mutual support and mitigating personal risks.

- It is advisable for large CSOs to contribute to the capacity of local CSOs and have them in the driver seat when it comes to local level advocacy, instead of 'taking over' as a national CSO.

- CSOs could be more assertive when it comes to donor funding to demand own priorities and room for inter-CSO cooperation to avoid competition.

Policy messages for donors

- Given the political nature of CSO advocacy and the unpredictable playing field, donors should accept qualitative rather than quantitative indicators for advocacy successes, e.g. in the form of narratives, storytelling or sharing of best practices and small successes.

- Flexibility is required in the allocation of funding, including the type of activities funded. It is not advisable to designate specific roles or strategies for specific CSOs 'at the drawing table'. The diversity of roles within CSO coalitions should be acknowledged, as well changes in roles taking place over time.

- It is advisable to encourage coalition formation and cooperation between CSOs at the local level by allocating time and funding for coordination efforts. At the minimum, donor funding should 'do no harm' by creating competition between CSOs. However, the possibilities of coalition formation should also be seen in context and not necessarily be pressured from above.

- Donor countries and embassies should critically assess their policies towards aid and trade, and must not be afraid to hold corporate actors accountable for their impact on the ground.

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