

The Doers, the Utterers and the Bystanders: The Contribution of Young Parliamentarians in the 11th Parliament

Report Summary

Introduction

The 2010 Constitution came with dozens of gains for Kenyan citizens, and some of the key beneficiaries were the youth. In the past, youth had been excluded from designing, planning and implementing programmes and policies that affect them and the country at large. Due to this various groups successfully lobbied during the making of the Constitution to ensure the youth's inclusion of youth in running Kenya.

In the end, Article 55 of the 2010 Constitution was wholly dedicated to the youth. This particular Article declares that, the State shall take measures, including affirmative action programmes, to ensure that the youth:

- (a) Access relevant education and training;
- (b) Have opportunities to associate, be represented and participate in political, social, economic and other spheres of life;
- (c) Access employment; and
- (d) Are protected from harmful cultural experiences.

Other provisions in the Constitution which encapsulate the issue of youth representation in all political levels including Parliament are: Article 97 (1) (c) which provides for nominations of youth in National Assembly and Article 98 (1) (c) which provides for nomination in the Senate. Additionally, Article 100 demands Parliament to ensure more representation of the youth by creating an enabling environment through legislation. Further, Article 177 (1) (c) of the Constitution makes it mandatory to have youth in the county assemblies. Finally, to clear the vagueness on who is youth and who is not, Article 260 defines a youth.

The Constitution hands to the youth a legit claim, and an opportune time to discover their full potential and change Kenya through policy change in the numerous positions that it promises them.

The power of the youth cannot be underestimated. Former United Nations General Secretary Koffi Anan in a report named, "We the people: The role of the United Nations in the 21st century notes that, "young people are a source of creativity, energy and initiative of dynamism and social renewal". He continues, "They learn quickly and adapt readily. Given the chance to go to school and find work they will contribute hugely to economic development and social progress. Were we to fail to give them these opportunities, at best we would be complicit in an unforgivable waste of human potential. At worst, we would be contributing to all the evils of the youth without hope, loss of morale and lives that are socially unproductive and potentially

destructive- of the individuals themselves their communities and even their fragile democracies". Society has no alternative but to involve the youth.

The empowerment of the youth by Kenya's Constitution has enabled the youth to redefine themselves in Kenya's political landscape, though there is still much to be done. The Constitution of Kenya sets a stage for the youth to re-organize and be conscious of themselves as a constituency. In Kenya, the youth form the majority of the population but it is ironical that they are still marginalized languishing at the periphery.

To reap the benefits of the Constitution, in 2013 general elections, there was an impressive number of youth who came into Parliament. The good number of youthful Parliamentarians somewhat gave hope to the 'youth constituency' in Kenya. There was hope and an expectation that their issues would be dealt with in the National Assembly. The successes and failures of young MPs shall be posited in relation to their level of advocacy on youth issues.

Youth and the 11th Parliament

Documenting the contribution of all young MPs in the 11th Parliament being the first post- 2010 parliament is crucial not just for as a reference but also to feed the debate on youth and leadership. The Kenya Young Parliamentarians Association (KYPA) puts the number of young parliamentarians at 51. In hindsight, auditing the work of young Parliamentarians may in some way be equivalent auditing the impact of the Constitution of Kenya 2010 on youth agenda.

This research focuses on the input of the 51 young Parliamentarians from the period of April 2013 to Dec 2016. It assesses and highlights the number of bills, petitions, motions and statements/questions they have tabled in the House in their private capacity as Members of Parliament. Their contribution is considered side by side with what have been largely agreed to be youth problems in Kenya to determine whether there was synchronicity and understanding of the youth issues. The research focuses only on their plenary contributions and doesn't consider Committee work and the utilization of National Government Constituency development Fund.

When the young legislators came into Parliament there was hope that they might be the voice of the youth. The research gives a score-card of each young parliamentarian by highlighting what they have done during their tenure. Mzalendo hopes the scorecard will help the youth find out who among the young Parliamentarians has been their champion or a let-down. Among other things the research will also help to identify who among the young Parliamentarians has been dedicated in the implementation of the Constitution and strengthening of devolution. In the end, the research will help us determine the unique resourcefulness of having more youth in Parliament.

The Roles of Parliamentarians

Parliament plays a very important role in a country, generally the institution of Parliament has three roles i.e. legislation, representation and oversight. Chapter 8 of Kenya's Constitution highlights the following as the roles and responsibilities of Parliament:-

- A. Article 94 – The role of Parliament: The Article highlights the general roles Parliament (Senate and National Assembly. Parliament roles which are derived from the people include (abridged version):-
- Making legislation;
 - Representing the will of all the citizens and exercise sovereignty on their behalf;
 - Amending the Constitution and altering County boundaries (if need be) and
 - To protect the Constitution and promote good governance.
- B. Article 95 – The role of National Assembly: The Article highlights the particular roles of the National Assembly (abridged) :-
- National Assembly determines the allocation of national revenue between the levels of government
 - Prepares the budget
 - Exercises oversight over national revenue and its expenditure.
 - Reviews the conduct of the President, the Deputy President and other State officers.
 - Oversight of State organs.
 - Approves declarations of war and extensions of states of emergency.
- C. Article 96 – The Senate:
- Serves and protects the interests of counties;
 - Legislates Bills concerning counties, as provided in Articles 109 to 113;
 - Determines the allocation of national revenue among counties;
 - Exercises oversight over national revenue allocated to the county governments and
 - Determines any resolution to remove the President or Deputy President.

Actual Youth Representation in Parliament

The 11th Parliament had a total of fifty one youth being equivalent to 11% of youth in Parliament. The fifty one youth were either elected or nominated to Parliament. While in Parliament, they formed a caucus known as Kenya Young Parliamentarians Association. Below is the distribution of youth in both Houses.

National Assembly

- The National Assembly had 37 youth.
- 27 of the 37 youth were men and 10 were women of whom 7 were women representatives
- There was no young woman who was elected to represent any of the 290 constituencies.
- Among the 37 youth, 32 were elected and 5 were nominated.

Senate

- The Senate had 14 youth.
- 8 of the 14 youth were female. All the female Senators were nominated.
- 5 out of the 6 male Senators were elected
- The Senate didn't have any elected woman.

Number of youth from the different coalitions

- Jubilee coalition had 24 young Parliamentarians.
- Coalition of Reforms and Democracy (CORD) had 24 youth in Parliament.
- There were 2 independent young Parliamentarians.
- Amani Coalition had 1 Parliamentarian.

Leadership positions held by youth in the House

National Assembly

1. Roselinda Soipan was the Chairperson of the Committee on Implementation. The committee is a link between Parliament and the executive. The committee tracks how the executive is implementing the resolutions passed by the House and reports back to Members of Parliament.
2. Sabina Chege was the Chairperson of the Departmental Committee on Education, Research and Technology. The committee puts on check all matters regarding education in Kenya. It investigates and inquires on management, administration and also proposes to Parliament estimates (the expenditure) of the Ministry of Education.
3. Johnson Sakaja was the chair of the Joint committee on National Cohesion and Equal opportunity. The committee monitors and promotes measures relating to policy and program initiatives in pursuit of national cohesion and peace. The committee is also supposed to monitor and promote measures designed to enhance the equalization of opportunities and improvement of quality of life.
4. Three young parliamentarians - Alex Kosgey (Emgwen MP), Priscilla Nyokabi (Nyeri County) and Kimani Ichung'wa (Kikuyu) were vice chairpersons of environmental and natural resources, justice and legal affairs and public investments committee respectively.

Senate

1. Stephen Sang (Nandi County) chaired the committee on delegated legislation. The committee ensures that any statutory instrument submitted to the Senate is in accord with the Constitution and other written laws. Mvita Mshenga also served as the Chair of the committee at one point.
2. Kipchumba Murkomen (Elgeyo Marakwet) served as the chair of Devolved government committee. The committee ensured smooth transfer of functions Counties as per schedule four of the Constitution.
3. Seven other member Halima Abdille Mohamed (Nominated), Martha Wangari (Nominated), Stephen Sang (Nandi), Naisula Lesuuda (Nominated) and Daisy Kanaiza (Nominated) served as committee vice chairs in committee on education, committee on labour and social welfare,

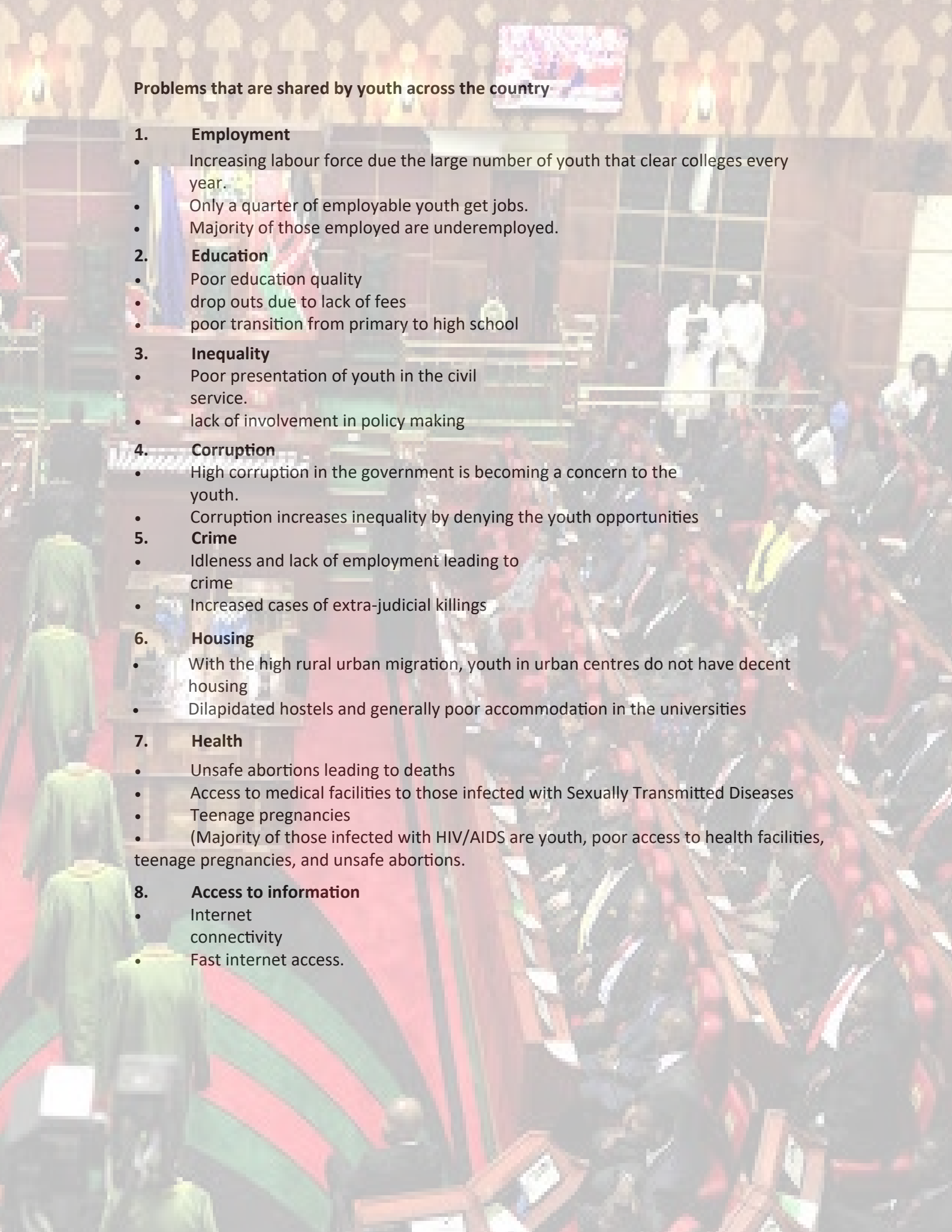
committee on legal affairs and human rights, committee on devolved government and committee on implementation respectively.

- Senators Stephen Sang also served as a member of the Speaker's panel and Senator Kipchumba Murkomen served as deputy majority leader in the Senate.

Distribution of youth Parliamentarians across the county

This section distributes the 51 youth Parliamentarians to their specific regions. This helps in identifying areas which produced more youthful leaders than others. In this distribution, there are counties which did not send a single young leader to Parliament. Below are regions which had youth in Parliament and their numbers:-





Problems that are shared by youth across the country

1. Employment

- Increasing labour force due the large number of youth that clear colleges every year.
- Only a quarter of employable youth get jobs.
- Majority of those employed are underemployed.

2. Education

- Poor education quality
- drop outs due to lack of fees
- poor transition from primary to high school

3. Inequality

- Poor presentation of youth in the civil service.
- lack of involvement in policy making

4. Corruption

- High corruption in the government is becoming a concern to the youth.
- Corruption increases inequality by denying the youth opportunities

5. Crime

- Idleness and lack of employment leading to crime
- Increased cases of extra-judicial killings

6. Housing

- With the high rural urban migration, youth in urban centres do not have decent housing
- Dilapidated hostels and generally poor accommodation in the universities

7. Health

- Unsafe abortions leading to deaths
- Access to medical facilities to those infected with Sexually Transmitted Diseases
- Teenage pregnancies
- (Majority of those infected with HIV/AIDS are youth, poor access to health facilities, teenage pregnancies, and unsafe abortions.

8. Access to information

- Internet connectivity
- Fast internet access.

- Young parliamentarians introduced 29 private bills
- There was 21 motions, 34 statements and 26 petitions by young parliamentarians
- More than 50% of the young Parliamentarians were below average performers in the plenary.
- Sabina Chege, Priscilla Nyokabi, David Ochieng and Agostihno Neto were the best debaters in the National Assembly
- Beatrice Elachi, Martha Wangari, Stephen Sang and Kipchumba Murkomen were the best debaters in the Senate
- Alexander Kosgey, Abdulahi Banticha, Eusilah Ngeny and Nasra Ibren were the worst debaters in the National Assembly while Hosea Ochwangi was the worst in the Senate

Findings

1. The 11th Parliament had 51 youth, 37 were in The National Assembly and 14 in the Senate. The number was 11% representation of the youth in Parliament.
2. Among the 51 youth 17 were women.
3. A total of 28 Bill from the young parliamentarians were discussed in both Houses.
4. Youth sponsored a number of laws touching on needs of youth e.g. employment and education.
5. A large number of young parliamentarians were out of touch with youth's needs.
6. There are members who never contributed anything in the entire period of the 11th Parliament.
7. The young members supported each other especially in laws regarding youth issues e.g. The National Employment Authority.
8. All the young MPs had at least a University degree.



MZALENDO


CONTACTS


email: community@mzalendo.com


P.O Box 21765 - 00505, Nairobi

Tel: +254 726464063

SMS: 21516

 <https://www.facebook.com/MzalendoWatch/>

 @mzalendowatch

 mzalendowatch