

ETHNICITY, POLITICS, AND STATE RESOURCE ALLOCATION: EXPLAINING EDUCATIONAL INEQUALITIES IN KENYA

Alwiya Alwy and Susanne Schech

Flinders University, South Australia

Introduction

Despite international and national level recognition of the importance of education for all, both for development purposes and as a basic human right, its achievement still remains a huge challenge. Persistent inequalities of gender, class, ethnic, and regional context are evident in education systems worldwide, whether at the stage of enrolment and attendance, in outcomes and achievement, or in terms of consequent opportunities to which education is expected to give rise (Watkins, 2001). While gender inequalities in education are at their most extreme in Sub-Saharan Africa and South Asia (Challender, 2003), inequalities relating to ethnic minorities and indigenous people are widespread in many African countries, where they are often strongly linked to regional inequalities, and to the distribution of poverty (Watkins, 2001).

In Kenya, despite heavy government investment in education, enrolment at various levels of education is characterized by regional, socio-economic and gender disparities and declining gross enrolment ratios (SID, 2004). Researchers have also identified imbalances in terms of financial allocations, inadequate facilities, poor teacher qualifications, and high teacher-pupil ratios as further evidence that not all is well in the Kenyan education system (Abagi, 1997; Kimalu, Nafula, Manda, Mwabu, & Kimenyi, 2002; Oyugi, 2000; SID, 2004). But research on education, as presently constructed, has tended to treat the issues of inequality as specific to the Kenyan education system, and consequently assumed that they can be addressed through educational reform. By seeing inequalities in education as a symptom of wider social processes and structures, this chapter aims to connect the issue of educational inequality to the broader notions of equity and the right to education.

In pursuing this approach we argue that social inequality emanates from the unequal distribution of resources, power and privilege among members of society. In many societies, particularly in Africa, ethnicity is one of the instruments of division by which access to opportunities and power is distributed among the population. Some ethnic

groups appear to have better access to national power, and thus are in a better position to enhance access to resources, such as education, when compared to other ethnic groups.

Hence, the first challenge we face when looking at inequalities in education is the silence around ethnicity as a factor of inequality. Although ethnic divisions are a fact of life in Kenya, there is a lack of research that focuses on the impact of an individual's ethnic identity on his or her life choices and opportunities. The everyday presence of ethnicity encourages a primordialist "blood and soil" notion of ethnicity that refer to "inherited" or "objective" characteristics such as kinship, culture, "race" and territory shared by a group. Although this notion of ethnicity is still pervasive in African studies, a growing literature recognizes that ethnicity is not simply an objective fact (e.g., Banton, 1998; Kornblum, 1991). Rather, ethnicity is created, imagined and felt with a group of people in interaction with their surroundings, and "typically has its origins in relations of inequality" (Comaroff, 1995, p. 250). Such a constructivist perspective on ethnicity opens the door for an engagement with ethnic inequalities in education that allows for the possibility of change and reform. In using this definition of ethnicity, we are also arguing that it cannot be discussed in isolation; other concepts such as race, inequality, and stratification also come into play.

As in many African countries, ethnic inequalities in Kenya can be traced back to the colonial period. In the early 1900s the British colonial administration divided the Kenyan territory along ethnic lines into eight provinces, each with a different ethnic majority, and sub-dividing each province into districts, often according to ethnic groups and subgroups or "clans" (Oucho, 2002). Upon independence in 1963, the post-colonial government consolidated this ethno-political structure by aligning parliamentary constituencies with ethnic boundaries, which still continue to frame Kenyan politics and provincial administration today. Despite demographic growth and population movements, the provinces have basically retained the ethnic or clan-based boundaries as created by the colonial administration. For example, Nyanza Province is predominantly inhabited by Luo people, Western Province is the home to the Luhya, Rift Valley Province is the traditional home of the Kalenjin, and the Kikuyu inhabit the Central Province and predominate in Nairobi Province. North-Eastern Province is an exclusively Somali-speaking region, and the Coast Province is mainly inhabited by the Swahili and the Mijikenda (Table 1).

Hence, from the district to the provincial level, ethnic groups are clustered together, so that regions in Kenya are ethnically distinct. An argument can be made, following Oucho (2002), that ethnicity is the fulcrum of administrative boundaries, constituencies and development patterns in Kenya. Political power in Kenya, as Kanyinga (1995) notes, has been associated with a few ethnic groups since the onset of colonialism. Under the first president Jomo Kenyatta (1963–1978), political and economic power was vested in his trusted circle of fellow Kikuyu. This benefited the Central Province (including the capital city, Nairobi) where the Kikuyu form an ethnic majority in terms of public investment and development, while other provinces received fewer resources.

After Daniel Arap Moi assumed the presidency in 1978, political power became concentrated in the hands of Kalenjin elites. By the early 1980s, Moi had purged many Kikuyus and non-Kikuyu allies of Kenyatta from both central cabinet and senior posts

Table 1. Distribution of ethnic groups in Kenya by province

Province	Total provincial population	Dominant ethnic group		
		Name	Population (No.)	Population (%)
Nairobi	1,324,570	Kikuyu	428,775	32.4
Central	3,112,053	Kikuyu	2,919,730	93.8
Coast	1,829,191	Mijikenda	994,098	54.4
Eastern	3,768,677	Kamba	2,031,704	53.9
North-Eastern	371,391	Ogaden	133,536	36.0
Nyanza	3,507,162	Luo	2,030,278	57.9
Rift Valley	4,981,613	Kalenjin	2,309,577	46.4
Western	2,544,329	Luhya	2,192,244	86.2

Source: Kenya Population Census, 1989.

located within administrative districts, and deliberately promoted the Kalenjin in these positions (Ogot & Ochieng, 1995; Oucho, 2002). Cooksey, Court, and Makau (1994, p. 211) argue that Moi adopted a *laissez-faire* development approach that was not concerned with the alleviation of regional disparities in development, including education. The Rift Valley was the main beneficiary of the change of power from the Kikuyu to the Kalenjin (Ogot & Ochieng, 1995, p. 15):

[Moi] started purging or cleaning the civil service that was dominated by the Kikuyu. He replaced them with the Kalenjin. By 1983, the Kikuyu were a minor force in both the civil service, the army, and in politics. He played one Kikuyu leader against the other until they exhausted themselves. Like Kenyatta, he realised that for one to succeed in African politics he had to have trusted generals from home ground. [...] There is open Kalenjinisation of most sectors both private and public. Funds were channeled to develop the infrastructure in the Kalenjin land.

A succinct summary of the socio-economic inequalities in Kenya is provided by a recent report by the Society of International Development which states that

Inequality in Kenya is much more than is conveyed through unflattering figures: it, in fact, leads to discrimination and exclusion, thereby becoming not only a matter of social injustice, but also a matter of human rights and governance. (SID, 2004, p. 5)

According to the Third Human Development Report on Kenya, the Central and Rift Valley Provinces had better human development performance than other areas due to policy bias from the colonial and successive regimes. Policies and allocation of resources have tended to favour the high potential areas (UNDP, 2003).

Looking at the issues of urban educational opportunities in Kenya, we find very few studies which explicitly look at the issues of urban educational inequalities. However, as discussed earlier on, that other than the Nairobi Province, the urban areas in the

eight provinces in Kenya, are mostly (over 50%) covered with people from the majority ethnic group of the province. For example, Nyeri, the largest urban area in the Central Province is mostly populated with the Kikuyu ethnic group; the Rift Valley Province with the Kalenjin ethnic group; Nyanza Province with the Luo ethnic group, and so forth, as discussed earlier on. Thus, if the Province has had a strong political presence in the government it is bound to have better educational opportunities for its students in the urban areas, respectively. This rings even more true if the ruling President comes from that constituency. Comparatively, students from the rural areas in Kenya have better educational opportunities if their community has strong political influence in the government. A case in hand is Baringo District, the home constituency of President Moi. During Moi's term as President (1978–2002), the District continually received educational resources such as new public schools, highly qualified teachers, libraries and other educational facilities. Other comparably rural districts in Kenya without this kind of strong political influence, areas such as those in Coast Province or North Eastern Province, continually received far fewer educational resources.

We argue that the underlying cause of inequalities in education is the patron-client relationship between the ethnic group of the ruling elite and the government that prevails in Kenya. Political and economic power, and the wealth affiliated with it, is highly skewed to the ruling ethnic group, whose exclusionary practices have created marked inequalities in access to resources, including educational resources. Our argument is that the ruling group uses the resources of the state for the special benefit of its own ethnic community and its allies, and this is reflected in the educational development pattern in the urban and rural areas.

The rest of the chapter is organized as follows. In the next section, we seek to bring greater clarity to the concept of equity in education, explaining its links to the rights-based approach to development and education. We then offer an analysis of statistics relating educational resource distribution and opportunities in Kenya, followed by the conclusions. Our motivation for shining a spotlight on the country's education policies is primarily due to Kenya's position as an African country with a consistently high public expenditure in education, both as a percentage of GNP and as a share of total government expenditure (Abagi, 1997), and yet home to the largest contingent of students subject to socially unjust or unfair educational disparities (SID, 2004).

Educational Equity and the Rights-Based Approach

The need for greater clarity about the definition of educational equity has arisen in the context of recently proposed rights-based approaches to educational reform (Subrahmanian, 2002). Assessing educational equity requires comparing education and its social outcomes among more and less advantaged social groups, like the marginalized ethnic groups, and the rural and urban poor. Without this information, we are unable to assess whether policies and programs are leading toward or away from greater social justice in education.

Equity is an ethical concept, grounded in principles of distributive justice (Rawls, 1985). It implies that greater resources should go to those with greater needs in order to aim at more equal levels of well-being overall. In this sense, equity incorporates a

concept of justice, which recognizes some fundamental humanity, but still attempts to respond to the differing and increasing complex needs that exist within a society. This approach seeks to ensure that the less advantaged members of society (whether the poor in the urban areas or the poor in the rural areas) have a fair opportunity of receiving a reasonable amount of education that would enrich their personal and social life (Rawls, 1985). Amartya Sen brings to the discussion on equity the concept of capability, which conceives justice not only in distributive terms but also considers a person's capability to convert primary goods into his or her ends – that is, to achieve a life he or she has reasons to value (Sen, 1999, pp. 294ff.; see also Sen, 1993). This is an approach which takes into account the need to empower all students, including the marginalized groups, or the poor in urban and rural areas, with educational opportunities and choices to uplift their life status.

One of the tenets of distributive justice is that resources at the disposal of the state should be apportioned fairly (Jupp & McRobbie, 1992). Therefore education, which is generally reckoned to be a primary good, and which is largely financed by public funds, should be made available according to some just principle of distribution. However, because social justice and fairness can be interpreted differently by different people in different settings, a definition is needed that can be operationalized based on measurable criteria. For the purposes of operationalization and measurement, equity in education can be defined as the absence of systematic disparities in education between social groups who have different levels of underlying social advantage/disadvantage – that is, different positions in a social hierarchy. Inequities in education systematically put groups of people who are already socially disadvantaged at further disadvantage with respect to their education – a good that is essential to their human development and well-being and to overcoming other effects of social disadvantage.

Underlying social advantage or disadvantage refers to wealth, power, and/or prestige – that is, the attributes that define how people are classified within social hierarchies. Thus, more advantaged and less advantaged social groups are those groups of people defined by differences that place them at different levels in a social hierarchy. Examples of this kind of definition by difference include: socioeconomic groups (typically identified by measures of income; economic assets; occupational class; and/or educational level); racial/ethnic or religious groups; or, groups defined by gender, geography (urban or rural), age, disability, sexual orientation, and other characteristics relevant to the particular setting. This is not an exhaustive list, but social advantage is distributed along these lines virtually everywhere in the world.

Equity in education means equal educational opportunity for all population groups. If schooling can be viewed as a continual process that operates as a mechanism for selection, then equity in education can be viewed from the perspectives of access, survival, output, and outcome. Equality of access refers to the probabilities of being admitted into school. Equality of survival refers to the probabilities of staying in school to some defined level. Equality of output refers to the probabilities of learning the same thing at the same level. Equality of outcome refers to the probabilities of living similar lives as a result of schooling (Farrell, 1997).

Equity in education thus implies that resources are distributed and processes are designed in ways most likely to move toward equalizing the educational outcomes of disadvantaged social groups with the outcomes of their more advantaged counterparts.

This refers to the distribution and design not only of educational resources and programs, but of all resources, policies, and programs that play an important part in shaping education, many of which are outside the immediate control of the educational sector. A selective concern for worse-off social groups is not discriminatory; it reflects a concern to reduce discrimination and marginalization. At its core, the right to education refers to the legal rights of an individual to seek and receive education, and a corresponding duty on the state to provide such opportunities.

According to human rights principles, all human rights are considered interrelated and indivisible (UN, 1993). Thus, the right to education cannot be separated from other rights, including rights to a decent standard of living and education as well as to freedom from discrimination and freedom to participate fully in one's society. Equalizing educational opportunities requires addressing the most important social and economic determinants of education, including, as stated earlier, not only equal educational resources for all but also access and opportunities, and policies that affect any of these factors. Concern for equal educational opportunities is the basis for including within the definition of equity in education the absence of systematic social disparities not only in educational status but also in its key social outcomes.

Statistical Contours

Inequalities in the distribution of educational resources and opportunities among the provinces/districts constitute a formidable challenge to Kenya's development. For equity in education it is important to know at which level of schooling the constraints on the socially disadvantaged are most binding. Additional data¹ analysis was therefore undertaken in order to help pinpoint the current location of inequalities within the education system. The issue of regional disparities will be explored using the existing administrative provinces² as units of analysis.

It is seen that inequalities in educational access and participation often take a regional dimension in Kenya. These differences are observed between urban and rural areas, and between defined administrative regions. Inequalities in regional or geographic educational opportunities often, but not always,³ coincide with ethnic identities because ethnic groups often reside in given geographical regions as discussed earlier in the background section.

Key education statistics for the year 2002 are summarised in Table 2 below. The statistics show wide disparities in respect of access to education across the provinces. In Central Province, the gross enrolment rates (GER)⁴ in primary school in 2000 was 106% compared to only 17.8% in North Eastern Province. The corresponding figures for secondary school for the two regions are 37.7% and 4.5%, respectively. There are also wide disparities in the pupil-teacher ratio at the provincial levels. Eastern and Central Provinces have the most favourable (lowest) teacher-pupil ratio while North Eastern Province has the least favourable (highest). It is notable that the regions differ also in terms of school drop-out rates with the highest being in North Eastern Province.

The data analyzed by rural-urban residence, reveals that about 36% of the rural population was attending school compared to about 31% of the urban population. A larger

Table 2. Access to education 2002

	GER %		Pupil-teacher ratio		Dropout rates %
	Primary	Secondary	Primary	Secondary	
Province					
Nairobi	52.0	11.8	33.7	11.4	11.3
Central	106.0	37.7	32.2	16.2	7.1
Coast	71.0	14.4	35.7	15.7	11.8
Eastern	96.9	23.3	30.4	16.0	8.8
N/Eastern	17.8	4.5	43.8	19.3	12.6
Nyanza	94.0	23.5	32.7	17.8	6.8
Rift Valley	88.3	18.3	33.1	16.9	8.2
Western	93.3	25.1	34.1	17.2	16.9
Kenya	87.6	22.2	32.9	16.5	8.1

Source: Ministry of Education Statistics Division 2003.

Table 3. Number of primary schools and trained teachers by province, 1999

Province	Nairobi	Central	R/Valley	Eastern	Nyanza	N/Eastern	Coast
No. of schools	248	1,799	4,494	4,091	3,806	175	1,121
No. of trained teachers	4,537	25,320	44,764	35,454	30,586	1,145	10,567
Population age 6–13	305,175	816,629	1,702,318	1,136,941	1,088,530	268,827	543,175

Source: Ministry of Education, Science and Technology, Statistics Section, 2000.

difference existed between rural and urban populations for those who had left school, as well as for those who had never attended school. Some 55% of the urban population had left school compared to 39% of the rural population. On the other hand, 22% of the population never attended school in rural areas, compared to 11% of the urban population.

The number of schools is an indicator of the supply of education in a particular area. It determines the capacity of the education system in a given area to provide for educational needs. Table 3 indicates a large disparity in the provision of government schools in the different provinces, with the Rift Valley having the highest number of schools and the Northeastern having the least number of government schools. Educational inequalities are closely related to regional disparities in the sense that some rural districts have fewer schools, which are far from each other, and attendance is thus more difficult. This is not the case with non-slum urban areas, where there are many schools, which are located closer to one another. The long distances that many rural and urban poor children must walk are a serious deterrent to school participation. Rural inhabitants, in particular, do not enjoy many opportunities in this regard.

There are also variations in the distribution of schoolteachers across regions. In the Rift Valley Province, trained teachers are the majority, standing at 44,764. This is

Table 4. Gross and net rates of enrolment by gender, Kenya, 1994

Group	Gross enrolment rate	
	Primary	Secondary
Rural females	92.56	20.37
Urban females	90.20	42.74
All females	92.28	23.78
Rural males	96.21	23.64
Urban males	89.22	63.65
All males	95.40	28.21
National	93.88	26.01

Source: Welfare Monitoring Survey, 1994.

compared to the Northeastern Province which has 1,145 trained teachers. Table 3 shows the extent to which some areas are being understaffed while others are overstaffed.

Gender inequalities in education remain an issue of concern in Kenya. The percentage of girls going to school is still low and becomes even lower as they move up the educational ladder, as seen in Table 4. However, the Kenyan government has tried to narrow the gap between girls' and boys' enrolment, and has made great strides in gender equality, as Deolalikar (1999, p. 35) observes:

The ratio of male to female gross secondary enrolment ratios in Kenya is far lower than would be predicted at its level of GNP per capita, given the observed relationship between per capita GNP and gender disparity in secondary enrolments in Africa. Indeed, Kenya's ratio of male to female gross secondary enrolment ratio is comparable to countries such as Egypt, that have a per capita GNP that is three times as large as Kenya's.

Data on access to education by wealth group reveal that the wealthier groups in Kenya have generally better access to education than the poorer ones (Table 5). The poorest 20% of Kenyans, both in rural and in urban areas, do not have adequate access to primary education. These disparities increase in secondary school enrolment due to the fact that the relatively high costs of secondary education are affordable only to richer families, which also tend to benefit more from government subsidies and bursaries. Education, then, acts to perpetuate socio-economic inequalities rather than bridging them.

The attendance ratio in primary schools for the top wealth group is 86% compared to the lowest wealth group whose attendance ratio is only 61%. Although attendance is much lower in secondary schools than in primary schools, the richer segments of the population still maintain their dominance over lower wealth groups. The net attendance gap in both primary and secondary schools between the top and bottom wealth groups is about 25%.

The degree of inequality is even more severe if one looks at the distribution of public spending across all school-age children instead of across households, due to the fact that poor households in urban areas have more out-of-school children of the relevant age

Table 5. Access to education by wealth group in Kenya, 2003

Wealth group	Net attendance ratio	
	Primary	Secondary
Poorest 20%	61.3	4.0
Second 20%	79.9	7.3
Middle 20%	83.8	11.4
Fourth 20%	88.1	16.2
Highest 20%	86.0	28.2

Source: 2003 Kenya Demographic and Health Survey.

range. Children from poor households who do go to school are further disadvantaged by the fact that schools in poor communities tend to receive less public resources, such as teachers from the government.

The increase in poverty has exacerbated the problem of access. Many of the poor are unable to afford even the low costs associated with participation in school or training programs. They also feel a greater need for the involvement of their children in their household economics and in the generation of the resources they need for survival. The result is an increasing number of children who do not enroll in school, who do not complete the primary cycle, or who are withdrawn early by their parents. Cultural and social practices, particularly those affecting girls, also contribute to this failure to make adequate use of existing facilities for education.

Poverty is frequently accompanied by extensive child malnutrition, tuberculosis, sicknesses caused by poor sanitation and inadequate access to safe source of drinking water, as well as a range of vitamin deficiencies. These factors adversely affect child development and the possibility of profitable participation in education. The nationwide impact of HIV/AIDS further aggravates the situation for young children, particularly by increasing the number of orphans and child-headed households, and for youths and adults whose health or economic situation debars them from further participation.

One distinctive issue that calls for immediate public policy intervention is the basic education coverage in urban slum areas. For example, the urban slum areas cover over 60% of the population in Nairobi. Public school coverage is in general low and leads to the low GER in these areas. In addition, the existing public schools in these areas tend to be over-crowded. Although many community schools exist, they usually are not covered under school census, and thus have limited support and supervision from the Government.

Education as a Basic Right: Performance Benchmark in Kenya

The rapid development of education in Kenya was an aftermath of the *Sessional Paper No. 10 of 1965 on African Socialism and its Application to Planning in Kenya*, which emphasized combating ignorance, disease and poverty. It was based on two long-standing

concerns that: (1) every Kenyan child, irrespective of gender, religion and ethnicity, has the inalienable right to access basic welfare provision, including education; and (2) the Kenyan government has an obligation to provide opportunity to all citizens to fully participate in the socio-economic and political development of the country and also to empower the people to improve their welfare. For nearly four decades therefore, the education sector has undergone several reviews by special commissions and working parties appointed by the government.

The U. N. Convention on the Rights of the Child was ratified by Kenya on September 30, 1990. However, the convention has not been incorporated into Kenyan law,⁵ as children's rights are not explicitly enshrined in the country's constitution, and nor are there specific sections in the constitution that focus on children. Although the Kenya Constitution guarantees citizens rights, it is silent on education as a basic right and need. In this connection, Chapter V, Sections 70–86, entitled “Protection of Fundamental Rights and Freedoms of Individual,” does not directly mention education as one of the fundamental rights. Further, although the sections of the constitution may reinforce the right to education and public participation in policy formulation and debates, they do not make non-attendance or denial of schooling to a child a legal offence. This is why basic education is not compulsory in Kenya.

Cooksey et al. (1994, p. 211) argue that the post-colonial Kenyan leadership adopted a *laissez-faire* development approach that was not concerned with the alleviation of regional disparities in development, including education. The official government response to inequality in educational opportunities was less equivocally stated than was in Tanzania, which had inherited a similar colonial segregated education system. For example, according to Kenya's 1974–1978 Development Plan:

Government's provision of education and health services will be accelerated. The present plan provides opportunities for everyone to participate actively in the economy [however] Equal income for everyone is therefore not the object of this plan. Differences in skill, effort, and initiative need to be recognized and rewarded.

This implied the ruling elite used the functional theory of social stratification as their social ideology and henceforth development policies. As a result, inequalities were justified because they reflected differences in achievement and in the individual's contribution to society. The unstated rationale for this meritocratic ideal was the notion that people will accept inequalities and personal relative deprivation if they believed that they had an equal chance to benefit and did not choose to question the criteria by which merit and hence mobility were determined (Court, 1979).

The lack of policy efforts to tackle the inequalities in education has been lamented widely, most notably by Amutabi (2003) in his study on the effect of the politicization of decision making in the education sector in Kenya since independence in 1963–2000. Amutabi (2003) argues that political decisions have marginalized the role and contribution of professionals and thus impacted negatively on educational policy formulation and implementation in Kenya. Utilizing a catalogue of major political

decisions that have influenced trends and patterns of educational growth and policy formulation in Kenya, he demonstrates how such decisions have interfered in the running of education, causing the inequalities and decline in educational outcomes in the country. One example still relevant today is the introduction of the quota system in 1985, where a Presidential directive stipulated that each school must draw at least 85% of its students from its local area (Amutabi, 2003). This was a political move to prevent Kikuyu residing in the Central Province and other ethnic groups in other provinces from accessing schools in the Rift Valley which experienced greater investment in schools under President Moi at the expense of the rest of the country. This directive contravened the policy of national integration that was recommended in the Ominde Report of 1964 (GoK, 1964), as well as denying students the chance of joining better equipped secondary schools in other provinces.

Conclusion and Policy Recommendations

The proposed definition of equity supports operationalization of the right of education to the highest attainable standard of education as indicated by the education status of the most socially advantaged group. Assessing educational equity requires comparing education and its outcomes between more and less advantaged social groups over a period of time to assess its trend. These comparisons are essential in determining whether national and international policies are leading toward or away from greater social justice in education. Inequities in education systematically put groups of people who are already socially disadvantaged (e.g., by virtue of being poor, female, and/or members of a disenfranchised racial, ethnic, or religious group) at further disadvantage with respect to their education.

The principle of equity requires fair opportunities both to enter education programs and to succeed in them. Applying the principle of equity implies, on the one hand, a critical identification of existing inequalities which are the product of policies, structures, and practices based on economic, ethnic, gender, disability, and other forms of discrimination or disadvantage, and on the other, a programme of transformation with a view to redress inequalities. Such transformation involves not only abolishing all existing forms of unjust differentiation, but also measures of empowerment, including financial support to bring about equal opportunity for individuals. Hence, the rights-based framework is important because it ensures that resource allocation and policies are not just based on limited calculations of returns, but on the perspectives and interests of the most powerless and disadvantaged, too.

The chapter has shown that the ethnic element has been, and continues to be, one of the salient features of Kenyan politics. A combination of factors account for this: the existence of relatively ethnically homogeneous geographical spaces in pre-colonial Kenya; the colonial policy of divide and rule which intensified ethnic separation by establishing administrative jurisdictions along ethnic and racial lines; and, two ethnically biased post-independent regimes that have legitimized ethnic representation and state resource allocations.

Kenya's development strategy sanctions growing socio-economic inequalities and these are inevitably reflected in the education system. The data has shown substantial inequalities in educational opportunity and educational resources between students from the Kenyan provinces where the ruling elite have originated, past and present, a difference that has remained largely unaddressed by current public educational policies. The issues of access to schools, distribution of qualified teachers and other educational resources are equity issues and influence the educational outcomes and achievements of the disadvantaged groups. Nairobi Province, Central Province and Rift Valley Province have the highest enrolment rates in all education sectors, primary, secondary and tertiary. Inequities also exist in the number of schools and higher institutions, where schools in the three better resourced provinces are more numerous than in the other provinces, and these inequities are compounded by the fact that students from other regions, like the North Eastern Province and Coast Province, are more likely to have poor parents, inaccessible road networks, and poor qualified teachers. Available data also indicate the greater disadvantage of girls at the primary level, and the widening gap as one ascends the educational ladder, suggesting that the achievement of gender equality and the empowerment of women through education are still a remote dream for Kenya.

To equalize educational opportunities for all students in Kenya, it would seem pertinent that in its educational policies the government should give preference to those groups which seem to be currently disadvantaged. Spending additional public resources on urban poor and underserved districts and fewer resources on better-off and well-served districts would thus not only be more equitable but also increase the effectiveness of public spending on education.

Taking into consideration the current economic and educational situation in Kenya, there is a need to shift policy in ways that will reinforce the right to education. The Kenyan Government has already signed numerous international and regional declarations and conventions guaranteeing every citizen the right to education. What the Government now needs to do is to translate the provisions of the signed declarations into practice.

This study relied on the Kenyan national surveys. While the surveys were useful in raising questions and generating new hypothesis for testing, this usefulness is limited by the fact that the surveys were not designed, nor the data gathered in ways that fully suit the purposes of our research. While the descriptive evidence of ethnic inequality in Kenya is conclusive, this study is exploratory with respect to understanding the determinants of education inequalities among ethnic groups in Kenya, insofar as it highlights provincial inequalities among selected groups and offers an explanation of the findings based on the limited data at its disposal. The consistent results presented here strongly support placing the notion of ethnicity at the forefront of analyses of educational policies in Kenya. Based on these results, this chapter argues that ethnicity should be placed at the forefront of analyses of educational development in Kenya, as well as in policy efforts to reduce inequalities in education.

Appendix 1: Kenya's International Obligations on Education

United Nations Treaties

Date of admission to UN: December 16, 1963.

-International Covenant on Economic Social and Cultural Rights – ICESCR

Acceded: May 1, 1972.

Reports submitted/duel: 1/2

No reservation related to the right to education

- International Covenant on Civil and Political Rights – ICCPR

Acceded: May 1, 1972.

Reports submitted/duel: 1/5

No reservations

- International Convention on the Elimination of all Forms of Racial Discrimination – CERD

Acceded: September 13, 2001.

Reports submitted/duel: 0/0

No reservations

- Convention on the Elimination of All Forms of Racial Discrimination – CEDAW

Acceded: March 9, 1984.

Reports submitted/duel: 4/5

No reservations

- Convention on the Rights of the Child – CRC

Ratified: July 30, 1990.

Reports submitted/duel: 1/2

No reservations

ILO Treaties

ILO 98 Right to Organize and Collective Bargaining Convention (1949) – date of ratification: January 13, 1964.

ILO 111 Convention concerning Discrimination in Respect of Employment and Occupation (1958) – date of ratification: May 07, 2001.

ILO 138 Minimum Age Convention (1973) – date of ratification: April 04, 1979.

ILO 182 Worst Forms of Child Labour Convention (1999) – date of ratification: May 07, 2001.

African System

The African Charter on Human and People's Rights

Date of ratification: January 23, 1992.

The African Charter on the Rights and Welfare of the Child

Date of ratification: July 25, 2000.

Appendix 2: Constitutional Guarantees on Education

Kenya

Date of Adoption/Date of Entry Into Force 1969

Relevant Provisions

The Constitution includes human rights guarantees, but not the right to education.

But, see:

Chapter V – Protection of fundamental rights and freedoms of the individual

Art.78 – Protection of freedom of conscience

Full Text of Relevant Provisions

Art.78

(1) Except with his own consent, no person shall be hindered in the enjoyment of his freedom of conscience, and for the purposes of this section the said freedom includes (...) freedom, either alone or in community with others, and both in public and in private, to manifest and propagate his religion or belief in (...) teaching, (...).

(2) Except with his own consent (...), no person attending any place of education (...) shall be required to receive religious instruction (...) if that instruction (...) relates to a religion other than his own.

(3) Every religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it wholly maintains; and no such community shall be prevented from providing religious instruction for persons of that community in the course of any education provided at any place of education which it wholly maintains or in the course of any education which it otherwise provides.

Notes

1. The data used in this report is from three main sources: the 1999 Population and Housing Census; household surveys; and administrative records. The Population and Housing Census cover mainly demographic data such as population size, distribution and socio-economic characteristics. This dataset was collected by the Central Bureau of Statistics (CBS) and covers all the districts, locations and divisions in the country. Three Kenyan Welfare Monitoring Surveys (WMS), conducted in 1992, 1994 and 1997, were used to access information about enrolment rates, completion rates, the teaching force as well as the physical resources in the different provinces. While not comprehensive, these household surveys sampled both rural and urban areas in all provinces of the country. For other administrative records, we rely on government data made available by the Ministries of Education. These include budget figures disaggregated by province, and unit costs calculated using statistics on the number of students in each province and districts.
2. The province is the most convenient unit of analysis because government opportunities and resources tend to be distributed more or less on a provincial basis. It must be borne in mind, however, that there are definite limitations to analysis in terms of such large units, for differences within provinces, districts

and urban centers tend to be obscured. Nevertheless, since the goal of the chapter is to demonstrate the general disparity patterns, we feel that this may not be a major limitation likely to affect the conclusions drawn based on the overall trends at the provincial level. National statistics do not show socio-cultural and economic disparities in educational access and opportunities. At best, provincial educational statistics do not reflect the anomalies except by inference, but as mentioned earlier on there is a strong inter-relationship in Kenya between ethnic groups and the region they populate.

3. Rural areas are more ethnically homogenous than large cities which have a more ethnically diverse population due to urban migration.
4. Gross enrolment ratio refers to the number of students enrolled in a given level of education, of whatever age, reflected as a percentage of the total population of official school age individuals for that level. The GER can be greater than 100% if grade repetition occurs, or if school entry at ages either earlier or later than the typical age for that grade level occurs.
5. See Appendices 1 and 2 for details on Kenya's International Obligations and Constitutional Guarantees on Education.

References

- Abagi, O. (1997). *Status of education in Kenya: Indicators for planning and policy formulation*. Nairobi: IPAR Special Report.
- Amutabi, M. N. (2003). Political interference in the running of education in post-independence Kenya: A critical retrospection. *International Journal of Educational Development*, 23(2), 127–144.
- Banton, M. (1998). Are there ethnic groups in Asia?. *Ethnic and Racial Studies*, 21(5), 990–994.
- Challender, C. (2003). *Counting gender equality in education – not as easy as 1,2,3*. London: Institute of Education, University of London.
- Comaroff, J. L. (1995). Ethnicity, nationalism and the politics of difference in an age of revolution. In J. L. Comaroff, & P. C. Stern (Eds.), *Perspectives on nationalism and war* (pp. 243–276). Yverdon (Switzerland): Gordon and Breach.
- Cooksey, B., Court, D., & Makau, B. (1994). Education for self-reliance and Harambee. In J. D. Barkan (Ed.), *Beyond capitalism versus socialism in Kenya and Tanzania* (pp. 201–233). Nairobi: East African Educational Publishers.
- Court, D. (1979). The education system as a response to inequality. In J. Barkan, & J. Okumu (Eds.), *Politics and public policy in Kenya and Tanzania*. New York: Praeger Publishers.
- Deolalikar, A. B. (1999). Primary and secondary education in Kenya: A sector review. Unpublished Research Report. Nairobi.
- Farrell, J. P. (1997). "Social equality and educational planning in developing nations." In L. J. Saha (Ed.), *International encyclopedia of the sociology of education* (pp. 473–479), Oxford: Pergamon.
- Government of Kenya. (1964). *Kenya education commission report*, Part 1. Nairobi: Government Printer.
- Jupp, J., & McRobbie, A. (Eds.). (1992). *Access and equity evaluation research*. Department of the Prime Minister and Cabinet, Office of Multicultural Affairs. Canberra: Australian Government Publishing Service.
- Kanyinga, K. (1995). The changing development space in Kenya: Socio-political change and voluntary development activities. In P. Gibbon (Ed.), *Markets, civil society, and democracy in Kenya*. Uppsala: Nordic Africa Institute.
- Kimalu, P., Nafula, N., Manda, D. K., Mwabu, G., & Kimenyi, M. (2002). A situational analysis of poverty in Kenya, Working Paper No. 2. Kenya Institute for Public Policy Research and Analysis (KIPPRA), Nairobi.
- Kimalu, P. K., Bedi, A., Manda, D. K., & Nafula, N. N. (2001). *Education indicators in Kenya*. Working Paper No. 4. Nairobi: KIPPRA.
- Kornblum, W. (1991). *Sociology in a changing world*. New York: The Dryden Press.
- Mwaruvie, J. (1999). Political party cooperation in post-election as ethnic tensions: Kenyan case. *Anthropology of Africa and the challenges of the third millennium – ethnicity and ethnic conflicts*, Management of Social Transformation Programme (MOST) – ETHONET/UNESCO. Kenya: Moi University.

- Ogot, B., & Ochieng, W. (1995). *Decolonisation and independence in Kenya: 1940–1993*. London: East African Studies.
- Oucho, J. (2002). *Undercurrents of ethnic conflict in Kenya*. The Netherlands: Koninklijke Brill.
- Oyugi, E. (2000). *The legacy of colonialism*. Nairobi: Kenya Coalition for Social Watch.
- Rawls, J. (1985). Justice as fairness. *Philosophy of Public Affairs*, 14, 223–251.
- Sen, A. (1993). Capability and well-being. In M. Nussbaum, & A. Sen (Eds.), *The quality of life*. Oxford: Clarendon Press.
- Sen, A. (1999). *Development as freedom*. New York: Alfred Knopf.
- Society for International Development (SID). (2004). *Pulling apart: Facts and figures on inequality in Kenya*. Nairobi: SID.
- Subrahmanian, R. (2002). Engendering education: Prospects for a rights-based approach to female education deprivation in India. In M. Molyneux, & S. Razavi (Eds.), *Gender justice, development, and rights*. Oxford: Oxford University Press.
- UNDP. (2003). *Third human development report on Kenya*. Nairobi: United Nations Development Programme.
- UNDP. (2004). *Human development report 2004*. New York: Oxford University Press.
- United Nations. (1993). *UN world conference on human rights*. GA resolution number 48/121, Vienna.
- Watkins, K. (2001). *The Oxfam education report*. Oxford: Oxfam International.