MANAGING THE PROCESS OF DEVELOPING CO-OPERATIVES' POLICY IN A TRANSITION ENVIRONMENT: LESSONS FROM KENYA

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ABSTRACT

The co-operatives' significance in Kenya is unquestionable, just as it is acknowledged worldwide. But country's co-operative movement has been conventional. Today, there are emerging global issue trends on development and sustainability. At all levels, sustainable development and co-operatives have been emphasized in the recent times – with development of new agendas and frameworks such as the: Kenya's 2010 constitution and Vision 2030; UN International Year of Co-operatives 2012 and Vision 2020 for Co-operatives Decade; East Africa Co-operative Societies Bill, 2014; and, Agenda 2030 for Sustainable Development Goals. Kenya is therefore in transition phase of governance of sustainable development and co-operatives. USAID through various structures, especially the 2014-2018 Country Development Co-operative Strategy, has been supporting Kenya in this phase, importantly on ensuring effective implementation of devolution. The USAID/Co-operatives Development Program (CDP) by Global Communities, is among other objectives, supporting Kenya in re-thinking and transitioning of the Co-operatives Development Policy and Legislation to the County levels, with

valuable opportunity. This paper, explore concepts of sustainable development, co-operatives development, and sustainability transition, in respect to Kenya. The paper highlights the evolution of Kenya's co-operative policy development since 1931; and then describes practical experience and lessons by Global Communities in supporting County governments in development and implementation of the co-operatives policy framework, in present transition environments. Global Communities employed the transition approaches of Multi-Level Perspective and Transition Management Approach. The team considered the "politics-polity-policy" triad in capturing the complexity of sustainable development in respect to co-operatives' policy development. The paper recommends that, the facilitators of the policy process in such environment should holistically understand and support Transition Management Cycle, and also engrain the policy process with transformative philosophies to help co-operative 'persons' in new thinking – thinking exponential for breakthroughs. However, to address politics, polity and policy, in such Kenya's context with the lens of sustainability transitions, there is need for further and continued discussion, research and analysis. The paper is therefore important to the governments' officers, co-operative promoters, co-operators and researchers.

Keywords: Co-operatives, sustainability, development, policy, transition, Kenya

1.0 Introduction and Background Information

Co-operatives are defined as "autonomous associations of people united voluntarily to meet their common economic, social and cultural needs and aspirations through jointly-owned and democratically-controlled enterprises"[1]. Importantly, co-operatives are better because they give individuals participation through ownership, which makes them inherently more engaging, more productive, and both more useful and more relevant to the contemporary world. Co-operatives are better because their business model creates greater economic, social and environmental sustainability.

In 2009, the United Nations General Assembly proclaimed 2012 to be the UN International Year of Co-operatives (IYC)[2]. In 2012, UN-IYC with the theme, "co-operative enterprises build a

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[1] ILO (2002), "Recommendation 193 Concerning the Promotion of Cooperatives", Geneva: ILO. Available at: http://www.ilo.org/images/empent/static/coop/english.pdf
[2] https://undocs.org/en/A/RES/64/136

better"[3], was largely celebrated around the world. The goals for the IYC were to: increase public awareness about co-operatives and their contributions to socio-economic development and the achievement of the Millennium Development Goals (MDGs); promote the formation and growth of co-operatives; and, encourage governments to establish policies, laws and regulations conducive to the formation, growth and sustainability of co-operatives. During the period, the IYC logo by co-operatives around the world, raised the profile of co-operatives beyond the limits of the sector itself, to civil society and amongst governmental and inter-governmental bodies.

Based on the achievements of the IYC, the Co-operative Decade (2011-2020) – the "2020 Vision" – blueprint[4] was developed. This marked the beginning of a world-wide campaign to take the co-operative way of doing business to a new level. The blueprint envision that by 2020, co-operative form of business should become: the fastest growing form of enterprise; the model preferred by people; and, the acknowledged leader in economic, social and environmental sustainability. The starting point for the strategy for a global co-operative future is the powerful claim, which co-operatives make to the outside world: that they have a way of doing business which is both better, and brings a more effective balance to the global economy than the dominance of one single model as now. The overarching agenda for the International Co-operatives Alliance (ICA), its members and the movement generally, based on the blueprint, is to: elevate participation within membership and governance to a new level; position co-operatives as builders of sustainability; build the co-operative message and secure the co-operative identity; ensure supportive legal frameworks for co-operative growth; and, secure reliable co-operative capital while guaranteeing member control.

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[3] http://ccr.ica.coop/en/global-news-hub-categories/iyc
[4] http://www.ica-ap.coop/sites/ica-ap.coop/files/ICA%20Blueprint%20-%20Final%20-%20Feb%2013%20EN.pdf
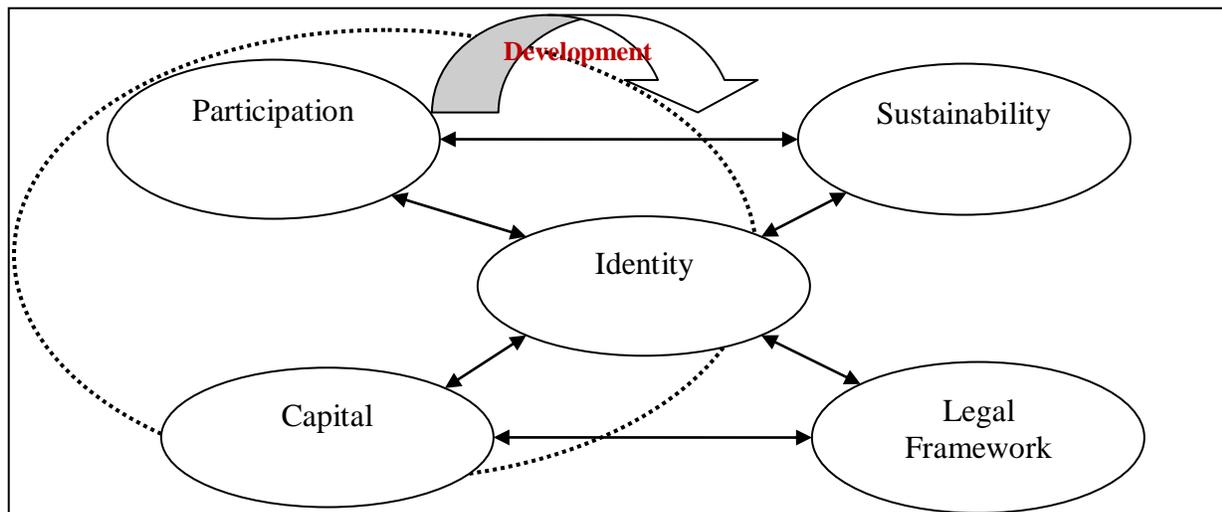
Figure 1: Five interlinked and overlapping themes of the Co-operatives Decade Blueprint Strategy
Source: ICA 2020 Blue Print

However, co-operatives need to be seen in the context of the dominant emerging trends that are likely to shape our politics, societies and economies for the foreseeable future[5]. Some of the most crucial Global Trends are: environmental degradation and resource depletion; an unstable financial sector; increasing inequality; a growing global governance gap; a seemingly disenfranchised younger generation; and a loss of trust in political and economic organisations. This background informed the Kenya's 2010 new constitution, which introduced devolved form of government, and devolution of the co-operatives development function, under section 7(e) of Part II of the Fourth Schedule of the Constitution[6], and as envisioned in Kenya's Vision 2030[7]. The background also helped shape East African Community member states (in which Kenya is a member) to establish a regional Co-operative Societies Bill, 2014[8]; and define the Agenda 2030 for 17 Sustainable Development Goals (SDGs) – the post 2015 MDGs[9].

In the view of the above, Kenya today is in phase of transitions. Transition phase of implementing the new constitution and change from Co-operative Societies Act, 2004 (CAP

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[5] See ESPAS (2011) Global Trends 2030: Citizens in an Interconnected and Polycentric World. (http://www.iss.europa.eu/uploads/media/ESPAS__report_01.pdf)
[6] http://www.icla.up.ac.za/images/constitutions/kenya_constitution.pdf
[7] https://theredddesk.org/sites/default/files/vision_2030_brochure__july_2007.pdf
[8] http://www.eala.org/uploads/EAC%20Cooperative%20Societies%20Bill.pdf
[9] https://sustainabledevelopment.un.org/content/documents/733FutureWeWant.pdf

490); the transition phase to re-think co-operatives in spirit of the co-operatives decade blueprint; the transition phase to align co-operative laws with newly enacted East Africa Co-operatives Act; and, the transition phase of joining other states in the world to achieve SDGs.

To manage these transitions sustainably through the co-operative lenses, major priorities need to be made to: make more people aware of the co-operative form of enterprise; provide people with the tools and back-up to establish, fund and develop sustainable co-operatives; and, remove barriers that get in their way in such transitions.

It is against this backdrop, which this paper using the practical experience and lessons of development project; explores the concepts of sustainable development, co-operatives development, and transitions in Kenya. This paper describes the support process and lessons from County Co-operatives policy and legislation frameworks development; under Co-operatives Development Program (CDP) in Kenya, funded by United States Agency for International Development (USAID), and implemented by Global Communities (GC). The paper explores ways for practical implementation of transformative and sustainability policy for co-operatives. The paper reflects on ideas and practical experiences on governance challenges for sustainable development, new action fields and experiments for co-operatives development policy.

The justification of this paper is that, co-operatives' identity in every jurisdiction, including Kenya, sit within a policy and legal instrument. This instrument plays a critical role for the existence and viability of co-operatives in encouraging participation and building incomes and capital, for communities' socio-economic and sustainable development.

2.0 Co-operatives and Sustainable Development

2.1 The Concept of Sustainable Development

The concept of sustainable development was first defined in Brundtland Commission Report[10] of 1987 as, "development which meets the needs of the present without compromising the ability of

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[10] The Brundtland Commission, formally the World Commission on Environment and Development, known by the name of its Chairperson, former Norwegian Prime Minister, Mrs. Gro Harlem Brundtland, was convened by the United Nations in 1983. The Commission was established to deal with the growing concern about "the accelerating

the future generations to meet their own needs"[11]. The report identifies two driving forces: the concept of *'needs'*, in particular the essential needs of the world's poor, to which overriding priority should be given; and the concept of *'limitations'* imposed by the state of technology and social organisation on the environment's ability to meet present and future needs.

In 1992, the Earth Charter[12] gave useful expression of values and principles of sustainability. The Agenda 21 on economic sustainability clearly identified information, integration, and participation as key pillars of development for any country. It emphasises that in sustainable development everyone is a user and provider of information; stresses the need to change from old sector-cantered ways of doing business to new approaches that involve cross-sectoral co-ordination and the integration of environmental and social concerns into all development processes; and brings into focus broad public participation in decision making as a fundamental prerequisite for achieving sustainable development[13].

When the UN Conference on Sustainable Development (UNCSD), dubbed as Rio+20, was held in June 2012, the challenge before the world became more sharply defined and focused. From the Rio+20 outcomes document – *The Future We Want*[14] – it has become inevitable that countries must have to follow a sustainable development path to create the tomorrow that they want and which is socially inclusive and equitable; protects environmental resources; and follows sustainable production and consumption for current and future generations to meet their own growth and development needs.

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deterioration of the human environment and natural resources and consequences of that deterioration for economic and social development". In establishing the Commission, the United Nations General Assembly recognized that environmental problems were global in nature and determined that it was in the common interest of all nations to establish policies for sustainable development.

[11] Our Common Future, UN World Commission on Environment and Development, 1987. http://www.un-documents.net/ourcommon-future.pdf

[12] The Earth Charter is an ethical framework for a sustainable world, was developed over several years after the Rio Earth Summit in 1992 and launched officially in 2000. The Charter derives its legitimacy from the participatory process in which it was drafted, which included contributions from hundreds of organisations and thousands of individuals, and from its use since 2000 by thousands of organisations and individuals as an educational instrument and policy tool. http://www.earthcharterination.org/content/pages/read-the-charter.htm/

[13] Sustainable development is viewed more from the perspective of inter-linkages among the three components - economic, social and environmental.

[14] https://sustainabledevelopment.un.org/content/documents/733FutureWeWant.pdf

A prism of sustainable development has since been defined (see Figure 2). Lange, et al. (2013) state that sustainable development is a "complex challenge with a multitude of interdependencies and calls for considering numerous environmental and socio-economic goals in different sectors across multiple temporal scales" (p.419-420).
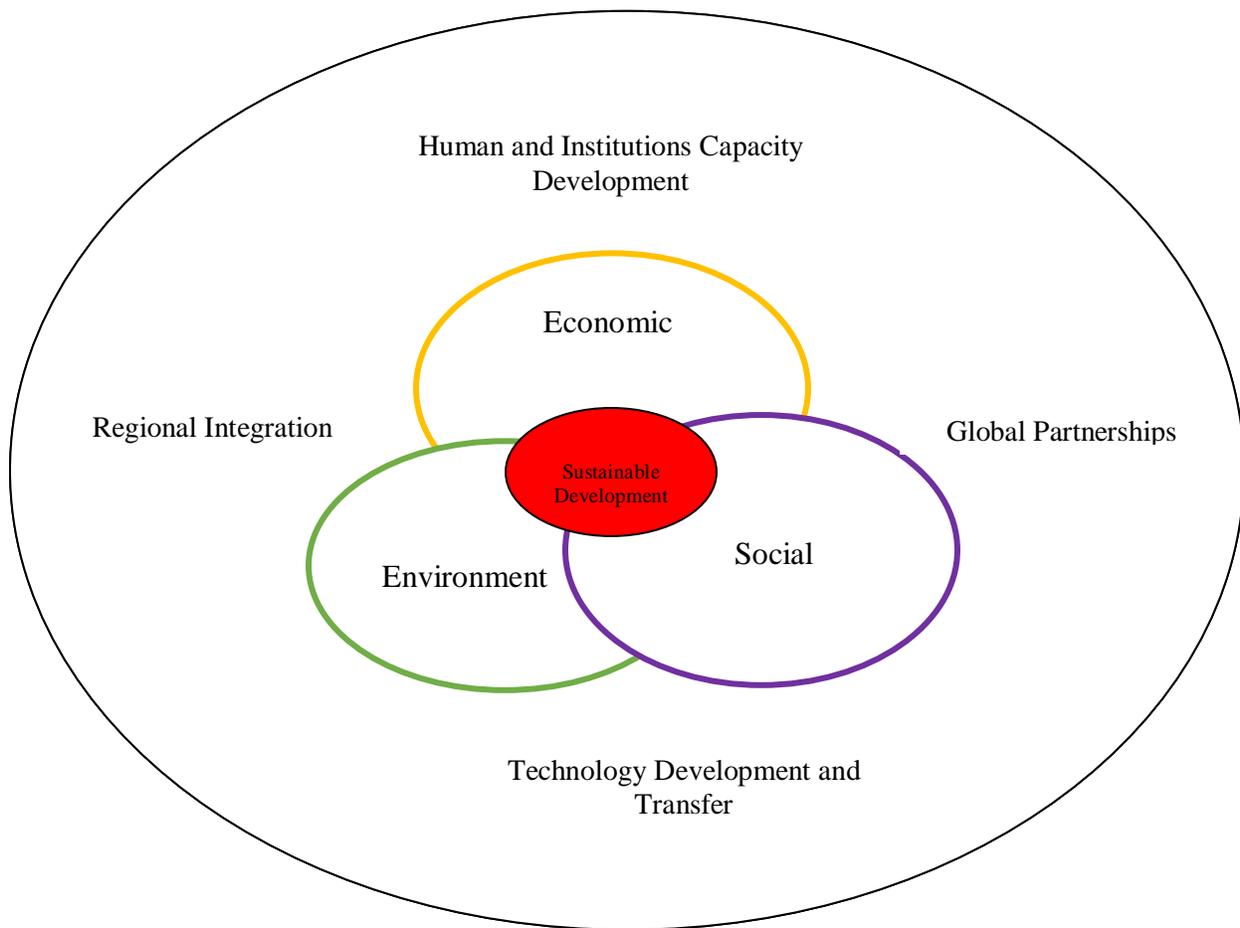

Figure 2: Pillars of Sustainable Development

Environment is the source of life and gives rise to economic activities. Economic activities in turn sustain social development. Without economic growth, there will be no social development. However, this is not necessarily a linear relationship since environment has also a direct influence on social development. Moreover, economic growth has also to be environmentally-friendly and socially responsible. Simply, the relation among the three development components

is complex and nonlinear. Balancing these interrelations between the three components is the challenge and essence of sustainable development[15].

Therefore, sustainable economic growth need efforts that are directed toward efficient and sustainable use of natural resources; environmentally-friendly agricultural practices; renewable energy development; less-carbon intensive production of goods and services, including efficient transportation, and less intensive consumption of resources, goods and services, among others. These promote efficient and resilient production systems, minimize resource depletion and degradation, as well as greenhouse gas emissions, thus leading to more resilient economies. Moreover, sustainable social development need efforts that focus on key elements, which consist of poverty eradication, reduction of inequalities and pursuit of gender equality and women empowerment and promotion of youth development, as well as enhancement of access to education, employment, health, water and sanitation, and other socio-economic infrastructure and social services. Finally, for sustainable environmental resources, efforts should be focused on developing natural resources, including biodiversity and ecosystems.

Equally, successful implementation of sustainable development as a framework lies in the existence of good enabling governance environment and strong functional institutions, which provide constitutional, accountable, regulatory and legal frameworks for productive activities to thrive. These provide the foundation and a basis on which economic growth, socially responsible and environmentally-friendly development rests. This calls further for human capacity and technology development and transfer, and development of regional economic communities and global partnerships, for countries (especially in Africa) to transition from conventional to sustainable development, and in turn achieving the 2030 Agenda for SDGs.

2.2 Sustainable Development from the Co-operatives Development Perspective

The UN Conference on Sustainable Development (Rio+20) acknowledged the role of co-operatives in contributing to social inclusion and poverty reduction. As value-based and principle-driven organisations, co-operatives are intrinsically sustainable and participatory form

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[15] https://www.uneca.org/sites/default/files/uploaded-documents/SDG/2013/sdg-africa-regional-report.pdf

of business. They place emphasis on job security and improved working conditions, pay competitive wages, promote additional income through profit-sharing and distribution of dividends, and foster democratic knowledge and practices and social inclusion, and of all business enterprises co-operatives have shown resilience in the face of economic crises, making them well-placed to support the achievement of the SDGs.

According to 2015 study by International Labour Organisation (ILO)[16], co-operatives have grown in the number, membership, capital base and jobs. They have potential to contribute to the SDGs as follows: ending poverty (27%), creating jobs, sustainable livelihoods, and equitable growth (20%), ensuring food security and good nutrition (10%), providing quality education and lifelong learning (9%), ensuring good governance and effective institutions (8%), and empowering girls and women and achieving gender equality (7%). As important development actors, FAO[17] and World Bank[18] too are re-emphasising the role of co-operatives.

According to Co-operatives and the 2030 Agenda on Sustainable Development Report[19], co-operatives in Kenya (and her partner states in the East Africa region have) made remarkable progress in agriculture, agro-processing, dairy, credit, banking, insurance, produce marketing, fishing, storage, and housing among other activities. This means that the role of the citizens is becoming more pronounced than that of the state. If Kenya is to be competitive, it is imperative therefore that she brings human development aspect to sustainable development. In this respect, sustainable development shall mean, people and institutions behaving in a way that is environmentally, economically and socially responsible to ensure that the production, delivery, consumption of goods and/or services and related disposal do not adversely impact people or the environment in any way to reduce the value on sustainable consumption and production patterns, food security and sustainable agriculture, sustainable energy for all, water access and efficiency, sustainable cities, green jobs and sustainable social development and economic growth.

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[16] https://www.dgrv.de/webde.nsf/7d5e59ec98e72442c1256e5200432395/0773f60d3d0e5ab8c1257d4f003fa05e/$FILE/Pr%C3%A4sentation_Simel%20Esim_ILO.pdf
[17] http://www.fao.org/partnerships/fao-partnerships/producer-organisations-and-cooperatives/en/
[18] http://reliess.org/world-bank-promotes-the-cooperative-alternative/?lang=en
[19] http://www.industrialization.go.ke/images/downloads/feacc-materials/co-operatives-and-the-2030-agenda-in-sustainable-development.pdf

In spite of co-operatives potential, the ILO study also found out that, there are still misconceptions on the co-operative model of business among organisations, trade unions as well as research institutions. The study reports points out that, 63% of the governments' support to the movement had either remained the same or declined in the past decade. Furthermore, the Co-operatives and the 2030 Agenda on Sustainable Development Report also acknowledges that, despite critical role co-operatives are playing, the use of co-operatives has been more conventional than transformative, and co-operative movement continues to miss opportunities of enhancing the social and economic status of its growing and potential membership.

In the view of co-operative development framework (see Fig. 1), legal institutions, sustainability and development successes are mutually dependent. This implies that, if co-operatives are to be a vehicle for development used in Kenya, they must also be sustainable. Co-operatives must be able to create value for self and society, and also be able to embrace the notion of efficiency and intergenerational equity, in the design and implementation of their production and consumption programs and processes. Co-operatives need to think and adopt new practices and approaches of business breakthrough to ensure sustainable development.

A review paper (from Uganda) by Borda-Rodriguez and Vicari (2013) on co-operatives resilience and sustainability suggests a five-point framework for further research. First, is the role of co-operative membership in resilience: the importance of membership buy-in to co-operative values and principles, co-operative identity and loyalty, the inclusion of women and youth, and the promotion of self-help among members. Second, is the importance of co-operative networks, particularly the role of apex bodies and unions in building capacity and providing training, connections to agencies supporting co-operative development and the need for extra-community linkages. Third, is the need for skills within co-operatives: management and business skills, and the ability to adapt co-operatives to changing contexts. Fourth, is the ability of co-operatives to innovate, adapt and respond to new markets, and engage in and negotiate their role in value chains. Finally, there is the role of government and co-operative support agencies in

creating an enabling legislative and financial environment without interfering the co-operatives' autonomy and independence.

In the wake of Kenya's transitions on various scopes, and in view of Borda-Rodriguez and Vicari's (ibid) paper, co-operatives also need to sustainably transition from conventional to transformative organisations in this changing environment; securing more their active engagement on sustainable development. Co-operatives in Kenya – if they are to play a tangible role in Country's Vision 2030[20] – should therefore be (or made to be) thinking, producing, funding, selling, consuming, rewarding, and sharing steps towards sustainable development. This suggests a great need of re-thinking the co-operatives enabling policy and legislative instruments for the future and resilience of the co-operative movements, both at the county and national levels.

3.0 Transition Environment of Kenya and Shaping of Co-operative Policy Framework
3.1 The Concept of Transition and Sustainable Development

'Transition' is a term that often used interchangeably with 'transformation' (Fischer, 2010). Some authors understand 'transformations' as phases within a so-called 'transition' (Grin, et al., 2010). Nonetheless, the term transition is generally, defined as a process of change from one state to another. According to Rotmans, et al. (2001), 'transitions' are "transformation processes in which society changes in a fundamental way over a generation or more" (p.15). A transition is, a "gradual, continuous process of change where the structural character of a society (or a complex sub-system of society) transforms" (ibid. p.16). Further, a transition can be seen as a "set of connected changes, which reinforce each other but take place in several different areas, such as technology, the economy, institutions, and behaviour, culture, ecology and belief systems" (ibid.). In the same vein, Markard, et al. (2012) describe transition as involving "far-reaching changes along different dimensions: technological, material, organisational, institutional, political, economic, and socio-cultural" (2012, p.956). They argue that transitions, "involve a broad range of actors and typically unfold over considerable time-spans (e.g., 50 years

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[20] Kenya's vision 2030 is "Globally competitive and prosperous Kenya with a high quality of life"

and more). In the course of such a transition, new products, services, business models, and organisations emerge, partly complementing and partly substituting for existing ones".

Rotmans, et al. (2001) describe four different phases of a transition. A predevelopment phase of dynamic equilibrium, where the status quo does not visibly change. A take-off phase, where the process of change gets under way because the state of the system begins to shift. A breakthrough phase, where visible structural changes take place through an accumulation of socio-cultural, economic, ecological and institutional changes that react to each other. A stabilization phase, where the speed of social change decreases and a new dynamic equilibrium is reached.

On the other front, Markard, et al (2012) reviewed the academic literature on transitions and found four theoretical frameworks that acquired most prominence among scholars: transition management[21], strategic niche management[22], the multi-level perspective on sociotechnical transitions[23], and technological innovation systems[24].

For transitions to be sustainable, there should be also change in perceptions, values, beliefs, practices and criteria. The "people (should) accept constraints and (be) willing to live and behave differently" (Kemp & van Lente, 2011, p.124). The duo argue that, "transitions that do not fundamentally change criteria by which decisions are made, are unlikely to lead to sustainability" (ibid, p.123). Sustainability transitions are, in the end, fundamental transformation processes that are long-term and multidimensional (Markard, et al., 2012; Lange, et al., 2013). Therefore, they crucially result in a radical shift of established socio-technical systems towards sustainable development.

Undoubtedly, Kenya are in the phase of "transition towards sustainable development". First, the ICA Blueprint for a Co-operative Decade has recognized sustainability as one of the five pillars to position co-operatives as builders of economic, social and environmental sustainability by

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[21] See Kern and Smith (2008); Loorbach (2010); Rotmans, et al., (2001)
[22] See Raven and Geels, 2010; Smith (2007)
[23] See Geels and Schot (2007); Smith, et al.,(2010)
[24] See Bergek, et al.,(2008); Hekkert, et al. (2007)

2020. Secondly, the East Africa Community (in which Kenya is a member) has since made a call for the regionalisation of the co-operative movement (by enactment of the 2014 EAC Co-operative Societies Bill); ostensibly so because all the member sustainable development issues and priorities (e.g. in regard to Kenya's Vision 2030) can be addressed by co-operative enterprises. Thirdly, SDGs have introduced a new society that: creates new values; produces products today, which will become the resources of the future; is based on renewable sources of energy; connects responsibilities for people, planet and prosperity; and is profitable and sustainable. Finally, and more importantly, the Kenya's 2010 constitution has led the country into a new constitutional order, structures and systems. It is therefore inevitable that Kenya's co-operative development policy and legislation should undergo transition. Buckminster Fuller in his famous quote, say "You never change things by fighting the existing reality. To change something, build a new model that makes the existing model obsolete".

3.2 Transitioning of Kenya's Co-operatives Development Policy and Legislation Framework

There has been several developments as far as co-operatives policy and legislation framework in Kenya is concerned, since 1908 when the first co-operative was established[25]. Initially, there were no legal and policy structures in place to guide the development of the co-operative sector. The first legislation to govern co-operative registration was enacted in 1931 (the Kenya Co-operative Societies Ordinance). This gave way to registration of national organisations.

This Ordinance was repealed in 1945 when indigenous Kenyans were allowed to form Co-operative enterprises and grow cash crops. By the time of independence in 1963, there were 1,030 co-operative enterprises dealing with the production and marketing of crops such as coffee, cotton and cereals.

The Sessional Paper No. 10 of 1965 on "African Socialism and its Application to Planning in Kenya" sought rapid *'Africanisation'* of the Kenyan economy based on pro-poor principles akin

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[25]http://www.industrialization.go.ke/index.php/downloads/123-history-and-organisation-of-cooperative-development-and-marketing-sub-sector-in-kenya

to those adopted by the Co-operative sector. Hence co-operative enterprises were considered suitable vehicles to achieve the goals of the Sessional Paper, especially poverty eradication.

The Co-operative Societies Act (CAP 490) was enacted in 1966 to promote and regulate the Co-operative sector. The first Co-operative Policy was formulated in 1970 under Sessional Paper No. 8 on consolidation of the co-operative activities to address management of co-operative enterprises, education and training. Thereafter, the policy was repealed in 1975, through the Sessional Paper No. 14 in which the government continued to recognize co-operative enterprises as vital organs for mobilizing material, human and financial resources for national development.

The Sessional Paper No. 1 of 1986 on "Economic Management for Renewed Growth," emphasized the importance of private-sector led economic development, to which the Co-operative sector was no exception. Consequently in response to the above policy shift, the Sessional Paper No. 4 of 1987 on "Renewed Growth through the Co-operative Movement" reiterated the Government's commitment to enhance the participation of Kenyans in the economy through co-operative enterprises.

The Sessional Paper No. 6 of 1997, on "Co-operative Enterprises in a Liberalized Economic Environment", saw the Government review its direct involvement in the management of co-operative enterprises. It however retained its regulatory and policy formulation role. Consequently, the Co-operative Societies Act No. 12 of 1997 was enacted, but it was widely misinterpreted to imply that the Government had no role in the regulation of co-operative enterprises. This perceived assumption led to rampant mismanagement of many co-operative resources by co-operative leaders.

In an attempt to stem the deteriorating situation, the Government amended the Act of 1997 vide the Co-operative Societies (Amendment) Act No. 2 of 2004, with its subsequent Rules. The new legal framework provided for the prudent intervention of the Government to safeguard members' resources and restore members' confidence in the sector.

In recognition of the growing importance and sophistication of SACCOs, the Government enacted the SACCO Societies Act (2008) with its subsequent regulations as a legal framework to oversee their prudent operations. The Act established the SACCO Societies Regulatory Authority (SASRA), to oversee the regulation of the SACCOs sub-sector.

In 2010, Kenya promulgated a new constitution. The constitution introduced a devolved form of government. Under section 7(e) of Part II of the Fourth Schedule of the Constitution, the co-operatives development function, is one of the functions devolved to the county governments.

From the above policy and legislation developments, the Kenya's co-operatives movement has seemed to be more prevalent in traditional economic sectors of agriculture, housing and finance; raising the question of resilience and sustainability in the wake of call for gender and youth inclusivity[26], and country's economic shift to service industry and informal sectors[27]. The government ongoing rigid approach in promotion and regulation of co-operatives especially on the minimum number of shareholders and ideal socio-economic activities for co-operatives business model; raising the questions of owner-equity, corporate governance, innovations for relevance and growth, and competitiveness of co-operatives[28]. The capacity building for officers and members, and reliable data and information on co-operatives have been very limited; raising the question of understanding of the co-operative model, and sustainable decision-making process for co-operative members, leaders and officers.

This indicates that three policy related questions have always been, and will always be apparent. First, how can co-operatives challenge the legacy of the past and create effective businesses with an internal governance that promotes equity as well as economic benefits to members? Secondly, what kind of co-operative policy environment is needed to support the renewal of co-operative development in emerging development trends? And finally, how can co-operatives promote the

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[26] See, Majurin, 2012; Shaw & Rawlings, 2012.
[27] USAID Kenya 2014-2018 CDCS pg. 18. https://www.usaid.gov/sites/default/files/documents/1860/CDCS-w%20Annexes%20Lo.pdf
[28] See Münkner, 2012; Develtere, et al., 2008 on co-operative being co-opted by donors and government

inclusion of women and youth, historically excluded from co-operative participation, and applied in sectors that had been though necessary for the model?

The transitions Kenya is facing offer valuable opportunity to re-think, re-define and re-shape co-operatives development policy and legislation, especially from the county levels; while maintaining legacy, improving resiliency and ensuring sustainability of the co-operatives in the country.

3.3 Development Actors in Transitions and Re-thinking of Co-operatives Policy and Legislation in Kenya

3.3.1 Role of Development Actors in Transition

In recognition of this transitions phase, development actors supported Kenya to take off the devolution process. USAID being one of them. In the 2014-2018 USAID Kenya CDCS[29], the first development objective was on effective implementation of devolution. Here, it was hypothesised that: if the devolution process is effectively implemented, then Kenya's governance and economy will be sustainably transformed. Corollaries to this hypothesis were that: if devolution was done right, it would propel all other reforms such as public financial management, land, and security and address governance issues such as corruption, equity, and conflict. Some of the intermediate results were that: accountable county governments effectively function in targeted counties; enabling environment for devolution to be strengthened; and, informed and empowered citizens participate in county affairs. Specifically, USAID/CDP funded GC project dubbed, *"Enabling Market Integration through Rural Group Empowerment (EMIRGE)"[30]* since 2016 in Kenya; was supporting target county governments in development of supportive county co-operatives development policy and legislative framework.

Based on its co-operatives development strategy, the first phase of GC/EMIRGE program, being in line with the ILO study recommendations[31], supported a few target county governments to:

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[29] https://www.usaid.gov/sites/default/files/documents/1860/CDCS-w%20Annexes%20Lo.pdf
[30] http://www.globalcommunitieskenya.org/emirge-program/
[31] https://www.dgrv.de/webde.nsf/7d5e59ec98e72442c1256e5200432395/0773f60d3d0e5ab8c1257d4f003fa05e/$FILE/Pr%C3%A4sentation_Simel%20Esim_ILO.pdf

develop relevant legislation that must recognize and allow for co-operative way of doing business; develop laws that encourage the formation and strengthening of news types of co-operatives among women, youth and workers co-operatives; adopt policies that help realise the potential of co-operatives especially in promoting measures that ensure good labour practices are followed, including access to relevant information; and, define legal obligations of co-operatives and support newly established co-operatives, to comply with such obligations. This was a great change to a fundamentally different regime of county governments, in political stalemates witnessed from 2013 to 2017, and with radical changes that re-define the co-operative movement.

In essence, GC/EMIRGE Program, strived for sustainability transition in implementation of devolution in Kenya, by supporting the transition of co-operative development function to county governments. Using some transition frameworks (see Markard, et al., 2012), GC/EMIRGE implementation team captured the present systems in "various lock-in processes that lead to path dependent developments"[32]. In so doing, the organisation involved radical and incremental systemic changes at different multi-levels (i.e. co-operatives and co-operative actors, state and non-state actor, public and private sector, legal and financial actors); and on an array of sectoral systems (i.e. agriculture, production, finance, manufacturing, housing, service and consumption, etc.), which would co-evolve following the premises of sustainable development. The model and domesticated County co-operative policy and legislation framework in 11 out of the 47 counties[33] in Kenya, were considered radical and innovative for sustainable development.

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[32] Sustainability Transitions Research Network (STRN). 2010. A mission statement and research agenda for the Sustainability Transitions Research Network. Available at: http://www.transitionsnetwork.org/files/STRN_research_agenda_20_August_2010(2).pdf

[33] *They include: Bungoma, Siaya, Kisumu, Bomet, Uasin Gishu, Kajiado, Makueni, Machakos, Kitui, Taita Taveta and Embu Counties
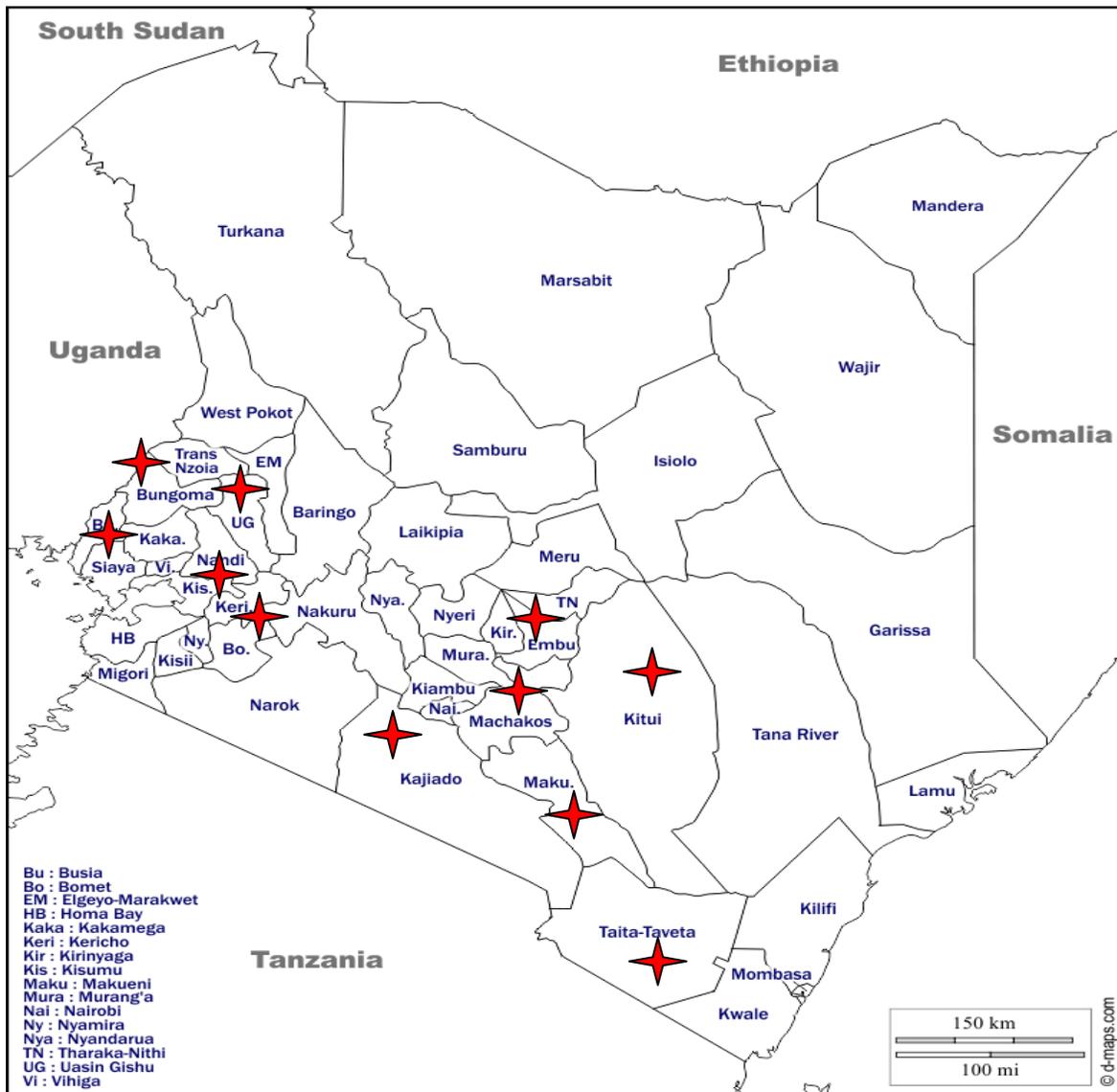
Figure 3: Map of Kenya and Counties facilitated in development of the County Co-operatives Policy and Legislation Framework

Source: Adopted from https://d-maps.com/carte.php?num_car=239&lang=en

3.3.2 Approach for the Formulation of County Co-operative Policy and Legislation Framework

The success of GC in supporting radical co-operative development policy and legislation formulation was as a result of considering the two discourses for sustainability transitions – i.e. the sustainable development, and transition theory. First, was indispensable consideration of the

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long-term perspective (see Rotmans, et al., 2001) – and, therefore, the intergenerational glance over the present and the future of Kenya's development and co-operative movement's direction. Secondly, there was systemic understanding of reality (especially the co-operative crises of image and identity and management) and its multidimensionality, where the different systems are all but independent, and influence each other in many ways, or even show co-evolutionary developments. Thirdly, catalysed incremental but radical and fundamental transformative changes of processes and systems of co-operative movement, based particularly on innovation and experiments in the world (especially American Countries e.g. USA, Canada, Brazil; Scandinavian Countries e.g. Finland, Denmark, Sweden etc.; and European Countries e.g. Spain, France and Italy etc.), and other business models, such as company and partnership models.

In so doing, the team identified those mutually reinforcing processes that, "lead to lock-in situations or path-dependent developments and entrapment" (STRN, 2010)[34] of successful co-operatives. This include those existing systems, including the: knowledge, capabilities and employment of various actors relevant to the maintenance of existing systems, such as co-operative officers, and development practitioners); the technical infrastructures and institutions (that have developed over time to service those systems, such as the State Department of Co-operatives (SDC), Co-operative Alliance of Kenya (CAK), Co-operative University of Kenya (CUK)); economies of scale and markets of incumbent systems (existing national co-operative organisations such as Kenya Union of Savings and Credit Co-operatives (KUSCCO), National Co-operative for Housing Union (NACHU) etc., and primary co-operatives); social significance of these systems, and their links to political power at national and county levels; the mutually reliant clusters of technologies used by these systems; and, the everyday practices and lifestyle values that have come to rely on these systems.

Essentially, the intellectual and practical success for GC, in support for formulation of the county co-operative policy and legislative framework, has been on two perspectives of transition: Transition Management (TM) and Multi-Level Perspective (MLP) on socio-technical transitions.

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[34] Sustainability Transitions Research Network (STRN). 2010. A mission statement and research agenda for the Sustainability Transitions Research Network. Available at: http://www.transitionsnetwork.org/files/STRN_research_agenda_20_August_2010(2).pdf

First, in supporting and collaborating Kenya's co-operative movement, to develop and domesticate the county co-operative policy and legislative frameworks, GC used TM approach. With this approach, GC with CAK became a 'transition arena' for the 'transition agenda' (see Van Buuren & Loorbach, 2009). In the co-operative movement's Transition Management Cycle (TMC), GC played a key role in the strategic, tactical, operational and reflexive stages as stated by Loorbach (2010). GC supported in: problem structuring, envisioning and establishment of the transition arena (working closely with CAK); developing coalitions, image and transition agenda (by organising discussion forums involving County ministers and directors for co-operatives development, development practitioners); mobilizing actors and executing projects and experiments (engaging the Council of Governors (CoG) through the legal committee, Kenya Law Reform Commision (KLRC) for drafting, and counties for domestication of the model policy and legislation framework); and, evaluating, monitoring and learning (i.e. preparation of the drafts for adoption and domestication by and from one county to the other). Markard, et al., (2012) hold that this approach is particularly interesting as it offers a practical operationalisation and a way to facilitate transition governance. The approach was also helpful for counties who sought to overcome the conflict between long-term obligations and short-term concerns (see Kemp & Loorbach, 2006), which was possibly one of the most crucial difficulties that county policy-makers were dealing with on a daily basis.

Secondly, in the process of supporting the process of co-operatives function transition to county levels, GC team considered MLP, the interactions and interplay of three levels: the niche-innovations of building-up internal momentum, through learning processes, performance improvements, and support from powerful groups such as CoG, CAK, and KLRC; changes at the socio-technical landscape level (the county level) to create pressure on the existing socio-technical regime (e.g. the SDC); and disruption of the socio-technical regime (of SDC) to creates windows of opportunity for niche innovations for counties' co-operative departments. The alignment of these processes enabled the breakthrough of innovative provisions in development of the adoptable County co-operatives policy and legislative framework model, which was to be domesticated against the previous or existing socio-technical regime of pure national government

(see Gels & Schot, 2007, p.400). This was so because, according to Smith, et al., (2010), MLP is considered to be able to "analyse the broader problem framing of innovating entire systems of production and consumption (and engage with) the dynamics of large-scale socio-technical systems deemed to present sustainability challenges" (p.436)[35]. Further, Rotmans, et al., (2001) hold that with social organisation space like that of co-operative movements, MLP goes well together with other distinctions among micro-level (individuals or individual actors such as companies or environmental movements), meso-level (networks, communities and organisations), and macro-level (conglomerates of institutions and organisations, e.g. state or counties).

Simply, the key elements of transition management exploited during the engagements were: system-thinking in terms of interlinkage framework of more than one domain (multi-domain at both the national and county governments) and different actors (multi-actor including both the Co-operative, Legal, State and Non-State Actors) at different scale levels (multi-level including the County Ministers and Directors of Co-operatives Forums, CoG Caucuses); long-term thinking (at least 25 years) as a policy framework for shaping such other short-term plans especially the five-year County Development Integrated Plans (CIDPs), Annual Development Plans (ADPs), and sensitization of people on co-operative enterprises; back-casting and forecasting (i.e. the setting of short-term and longer-term goals based on long-term sustainability visions, county co-operative movements' scenario studies, trend analysis and short-term possibilities such as county co-operative development taskforces; a focus on learning (i.e. learning-by-doing, doing-by-learning, through experiments); an orientation towards system innovation and experimentation including digitization of the co-operative registration and monitoring system, composition of co-operative members, promotion of new types of co-operatives such as workers and service-oriented co-operatives, member-equity management, and corporate governance; learning about a variety of options, such as establishment and operationalisation of the County Co-operative Development Fund for research, capacity building and revolving fund; and, participation by and interaction between stakeholders across the county and national co-operative movement space.

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[35] See also: Rotmans et al., 2001; Berkout, 2000; Elzen et al., 2004.

The GC/EMIRGE program supported the devolution of co-operative function by promoting TMC; and, embedding in the new policy and legislative framework, new thinking (sustainably and exponentially more social, lean, integrated and circular) among the communities, and co-operative members, leaders and promoters.

4.0 Lessons Learnt and Recommendations

There are several lessons learnt during the support process to counties that could offer research topics for researchers and best practices for practitioners in developing co-operative policy for sustainable development in transition societies. Essentially, without a policy framework, co-operatives development will remain elusive. But more importantly, without good and responsive policy framework, co-operatives development will not be sustainable. A responsive policy is a transformative policy. To develop a transformative policy, the policy makers should embrace a holistic understanding of the triad 'politics-polity-policy' context, and in-built "transformative systemic thinking" on co-operative "breakthroughs" in the policy and legislation framework.

4.1 Holistic understanding of triad 'politics-polity-policy' context in transition governance is important

SDGs are complex and so is their realisation[36]. One of the major problem for policy makers and experts in sustainable development is when a sustainable development issue becomes a policy objective. Sustainable development related policies and initiatives require multi-layered decision making, multilevel coordination and cooperation, and multitude of stakeholders intervening in the process[37]. Transformative and responsive co-operative policies and legislations will determine the realisation of sustainable development goals in Kenya. Such frameworks should not therefore be regarded as ends in themselves, but rather as possible means towards the

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[36] Niestroy, I. 2014. Governance for Sustainable Development: How to Support the Implementation of SDGs? ASEF Outlook Report 2014-2015 Facts and Perspectives, Chapter 10 pp.141-155

[37] Berger, G. & Streurer, R. 2009. 'Horizontal Policy Integration and Sustainable Development: Conceptual Remarks and Governance Examples'. ESDN Quarterly Report. June 2009. Lafferty. W.M. 2002. 'Adapting Governance Practice to the Goal of Sustainable Development':Http://Webs.Uvigo.Es/Dialogos/Biblioteca/Goals.Pdf

ultimate objectives of such development issues, including expanding employment or reducing poverty[38].

Therefore, there is need for a paradigm shift from traditional policy processes which are based on short term targets towards a transition management approach[39] characterized by continuous re-evaluation and adaptation of policies both in terms of short-term objectives and long-term goals[40]. For such process to be succesiful, it should be commenced in the early phase of the polity's political cycle with mixed bottom-up and top-down approaches of engagemenmt of both the 'policy-makers' and 'policy-users'. This affirms the assertion by Lange, et al., (2013) that, "there is a need to steer (a co-operative policy and legislation process of) deep social transformation requiring action across a variety of temporal, spatial and structural scales"; with "the steering logic (that) exhibits a multi-dimensional character due to uncertain and ambivalent objectives (that might also change over time), the need for a long-term perspective, and consideration of multiple levels, sectors and steering instruments" (p.406)[41].

In supporting the sustainability transitions of co-operatives movements, to the County governments, through the MLP and TM, it was established that an extremely useful viewpoint on developing the co-operative policy and governance of sustainable development is offered by Lange, et al., (2013) on the triad politics-polity-policy (see Fig. 3). The scholars argue that only a multi-dimensional approach that considers the dimensions of politics (political processes), polity (institutional structures), and policy (objectives and policy instruments) can adequately capture the complexity of governance phenomena of such as the sustainable development.

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[38] United Nations, A Regional Perspective on the Post-2015 United Nations Development Agenda, E/ESCWA/OES/2013/2

[39] For an over view on sustainable transitions see: Pisano, Lepuschitz & Berger (2014) 'Transformative environmental and sustainability policy: new thematic issues, actor constellations and governance modes', 11th ESDN Workshop Discussion Paper. Accessed from http://www.sd-network.eu/pdf/doc_workshops/2014%20berlin/ESDN_11th%20Workshop_Discussion%20Paper_final%20version.pdf

[40] Kemp, R. & Loorbach, D. 2003. 'Governance for sustainability through transitions management'. Paper for Open meeting of the Human Dimensions of Global Environmental Change Research Community. October 26-19 Montreal Canada. Also Kemp, R.; Parto, S. & Gibson, R. 2005. 'Governance for sustainable development: Moving from them to practice'. International Journal of Sustainable Development. 8 (1/2).

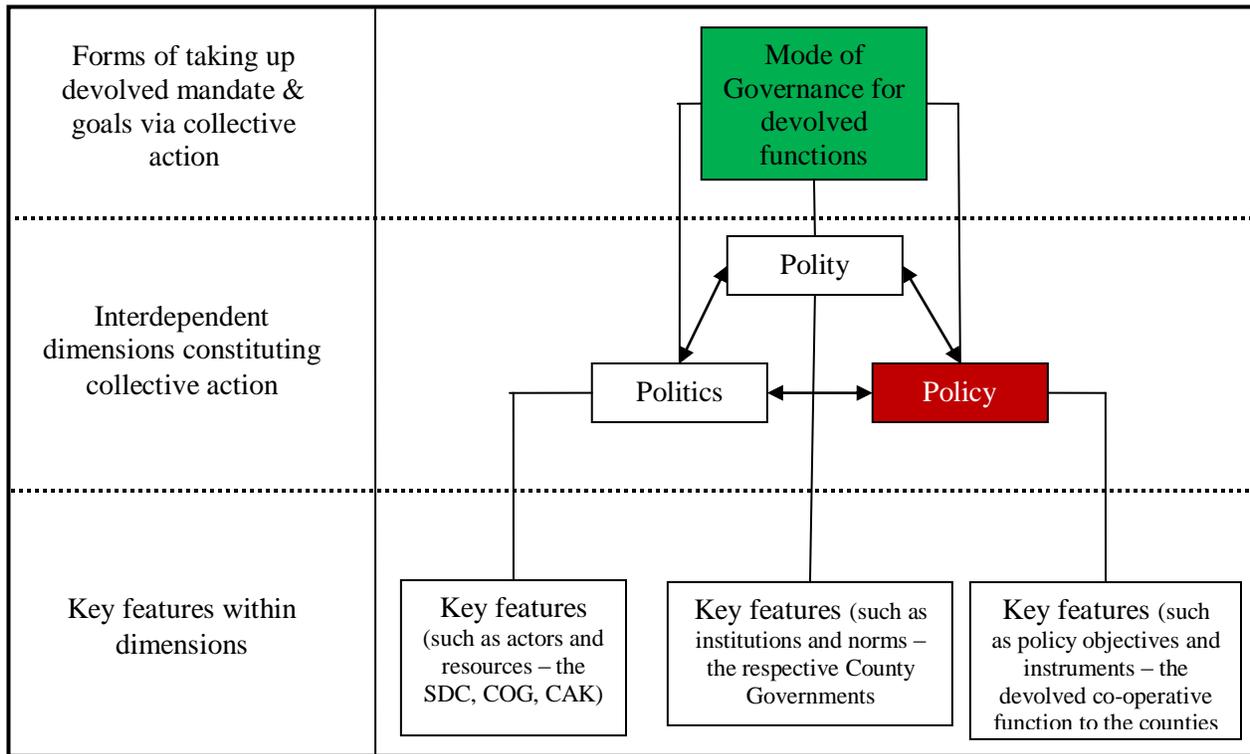[41] See also: Baker, 2009; Meadowcroft, 2007

Figure 4: The Triad Politics-Polity-Policy
Adopted from: Lange, et al., (2013)

More specifically, the politics dimension covers the process side of governance and refers to the actors and interaction processes inherent in a mode of governance. The polity dimension denotes the structural side of governance understood as the institutional 'rules of the game' that shape the interactions of actors. The policy dimension encompasses the content of governance, policy formulation and implementation and thus the objectives and instruments of political steering (ibid. p.409).

It is therefore recommendable for those working on facilitating transitions towards co-operatives development policies, to create the necessary linkage between activating governance for sustainable development – through the MLP and TM approaches – and the consideration of and 'intervention' on the triad dimensions as described by Lange, et al., (2013) and Van Leeuwen and Van Tatenhove (2010). See Table 3.

Table 1: Triad Interlinkages, description and interventions

Triad Interlinkages	Description and interventions
polity-politics interlinkage	The interlinkage defines the political playing field and participation of relevant stakeholders. In there, the institutional architecture (the transition arena), for instance, determines the actors and levels involved in governance processes (transition agenda), as well as the division of power resources. This interlinkage is two-sided: on the one hand, politics is embedded in the polity; on the other hand, changes within the political arena can provoke alterations in the 'rules of the game'. The facilitators of the process should therefore conceptualize the complexity of the situation and identify institutions and stakeholders (responsible actors and their specific competencies and capacities) that are significant for a successful development and implementation of co-operative development policy.
Polity-policy interlinkage	The interlinkage determines the institutional setting of policy formulation and implementation. Polity represents the rules and procedures through which policy-making is performed. Again, there is a two-sided relationship since variation in the policy process can lead to change in the institutional setting and vice versa. In essence, this is horizontal policy integration and coherence between different sectors and policy arenas. The facilitators of the process should therefore investigate if the effectiveness of the modes of governance could be improved through the creation of coordinating institutional structures and policy instruments.
Politics-policy interlinkage	The interlinkage denotes, for example, the potential of state and non-state actors in a governance arrangement to actively participate in policy-making. In essence, this is vertical policy integration between different institutional levels. The facilitators should therefore assess those actions that could be most effectively implemented at different governance levels, supported by coordinated actions of different institutional levels and stakeholder groups, and how they affect synergies.

The specific lessons to be highlighted for this understanding of county co-operative policy and legislative framework development are mainly three. First, profound understanding of the politics-polity-policy dimensions and especially the linkages between them is important. Secondly, conceptualisation of politics-polity-policy dimensions offer a general systemic perspective over the complexity of policy formulation and governance for sustainable development that needs to be taken into consideration and, at the same time, to facilitate the development of a common ground when some kind of intervention or steering initiatives are necessary. Finally, in the context of transition, when the co-operative development policy goal is that of facilitating a sustainability transition – the radical change of society in the direction of sustainable development – transition (MLP and TM) approaches will be very helpful if they address all three dimensions of politics, polity and policy.

In fact, Kenya's transitions are co-evolutionary processes where different levels influence each other, and this valuable framework of developing co-operative policy framework and governance for sustainable development builds on a system of the three dimensions (politics-polity-policy), and their influencing behaviours. Thus, transformative approaches can be applied in this direction, where the MLP and TM approaches are meaningfully paired and try to impact those three dimensions. Facilitators of the process should holistically understand and support Devolution TMC Cycle, in respect to development of County co-operative policy and legislation framework.

4.2 Engraining 'transformative systematic thinking' on co-operative breakthroughs in the policy framework is essential

Co-operative stakeholders are increasingly understanding that, sustainable development is becoming a mainstream priority for a growing co-operative movements and, in the process, for the increasing co-operative enterprises. With the global trends and transitions, sustainable development is no longer going to be "simply" a matter of reputation and trust of co-operatives, but long-term competitive advantage, security and survival of co-operative enterprises. In Kenya's case, co-operatives have watched in growing trepidation as market insurgents (such as

self-help groups and small and medium companies) launch new contributions in the sustainable development opportunity space, with the potential to disrupt co-operatives' relevance and growth. The co-operatives and stakeholders must now learn to think differently – and act accordingly. Co-operatives (as a business model) need to shift from incremental to exponential change.

To be a greater breakthrough business model from today to the future, co-operatives need policy frameworks that catalyses their new ways of thinking– alongside their values, principles, and practice. Specifically, there is continuous need for co-operatives policy and legislative framework that enables co-operatives and their actors to think exponentially more social, lean, integrated, and circular[42]. This will create the windows of opportunity (see Teece, 2010)[43] for co-operatives to be sustainable business model in order of the ICA Vision 2020.

Table 2: Systemic Thinking of Co-operative Enterprises for Continuous Breakthrough

Think Sustainably
Co-operative leaders and officers now know that the "rules of the game" are about to change faster than at any time in their working lives. They must undergo a radical re-invention, involving defragmentation and re-capitalization, if they are to tackle their current weaknesses, internal competition and identity misperception.
Think Exponential
As co-operatives leaders and officers learn to Think Sustainably, they will also need to learn to Think Exponential (Think X). In the same way they once looked to donors and governments for evidence of where markets were headed, they must now engage a very different set of players. These new players are not happy with 1% or even 10% year-on-year improvements, instead pushing towards 10X – or 10-fold – improvements over time. In Thinking X, co-operative business leaders and managers need to think of four key domains where the exponential agenda is already playing out. This dimension is now being signalled by both the direction being taken by the disruptive businesses emerging from such forms as self-help groups and small and

[42] https://volans.com/wp-content/uploads/2016/09/Volans_Breakthrough-Business-Models_Report_Sep2016.pdf
[43] Teece, D., (2010). Business Models, Business Strategy and Innovation. *Long Range Planning, 43, 172-194.* www.businessmodelcommunity.com/fs/root/8jig8-businessmodelsbusinessstrategy.pdf

medium companies; and by the level of ambition evidenced in the SDGs and Conference of Parties (COP) 21[44] on climate agreement.

Think Exponentially Social	**Think Exponentially Lean**
Breakthrough business models will be social, delivering both financial and extra-financial value through positive impacts for people – in the present and in the future.	Breakthrough business models will be lean, optimizing the use of all forms of capital, from physical and financial through human and intellectual to social and natural.
Co-operatives' business model must continually deliver financial and extra-financial value by generating positive social impact. In the process, co-operative leaders must ensure they do not undermine other key societal priorities. Co-operative businesses are social to a higher degree already than other model, in that they are member-owned, employ and serve people. But for the SDGs to be achieved, co-operatives must recognize, operate and thrive more by contributing to a healthier, safer and better educated populace as a direct result of their businesses.	Co-operatives' business models must build on this momentum, using resources effectively, creating no waste and maximizing value across entire value networks. They must optimize value creation across all forms of capital, from conventional forms like physical and financial capital, through newly understood forms like human and intellectual capital, to tomorrow's understanding of social, cultural and natural capital. They will need to generate market-relevant value without depleting extra-financial capital.
Think Exponentially Integrated	**Think Exponentially Circular**
Breakthrough business models will be integrated, managing financial and extra-financial value creation across economic, social and environmental systems.	Breakthrough business models will be circular, sustaining inputs and outputs at their highest value in both technical and biological cycles.
Co-operatives businesses will need to continually integrate the understanding of the	Co-operative businesses must equally strive to become completely circular, their operations designed to sustain products, components, and

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[44] https://unfccc.int/resource/docs/2015/cop21/eng/10.pdf

needs of both the present and future generations, for multiple capitals and across entire value networks. This entails measuring and managing the financial and extra-financial impacts of a co-operative's value creation processes. This, in turn, will involve re-examining externalities – positive and negative, tangible and intangible – and internalizing them in many cases. Integration, here, means that by succeeding as a business, a co-operative create restorative value for society and the environment, while seeking to eliminate any activities that undermine their ability to thrive both today and into the future. It also means an active consideration of how system level operating conditions can be changed for the better.

material inputs and outputs at their highest utility and value at key points in the cycle[45]. Critically, the circular economy concept distinguishes between technical and biological cycles. Co-operatives business should neither create waste, nor undermines essential sectoral cycles (waves of agriculture, industrialisation and information technology), or wider ecological and social systems that are continually evolving.

Source: Adopted from Teece, 2010

4.3 Conclusion

Critically, the SDGs, with their 2030 milestones, require a new mind-set – a sustainable and an exponential mind-set – and, in turn, a re-tooling of co-operative business model. Co-operatives need to be sustainable even in socio-political transitions to contribute to sustainable development. To develop sustainable co-operatives for sustainable development from County level, transformative co-operative policy and legislative framework or instruments would be important, during such transition (i.e. change of politics – political processes like new constitution – and polity – institutional structures like introduction of county governments) phase. This paper, thus, develops the following interlinkage framework of co-operatives

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[45] Ellen MacArthur Foundation website: https://www.ellenmacarthurfoundation.org/circular-economy/overview/concept

development for sustainable development, with transformative policy as the moderating variable (see Figure 4). Further empirical researches may be carried out with this perspective.
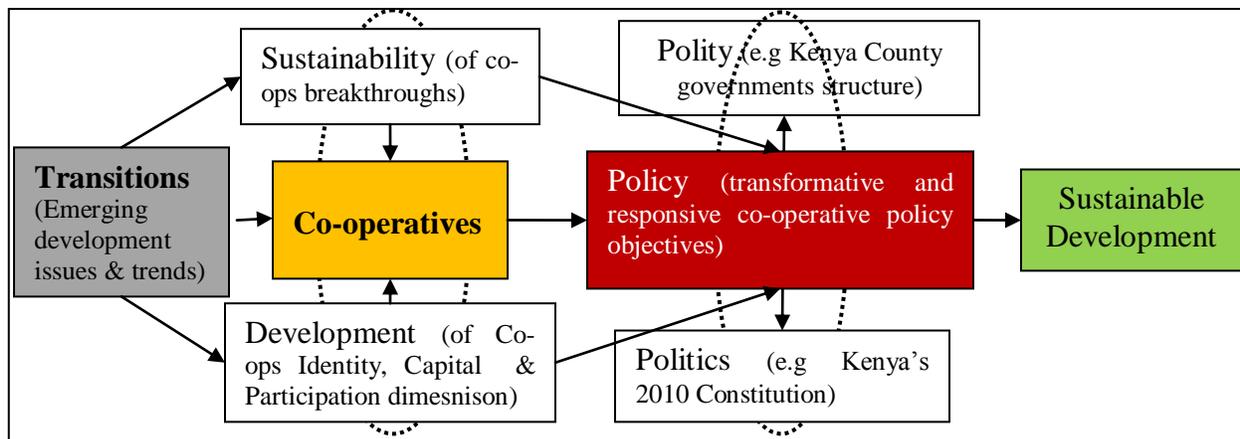

Figure 5: A Proposed Framework for Development of Transformative Co-operative Policy in Transition
Source: Deduced from Fig.1, Fig.2 and Fig.4

A transformative and responsive county co-operative policy and legislation will enhance a new vision on the treatment of resources and energy by county and national governments. This will lead to new ways of value creation and entrepreneurship in the co-operative movement. This, in turn, will enhance co-operative movement's continuity in the use of resources and business strategies that support a new system of value creation in various economic sectors. This will in turn continuously facilitate co-operative enterprises' ambition to gain value and manage resources in the short and long term, thereby adding value to ecological and societal systems, which is the essence of sustainable development.

However, to deeply address co-operatives policy and legislation development, in regard to "politics-polity-policy" triad, with the lens of sustainability transitions for sustainable development, in such context as Kenya's; there is need for further research, analysis and continued discussion among both the co-operative researchers, practitioners and policy makers.

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