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NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

Article 10 of the Kenyan Constitution provides for the National Values and Principles of Governance that bind all state organs, state officers, public officers and all persons whenever any of them:

- a) applies or interprets the Constitution;
- b) enacts, applies or interprets any law; or
- c) makes or implements public policy decisions.

The Constitution of Kenya under Article 10(2), highlights the following National Values and Principles of Governance as follows:

- a. Patriotism, National Unity, Sharing and Devolution of power, The rule of law, Democracy, Participation of the people;
- b. Human dignity, Equity, Social justice, Inclusiveness, Equality, Human rights, Non-discrimination, Protection of the marginalized;
- c. Good governance, Integrity, Transparency, Accountability; and
- d. Sustainable development

National Values and Principles of Governance Explanation as follows:

1. Patriotism (Uzalendo)

Refers to love, loyalty, selfless service, sacrifice for, protection of and devotion shown to one's nation.

Patriotic public servants will serve the public with dedication and a sense of pride. They will protect and use the available limited resources to promote national interests as opposed to individual interests (selflessness).

2. National Unity (Umoja wa Kitaifa)

It is a state of oneness which results from shared values, vision, purpose and aspirations irrespective of the ethnic, cultural, economic, and religious or any other superficial status while recognizing diversity.

National unity is the decision to appreciate and work with others in pursuit of common goals. "**One Kenya, One People**", It is promoted through;

Recruitments, appointments and deployments that reflect the face of Kenya;

Through implementation of integrative programmes that promote appreciation of cultural diversity; and fairness in the regional spread of infrastructure and services inspire a sense of being one for all citizens.

Kenyan's face as a Nation.

3. Sharing & Devolution of Power (Ugavi na Ugatuzi Mamlaka)

Sharing and Devolution of Power is a governance environment in which power, political, economic and social resources are distributed between the national and county level governments. It empowers people at the grassroots to make decisions on matters that affect them.

It's achieved through capacity building programs for counties.

4. Rule of Law (Utawala wa Sheria)

Refers to the supremacy of the law and equality of all persons before the law. It is the legal maxim that each citizen and person within the state should respect and observe the law.

Demands that making and implementation of public policy decisions be done within the law; To enhance observance of the rule of law by all stakeholders, rules and regulations should be effectively communicated to all concerned; and

Due process must always be adhered to in the procurement and delivery of public goods and services.

5. Democracy & Participation of the people (Demokrasia na Ushirika wa Watu)

Democracy is a culture in which all citizens exercise direct and equal participation in the running of the affairs of their country.

Participation refers to involvement of all people in making decisions which ensures mutual respect and encourages shared responsibilities.

This may be realized through:

- Stakeholder consultations;
- Effective information sharing with the public via appropriate media platforms

6. Human Dignity (Hadhi ya Binadamu)

Human dignity is honor bestowed on individuals and people, and the upholding of their individual rights as spelt out in the Constitution and the Bill of Rights regardless of one's status (Article 28).

It is idea that all human should be treated with love/respect since they are human regardless of class, race, gender, nationality, sex, education, religion etc.

It is manifested in the humane and ethical services rendered to an institution's clients and staff. Services that enable citizens acquire descend habitation and livelihoods promote human dignity.

7. Equity (Usawa)

Equity refers to the quality of being fair and impartial. It is treating people and regions in such a way that the outcome for each can be the same; People and regions with different circumstances need to be treated differently.

Manifested in the equitable sharing and distribution of resources and opportunities.

Equity requires that benefits from a common pool should reflect levels of need, with needier people getting more allocation.

8. Social Justice (Haki ya Jamii)

Refers to the enjoyment of the rights that enhance the wellbeing of individuals in all aspects of their interaction with one another and promotes solidarity.

It entails:

- fairness in service delivery, and
- distribution of wealth, opportunities, and privileges within a society.

For organizations, this may entail actions taken under the principle of Social Cooperate Responsibility.

9. Inclusiveness (Uhusishwaji)

Inclusiveness refers to affording all people an opportunity to participate in activities including decision making, on matters that affect their life.

At the organizational level, inclusiveness makes people feel valued and inspires them to function at a higher capacity.

This will ensure that marginalization is eliminated and that every person will be given a chance to make his or her contribution to the society's development agenda.

It is manifested during recruitments for employment or constitution of teams for performance of tasks using a selection criterion that takes into account diversities within the population.

10. Equality (Ulingano)

Refers to treatment of everyone with equal measures irrespective of their status such as gender, religion, social class, tribe or race.

It also refers to being regarded of equal status in all matters involving rights of individuals and people groups.

It is manifested in open processes of sharing benefits using a common criterion.

This means social services should be fairly distributed in the county to address the needs of all people.

11. Human Rights (Haki za Binadamu)

Human rights refer to God given inherent, inalienable liberties and entitlements to be enjoyed by all people and upholding of their rights as spelt out in the constitution.

They include:

- i. the right to life,
- ii. freedom of expression,
- iii. right to health,
- iv. descend housing,
- v. freedom from hunger,
- vi. social security,
- vii. right to education,

- viii. right to development and
- ix. self-determination.

The obligation to protect requires the State to protect individuals and groups against human rights abuses.

12. Non-Discrimination (Kutobagua)

Non-discrimination is offering services and taking care of all persons without bias.

During recruitments, advertisements need to be placed in accessible formats and media to reach all categories of people.

Location of development projects and service access points need to be objective and to evenly cover all parts of the country.

13. Protection of the Marginalized (Kulinda Kundi Lililotelekezwa)

Being marginalized refers to being separated from the rest of the society, and not being at the center of things or being structurally disadvantaged through exclusion.

Marginalized communities must be protected from unfair competition from the rest of the society.

Protecting the marginalized may mean making extra allocation of funds, lowering access qualification or easing processing paths for the marginalized through affirmative action.

The Equalization Fund (**Article 204**), Youth Enterprise Fund, *Uwezo* Fund, and AGPO are some of the key initiatives in Kenya to address the issue.

It is a deliberate consideration of the weaker members of the society

14. Good Governance (Utawala Bora)

Refers to having systems and structures through which the exercise of power and authority can be controlled or held to account.

It also refers to the prudent management of institutions and resources by those entrusted with the responsibility of overseeing them.

It's manifested through frequent review meetings with staff and stakeholders.

15. Integrity (Uadilifu)

Integrity is the strength and firmness of character, a sense of honesty and truthfulness in regard to the motivation for one's actions.

It refers to consistently doing what is right, no matter the circumstances; and the consistency between what one believes, says and does.

It provides the will to refuse to engage in behavior that is corrupt, that evades responsibility, and that is morally questionable.

An institution of integrity will support the **enforcement** of all provisions in policies, regulations, codes of conduct/ethics and legislation.

16. Transparency and Accountability (Uwazi na Uwajibikaji)

Transparency refers to the requirement to share information and act in an open manner.

Accountability is taking responsibility for one's actions and conduct, as well as in the management of public resources.

It may be expressed in:

- a) Automation of processes,
- b) Peer review forums,
- c) Documentation of decisions,
- d) Issuance of instructions in writing, and
- e) Signing of documents, correspondences, instructions and decision letters,

17. Sustainable Development (Maendeleo ya Kudumu)

Sustainable development refers to the pattern of resource use that meets the needs of the present without compromising the ability of future generations to meet their own needs.

This is demonstrated through:

- a) optimal utilization of locally available resources and opportunities in national development,
- b) establishment and implementation of proper succession plans and
- c) implementing capacity-building and mentorship programs,

National Values:

National values are beliefs of a nation guiding the attitudes, actions and behavior of its citizens.

Principles of Governance:

These are normative standards that oblige the state to perform its functions in a manner that promotes the general well-being of the people.

Article 232 of the Kenyan Constitution provides for the values and principles of public service. They include-

- (a) high standards of professional ethics;
- (b) efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable
- (c) provision of services;
- (d) involvement of the people in the process of policy making;
- (e) accountability for administrative acts;
- (f) transparency and provision to the public of timely, accurate information;

(g) subject to paragraphs (h) and (i), fair competition and merit as the basis of appointments and promotions;

(h) representation of Kenya's diverse communities; and (i) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of--

(i) men and women;

(ii) the members of all ethnic groups; and

(iii) persons with disabilities.

(2) The values and principles of public service apply to public service in--

(a) all State organs in both levels of government; and

(b) all State corporations.

Conclusion

National Values and Principles of Governance provide the minimum standard that public officers should respect in their interactions and provision of services to the citizenry.