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The politics of social protection in Kenya: State capacity, political competition and social pension registration in Marsabit County

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Abstract

In 2017, the government of Kenya extended its provision of social assistance to the elderly through the transformation of the older persons cash transfer into a social pension which provides cash transfer to those aged 70 plus. This paper examines the process of beneficiary registration for the nationwide social pension, with an explicit focus on registration in Marsabit County in Northern Kenya. Engaging with the state-in-society framework, which emphasises the relational nature of state power and state capacity in registering beneficiaries, the paper explores the challenges and possibilities of registration of a nominal 'universal' pension in a marginal and peripheral county with limited state infrastructure. Pressure from the national government to register potential beneficiaries with little facilitation within one month preceding the highly contested 2017 national election forced local government officials in peripheral counties like Marsabit to work within the challenges and constraints of the social development office to register beneficiaries. We argue that the state prioritised the visibility of the registration process prior to a contentious election. In doing so, the registration was more successful in achieving visibility than universality in the registration process. Limited resources and weak state reach limited the state's ability to register all eligible beneficiaries in the vast pastoral county of Marsabit. The process of registration relied heavily on local leaders, including chiefs, clan elders and clan leaders, to overcome human resource constraints, potentially throwing into question the transparency of the process. To make this argument, we examine the social pension registration process in 2017 in Marsabit County. We utilise qualitative data collected across six months in 2018, including key informant interviews and focus group discussions with government officials, community leaders, politicians and beneficiaries. In making this argument, we engage with ongoing debates on universal versus targeting social protection programmes, highlighting the challenges of registration in a peripheral county in Kenya, with a high percentage of pastoral populations.

Keywords: social protection, social pension, social cash transfers, universal social protection, infrastructural power, state legitimacy, Marsabit County, Kenya

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Introduction

In 2017, the government of Kenya transformed one of its four established cash transfer programmes, the Older Persons Cash Transfer (OPCT), into the Inua Jamii social pension. During the budget speech on 30 March 2017, Treasury Cabinet Secretary Henry Rotich announced that the social pension would provide a monthly stipend and health insurance coverage through the National Health Insurance Fund (NHIF) to all elderly persons aged 70 and above (Neondo 2017; Burrows 2017).[1] The time between the announcement of the tax-financed social pension and the registration of potential beneficiaries was short. In July 2017 – the month prior to the highly contested August 2017 general election – the government of Kenya, through the Department of Social Development, conducted a mass registration exercise. To be registered, each potential beneficiary was required to present their national ID card and that of a caregiver who would be eligible to receive the stipend on their behalf, in case of illness or injury that prevented personal collection of funds. As political campaigns continued prior to the election held on 8 August 2017, mention of the social pension and the ongoing registration process was frequent: the social pension was held up as evidence of the incumbent Jubilee government's commitment to supporting the elderly nationwide (Porisky 2020).

Despite the timing of the social pension registration, a universal social pension had been discussed by government official and development partners since 2016, as a way to reduce targeting errors, increase government ownership over the programmes and expand the government's support for the elderly population (Mbaka 2019).[2] Indeed, the social pension was initially framed as a universal pension, which would cover every Kenyan citizen aged 70 and above, regardless of income status (Tran et al. 2019). The initial round of registration reflected these universal aspirations, with civil servants responsible for the registration exercise at the local level instructed to register every person aged 70 and above who was not already registered in another government cash transfer programme. However, as a result of higher-than-expected registration numbers, during the subsequent verification exercise, anyone who was registered for a public or private pension scheme was excluded from receiving the social pension (KiPPRA 2018; SAU *n.d.*). Despite these exclusions, the Inua Jamii social pension has widely been referred to as a universal pension, both by the government and development partners (MLSP 2020; Tran et al. 2019; Chirchir and Tran 2019; World Bank 2019).

Central to the debates over universal versus targeted social assistance have been questions of ideology, affordability and inclusion. Targeted schemes are often justified

[1] Although, NHIF services were supposed to be automatically provided to social pension beneficiaries according the national government, an interview with NHIF official revealed that 'due to some unknown reason, some elders who were benefiting from NHIF have been deregistered due to de-scaling of the [NHIF] programme, so there has been complaints on why some beneficiaries were de-scaled to [become] self-registered [for health insurance]' (interview with a NHIF official, Marsabit County, 2018).

[2] Interview with a government official, Nairobi, 2017; see also Help Age International 2012.

on the basis of ensuring that limited state resources reach the poorest of the poor and are viewed primarily as a tool to reduce poverty (Mkandawire 2005). Tax-financed targeted programmes can also be easier to sell to middle- and upper-class citizens whose taxes finance non-contributory programmes (Desai 2017). Proponents of targeting tend to be optimistic that better data and technological advances, including electronic registries, will improve targeting procedures over time (Yemtsov 2016).

In contrast, critics of means-tested programmes have pointed to the high administrative costs associated with targeting and the considerable state capacity required to effectively conduct targeting (Mkwandawire 2005; Coady et al. 2004; Slater and Farrington 2009). Critics have also pointed to the presence of significant targeting errors, including inclusion errors (participants are included within the programme who do not meet the programme criteria) or exclusion errors (participants who should be included are excluded from the programmes). In a study of 122 targeted social assistance programmes around the world, Coady et al. (2004: 2) found that targeting in 25 percent of those programmes was regressive, meaning that 'a random allocation of resources would have provided a greater share of benefits to the poor'. As such, targeting can create conflict within communities over the results of targeting (Kidd 2016).

Universality has thus been widely touted as an effective means to remove targeting errors, ensure a 'uniform provision' of benefits and thus provide 'meaningful protection' to all citizens (Guve and Leite 2016: 4). The choice between universal and targeted programmes is also an ideological one. As Mkandwire (2005: 7) argues, 'the preference for targeting is thus often a reflection of the residual role assigned to social policy' and the 'assumption that social policy is only about poverty eradication, whereas in many cases it has other objectives, such as national or social cohesion, and equity'. Universal social policies can provide the foundation for social rights, national equity and inclusive citizenship (Savchuk 2012; Mkandawire 2005). However, even proponents of universalism often acknowledge that the choice between universal and targeted approaches is not singular. Countries will often embed both universal and targeted aspects into cash transfer programmes, with decisions over universality impacted by the political and economic context in which programmes are implemented (Hanna and Olken 2018).

However, universalism is not a panacea – even nominally universal programmes raise questions over who is able to register for and access the benefits of universal programmes. As Guven and Leite (2016: 15) argue, 'in practice, universal social pensions are likely to miss those who need cash transfers the most, the poorest'. The poorest of the poor are more likely to lack access to necessary identification documents, have less access to information about programmes and live in remote areas with limited access to government offices (Guven and Leite 2016). This paper thus brings this literature on universalism and targeting into conversation with the literature on policy implementation and highlights both the possibilities and challenges of registration, even within nominally universal programmes.

In theory, the implementation of social assistance programmes, including the Inua Jamii social pension, is meant to be uniform across the entire country. There is a set of formal guidelines for implementation, developed at the national level by experienced personnel, which are meant to be uniformly applied across counties and sub-counties by a trained set of civil servants, whose performance is supervised and evaluated. As such, whether implemented in the highlands of central Kenya or the arid grasslands of the North, all aspects of implementation, including registration, enrolment, payment and complaints and grievances, are expected to be uniform, in order to provide equitable opportunities to potential beneficiaries. However, unlike the other government-implemented cash transfer programmes in Kenya, precise guidelines for registration for the social pension were less formalised. This was partly due to the assumption that, in comparison to the existing cash transfer programmes in Kenya, which are highly targeted, a nominally universal programme, such as the social pension, would require less oversight over registration procedures, as the goal was to register every person who met the minimum age requirement and was not already enrolled in a cash transfer programme. As suggested in the literature, there was an implicit assumption that universality as a condition would reduce errors in the registration process and limit possibilities for corruption (Standing 2008).

This paper examines the registration process for the social pension in Marsabit County prior to the 2017 election. It draws on research conducted as part of a broader research programme on the implementation and impacts of social cash transfers across Kenya. In providing a focused examination of a particular programme (the social pension), a specific aspect of implementation (targeting) and a single county (Marsabit), this paper will provide a nuanced examination of the challenges of the targeting of social cash transfers in low-capacity settings and highly competitive electoral environments. This paper argues that the visibility of the social pension was prioritised over uniform registration procedures. We find that, contrary to official guidelines, registration relied heavily on community leaders, including chiefs, village elders and clan leaders, which resulted in a lack of transparency over the registration procedures, and local perceptions that decision-making was dominated by local actors. This paper argues that this lack of uniformity in the implementation of the social pension across counties was the result of two interrelated factors: weak state capacity; and pressures from the central government to register beneficiaries before the heavily contested 2017 national election. While other counties faced similar constraints, as will be discussed further throughout the paper, the historical marginalisation of Kenya's arid North has resulted in limited state capacity, with unique implications for the implementation of even nominally universal programmes. In making these arguments, the paper will draw out of the implications for the implementation of social pensions and other cash transfers across Kenya, but also across other countries in the region (see Porisky 2020; Lavers 2020; Williams et al. 2020).

State-in-society framework

The existing literature on policy implementation demonstrates that the existence of policy does not guarantee that it will be effectively or uniformly implemented.

Implementation is not solely a top-down administrative process, through official channels and guidelines. As Ewig and Palmucci (2012: 2491) note,

> 'one cannot assume that policies will simply be implemented as originally designed, nor is the process of implementation a linear one from policy passage to simply successful or unsuccessful'.

Rather, implementation is a highly political process that requires attention to both the actors and the formal and informal channels through which policies are implemented. This includes consideration of the complex interactions between various actors, and the political interests, resources and ideas which might drive variations in implementation across contexts (Berman 1978, May 2003; Paudel 2009).

This paper thus draws on Migdal's (2001) state-in-society framework to understand how variations in state–society relations and state capacity might impact the implementation of social policy. Migdal (1988; 2001) emphasises that understanding the state requires an almost paradoxical view of the state, which acknowledges that it at once acts as a unified, clearly bounded actor, but that it is also composed of disparate actors with their own set of goals. To view the state simply as a unitary actor, with clearly defined goals, risks 'over-idealizing its ability to turn rhetoric into effective policy' (Migdal 2001: 23). Rather, the multiple organs of the state and society are involved in an ever-evolving negotiation over authority, which includes the ability to shape and implement policy. These negotiations are shaped by the objectives and interests of these competing actors, and occur at all levels of interaction and engagement between the state and society, from the national down to the community level (Boone 2003; Migdal 2001; Lavers 2017). Unlike conventional theories of the state, the state-in-society framework focuses on intra-state dynamics and captures the blurred boundaries between the state and societies. In doing so, it highlights how policy implementation is shaped not only by the state's formal bureaucratic rules and structures, but also by societal forces, and the multiple interactions between state and society. Thus, policies that are envisioned and enacted by bureaucrats at the national level may not be implemented uniformly across various sub-national contexts. The state-in-society framework thus highlights how sub-national variation in the evolving and complex interactions between state and society can shape the implementation of social policy at the local level (Migdal 1988; 2001).

Equally important for the effective implementation of social policy is the capacity of the state to make and enforce decisions. As a large extant literature highlights, this requires not only the bureaucratic capacity to implement policy (Evans 1995; Bukenya and Yanguas 2013), but the infrastructural capacity to exercise control over policy implementation across its entire territory (Mann 1984; Migdal 1988; Herbst 2000). Where there is limited state capacity for oversight and enforcement, top-down implementation of policy may result in outright rejection or co-option of the policies to meet the objectives of local actors (Khan 2010). Importantly, a state's infrastructural capacity is not necessarily uniform and sub-national variations in the state's capacity to exercise infrastructural control over its territory can shape the implementation of social policy at the local level (Soifer and vom Hau 2008; Mann 2008). This paper thus builds on the extant literature on state capacity and state–society relations, which emphasises the relational nature of state power and state capacity, to examine the registration process for the social pension within a peripheral territory.

Overview of cash transfers in Kenya

Prior to the introduction of the social pension, the government of Kenya, with the support of the World Bank, DFID and other development partners, had extended social assistance to vulnerable populations through the provision of four distinct unconditional cash transfers since 2004. Three of these programmes, the Cash Transfer for Orphans and Vulnerable Children (CT-OVC), Older Persons Cash Transfer (OPCT) and Cash Transfer for Persons with Severe Disabilities (PWSD-CT), operate nationwide, while the fourth programme, the Hunger Safety Net Programme (HSNP), operates only in the four northern counties (Figure 1).

Before the introduction of the social pension, the OPCT provided poverty-targeted support to vulnerable older persons aged 65 and above (Chirchir and Tran 2019). First piloted in 2006, the coverage of the OPCT was rapidly expanded after 2012 to reach approximately 23 percent of eligible households nationwide by 2017 (Tran et al. 2019). However, the programme's targeting effectiveness was low, with an estimated exclusion error of 50 percent of eligible households. A universal pension was seen as a way not only to reduce these targeting errors but also to expand the government's support for the elderly (Chirchir and Tran 2019).

In March 2017, the government of Kenya publicly announced the intention to introduce a nationwide universal social pension. During the national launch of the Inua Jamii social pension, the Principal Secretary for the Ministry of Labour and Social Protection noted that the social pension was rooted in the principle of inclusivity and backed by the Constitution of Kenya.[3] Similar to other cash transfers in Kenya, social pension beneficiaries receive a 2000 KES transfer per month. However, they also receive government health insurance through the National Health Insurance Fund (NHIF). When the programme was first announced, the criterion for inclusion was simple: anyone who met the minimum age requirement of 70 years old would be registered. Unlike the other cash transfer programmes, which are targeted at the household level, the social pension is targeted to individuals, meaning that only that one household member can benefit from the social pension (MLSP 2020).

[3] Despite the timing of the enrolment process, the possibility of a social pension had been discussed since 2016 as way to reduce targeting errors and increase government ownership over the programme.

Figure 1: Overview of cash transfers in Kenya

National Safety Net Programme	**Cash Transfer for Orphans and Vulnerable Children** *Acronym*: CT-OVC *Start date:* 2005 *Amount:* 2,000 KES per month *Funding:* Government of Kenya (94.3%) and DfID (5.7%) *Coverage*: 295,000 beneficiaries nationwide *Eligibility:* Poor households caring for orphans and/or vulnerable children
Older Persons Cash Transfer *Acronym:* OPCT *Start date*: 2006 *Amount:* 2,000 KES per month *Funding:* Government of Kenya (100%) *Coverage:* 310,000 beneficiaries nationwide *Eligibility:* Poor households with a member aged 65+ without other income source	**Hunger Safety Net Programme** *Acronym:* HSNP *Start date:* 2007 *Amount:* 2,700 KES per month *Funding:* DFID (63%), government of Kenya (26%), DFAT (11%) *Coverage:* 101,800 regular beneficiaries across the four drought-prone northern counties, plus 270,000 beneficiaries during emergencies *Eligibility:* Poor and vulnerable households
Persons with Severe Disabilities Cash Transfer *Acronym:* PWSD-CT *Start date:* 2011 Amount: 2,000 KES per month *Funding:* Government of Kenya (100%) *Coverage:* 34,000 beneficiaries nationwide *Eligibility:* Poor households with a member with a severe disability requiring 24-hour care	**Inua Jamii Social Pension** Acronym: N/A *Start date:* 2018 *Amount:* 2,000 KES per month *Funding:* Government of Kenya (100%) *Coverage:* 523,000 beneficiaries nationwide *Eligibility:* Aged 70+ and not benefiting from another pension or cash transfer

Sources: Authors' representation based on McKay et al. 2020; Chirchir and Tran 2019; Song and Imai 2019.

The programme is colloquially known as the '70-plus', in recognition of this minimum age requirement. The OPCT will continue to cover recipients between 65 to 69 years of age. However, no new recipients will be registered to the OPCT and beneficiaries will be transferred to the Inua Jamii social pension when they reach 70 years of age (Chirchir and Tran 2019; Tran et al. 2019). The government of Kenya effectively considers the two programmes as a joint programme and the social pension will eventually completely replace the OPCT. The Ministry of Labour and Social Protection's baseline evaluation of the social pension notes that the programme is the first ‘universal’ programme and calls it ‘Kenya’s flagship social protection programme’ (MLSP 2020: 12).

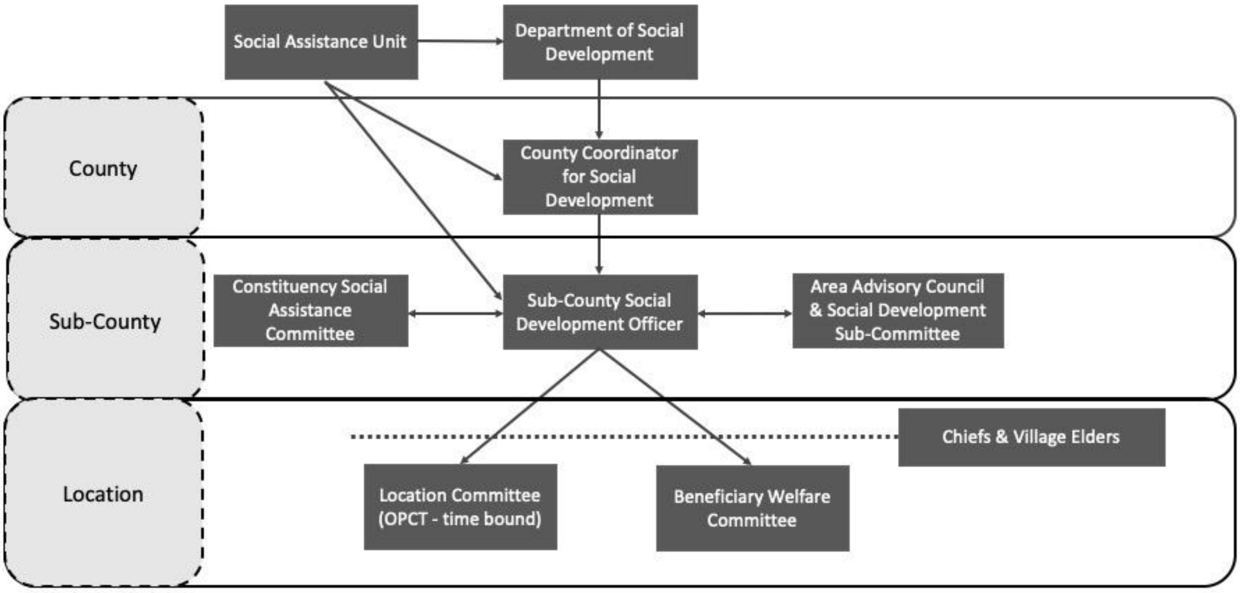
Implementation structures

Since 2015, the government of Kenya has coordinated all the cash transfer programmes, including the social pension, under one umbrella, the National Safety Net Programme (NSNP), with the goal of integrating cash transfers as part of a national social protection policy. At the national level, the Social Protection Secretariat (SPS) is responsible for the coordination of social protection policies nationwide, while the Social Assistance Unit (SAU) coordinates the implementation of the NSNP at the national level, and oversees targeting, registration, MI, payments, monitoring and evaluation, complaints and grievances and communications. However, at the county and sub-county levels, the CT-OVC is implemented by the Department of Children’s Services, while the OPCT, PWSD-CT and the social pension are implemented by the Department of Social Development, colloquially known as the Social Development Office (SDO) (Chirchir and Tran 2019).

At the county level, the County Coordinator (Social Development Officer, SDO) monitors the implementation of the OPCT and the social pension across all sub-counties. On issues related to the cash transfer, they coordinate directly with the SAU. Within each sub-county, sub-county Social Development Officers (SCSDOs) are responsible for the day-to-day implementation and oversight of the OPCT and the social pension. As part of their responsibilities, they help manage the Beneficiary Welfare Committees (BWCs) within each location, which operate to relay information about the programmes to the community at the local level, and provide an avenue for community members to relay complaints and grievances. The cash transfers are only one aspect of the SCSDOs’ duties.

The SCSDOs, alongside the sub-county children’s officers, also act as secretaries for the Constituency Social Assistance Committees (CSACs). Created in 2015, the CSACs are a relatively recent initiative, which have their origins in the Members of Parliaments’ demands for representation in the programs at the constituency level (Wanyama and McCord 2017; Wanyama and Nyambedha 2017). Nine out of the sixteen committee members are political appointees of the MP and Women’s Representative, while the remaining members are civil servants. Committee members receive a sitting allowance of 3000 KES to attend quarterly meetings. The committee’s mandate is to monitor and assist in program implementation and to “act as a link between the political leaders and the community” (Republic of Kenya 2017: 9). In practice, the CSAC members’ active participation varies considerably across constituencies (Kramon 2019; Porisky 2020). At the time of this research, the CSACs in Marsabit County were inactive. The CSACs had stopped meeting when the sitting allowances were no longer funded and, at the time of fieldwork, new CSACs had yet to be appointed by the newly elected MPs and Women’s Representatives (Porisky 2020).

Figure 2. Administrative structures for the OPCT and Inua Jamii social pension



Source: Authors' representation based on Republic of Kenya (2017).

The SCSDO supervises the cash transfers in multiple locations, which are further divided into sub-locations and villages. Chiefs, who are administrative employees of the central government rather than traditional authorities, are responsible for each location, with an assistant chief responsible for each sub-location (Porisky 2020; Osborn 2020). Village elders are elected by the community for each village and while the village elders are recognised by the central government, they are not formally renumerated. Particularly in rural locations, the chiefs are the representatives of the national government within the location, responsible for security and communicating government policies through public *barazas* (community meetings). The formal role of the chiefs within the cash transfers has been a subject of contention. While concerns over corruption in the Chief's Office reduced their formal role within programme implementation, the new operations manual released in 2017 provided the chiefs with an important role in providing security to programme officers, organising *barazas* and relaying information related to the cash transfers (Porisky 2020; Republic of Kenya 2017; Kramon 2019).

Registration and payment for the social pension

Registration for the social pension commenced in July 2017, a month before the scheduled national elections, with the expectation that the first payments would begin in January 2018. Formally, registration occurred through Social Development Offices at both the county and sub-county level, where Social Development Officers were given the mandate to register every person above the age of 70, who was not already enrolled in one of the NSNP cash transfer programmes. Social Development Officers were assisted by other offices, included the Children's Office, throughout the registration. Tablets were used to fill out electronic registration forms, which captured data for both the person being registered for the social pension, as well as an appointed 'caregiver', who could receive the money on their behalf. Potential beneficiaries and their caregivers were required to present their national IDs for verification and provide contact details. The registration for the Inua Jamii social pension represented 'a significant effort by the Government to shift from paper-based to electronic registration using Open Data Kit software and biometric identification' (Chirchir and Tran 2019: 4).

In July 2017, over a period of one month, over half a million people were registered for the social pension (Chirchir 2018). Chirchir and Tran (2019: 4) argue that this was accomplished through 'meticulous planning and effective mobilization of all departments within the Ministry and through mass media campaigns, with the national leadership deployed at regional levels to oversee the registration process'. However, as will be discussed further in this paper, the mass registration for the social pension placed significant strains on the capacity and resources of the local government offices. While all sub-county offices faced resource constraints, the infrastructural capacity of the state varies significantly across diverse counties, with implications for the central state's ability to implement policy (Porisky 2020). Social development offices were instructed to register everyone who meet program eligibility and were trained on how to use the tablets. However, beyond this, social development offices approached the mass registration differently based on their state infrastructural power (Porisky 2020).

During July 2017, one of the authors had the opportunity to observe the registration process for the social pension in a Mukurwe-ini sub-county in Nyeri. Early every morning, the Social Development Offices were filled with long lines of elderly people and their chosen 'caregivers' waiting with their national identification cards to register for the social pension. Every day, the social development officers, assisted by volunteers, interns and other government officers from supporting offices, such as children's services, worked tirelessly to register people for the pension. Using tablets, they entered the biographic and contact information of the potential beneficiary and their 'caregiver' and took photos of their identification documents.[4] While the majority of potential beneficiaries travelled to the sub-county offices to be registered, the officers also noted that they made efforts to travel to remote communities to conduct the registration exercise and ensure that everyone who met the age criteria had the opportunity to register (Porisky 2020). One of the sub-county social development officials noted that the central government had been planning the switch from a targeted to a nominally universal cash transfer for the elderly for quite some time, due to 'a lot of disgruntlement from community members', who had not been targeted for inclusion in the OPCT.[5] He further noted that the Ministry of Labour and Social Protection had even planned 'exchange tours to countries with universal targeting' in 2016.[6] However, the official further went onto explain that the timing of the registration 'wasn't very good but we had to do it'.[7] However, as this paper will illuminate, sub-

[4] Fieldnotes from Porisky's dissertation research, Nyeri County, July 2017.
[5] Interview with a sub-county social development official, Mukurewe-ini sub-county, Nyeri County, July 2017.
[6] *Ibid.*
[7] *Ibid.*

county offices in Marsabit had significantly less infrastructural power and thus had to creatively mobilise resources to ensure they met the goals of the mass registration programme within the limited timeframe.

After the electiong the Government began a lengthy nationwide verification process to confirm the eligibility of those registered during the July 2017 mass registration. This process also extended to the other cash transfer programmes, which went through a re-certification process to ensure that beneficiaries of the cash transfers met the programme eligibility. This resulted in a reduction of covered beneficiaries for both the CT-OVC, from 353,000 to 295,000, and the PWSD-CT, from 47,000 to 34,000 (McKay et al. 2020: 17). In June 2018, the government of Kenya began to provide monthly transfers of 2000 KES to 523,126 newly verified social pension beneficiaries (Derbyshire 2018; Chirchir and Tran 2019). However, contrary to the initial guidelines, those who were already benefiting from a government pension scheme, regardless of the monthly amount, were excluded from the social pension during the verification process. Payment structures for all the cash transfer programmes were updated in 2018. Previously, transfers were provided by two banks every two months, using biometric identification cards, which required recipients to travel to nearby towns to collect the money from specified bank agents. Now, transfers are automatically sent directly to beneficiaries' bank accounts. Beneficiaries can set up bank accounts at four select banks and can withdraw funds at any agent or via mobile phone (McKay et al. 2020). Registration for payment requires that social pension beneficiaries and their 'caregivers' provide biometric data, namely their thumbprint. Biometrics are used to ensure 'proof of life', whereas previously government officials were required to monitor deaths within their sub-county. Beneficiaries are required to provide 'biometric proof of life' in person at a bank every six months (McKay et al. 2020: 10). As a result, registration and payment requires not only national identification cards, but in-person biometric registration. A total of approximately 833,000 older people are currently covered under the OPCT and the Inua Jamii social pension, constituting approximately 60 percent of Kenyan citizens aged 65 and above and 77 percent of Kenyan citizens aged 70 and above (Chirchir and Tran 2019; KiPPRA 2018).

Research design and methods

Research design

This research is part of a larger study of cash transfer implementation across four diverse countries in Kenya, including Homa Bay, Marsabit, Nakuru and Nyeri counties. This broader research project examined the implementation of the OPCT, CT-OVC and Inua Jamii social pension and included a broader focus on all aspects of cash transfer implementation, including targeting, enrolment, payments, management of complaints and monitoring. This paper looks more specifically at a small sub-section of this broader research project – the registration for the social pension in Marsabit county.

The research was conducted in two out of four of the sub-counties in Marsabit: Marsabit Central and Moyale sub-counties. Within each sub-county, select locations (administrative units) were chosen for inclusion in the study.[8] Sub-counties and locations were chosen to ensure variation in key variables of interest, including ethnic diversity, political support and inclusion and accessibility. For example, the county headquarters are located in Marsabit Central sub-county, while Moyale sub-county is located further afield and shares a border with Ethiopia. This provided the opportunity to study both the impact of proximity to the county headquarters and cross-border movements on the registration for the social pension. Secondly, while Marsabit County is highly ethnically diverse, there is significant variation in the level of ethnic diversity between sub-counties and locations. Both Marsabit Central and Moyale sub-counties are the home to the Borana and Gabbra people, the most populous ethnic communities within the county. However, locations for research were chosen in part because of their variation in ethnic diversity.

Within Marsabit Central sub-county, two research sites were chosen. The first research site in Marsabit Central sub-county is a peri-urban multi-ethnic location inhabited by a mixture of communities, with the majority consisting of the Gabra and Borana. There are also significant populations from the Rendille, as well as a wide range of migrant groups, including Meru and Garre, who have increased in the recent past, due to business and employment opportunities brought about by the creation of the county headquarters in Marsabit town. The second research site is also a multi-ethnic location, which is inhabited by the Borana, Burji, Rendile, Gabbra and others, including Samburu, Somali, Konsos, Turkana and migrant ethnic communities. Among the migrants, the Meru are the majority, but there are also Kikuyu and Kamba, who came to Marsabit town to work or do business. The location is home to both Muslim and Christian populations.[9] In Moyale sub-county, three research sites were chosen (Table 1). The first research site in Moyale sub-county is a more diverse peri-urban location, with at least seven ethnic communities, each with sub-clans. The second research site is inhabited almost entirely by one ethnic community and has a high concentration of national and county political leaders, compared to other research sites.

Table 1. Summary of research sites

	Marsabit Central sub-county	**Moyale sub-county**
Location 1	Peri-urban, multi-ethnic, migrant groups, primarily Muslim population	Peri-urban, multi-ethnic, Muslim and Christian populations
Location 2	Multi-ethnic, migrant groups, Muslim and Christian populations	Single ethnic group, politically dominant and close to the border

However, the selection of sub-counties and locations for inclusion in the research was also influenced by practical concerns, including physical access and the security of the researchers. First, the entire county has limited transportation infrastructure, with a

[8] The names of the locations are not included in this paper, in order to protect the anonymity of research respondents.
[9] Interview with a community leader, Marsabit Central sub-county, Marsabit County.

single paved highway connecting Isiolo County to Marsabit County. Moreover, the research was conducted over a period of five months, from April to September 2018. In Kenya, the period of heavy rains generally starts in April, and 2018 saw particularly heavy rains in parts of Marsabit. Given the limited road networks, this rendered large parts of the county inaccessible by road. This was particularly true in Laisamis and North Horr sub-counties, where many roads were impassable, due to heavy rain and flooding. Marsabit Central and Moyale sub-counties were more accessible, as the key towns within these sub-counties are linked by the main highway. Nonetheless, within the county, accessibility challenges faced by researchers in both Marsabit and Moyale sub-counties were countered by conducting a third phase of fieldwork in September 2018, after the heavy rains, which enabled access to more remote locations that were difficult to access during the first two phases of fieldwork. Secondly, security concerns impacted the choice of locations within these sub-counties. Security was a major consideration, especially in Moyale sub-county, where there are frequent, violent clashes between ethnic communities. Moreover, Moyale town is located on the border between Ethiopia and Kenya. There are frequent skirmishes along the border, which at times escalate into violence. These security concerns limited the researchers' ability to travel and required them to travel only during daylight hours. As such, the research in Moyale was conducted close to the town, to ensure the safety of the researchers. However, to ensure representation from more remote areas, research participants located outside the town were invited, through fieldwork facilitators and key informants, to a safe place for interviews. Thus, while research was conducted close to town, public transport was organised for elders, community leaders and beneficiaries to come from more remote locations to participate in focus group discussions and case studies.

Methods

The broader research programme traced the implementation of the CT-OVC, the OPCT and the Inua Jamii social pension. The research presented here draws on the interviews and focus group discussions focused on the OPCT and social pension. As shown in Table 2, a total of 32 interviews were conducted at the county, sub-county, location and village level. This provided the opportunity to gain the perspective of national government officials, political appointees, local government officials, community representatives and ordinary citizens. At the county and sub-county levels, interviews were conducted with government officials in the social development offices and political appointees serving on oversight committees for the cash transfers. At the location level, interviews were conducted with local committee members, chiefs and village elders involved in the implementation of both the OPCT and the social pension. The interviews were semi-structured, to allow for uniformity across research sites, but also to allow the room to ask follow-up questions relevant to the local context.[10]

[10] Interviews were most often conducted in Borana, and to a lesser extent English and Kiswahili. Most interviews were recorded, with the consent of the respondents. To cope with the insecurity on the ground, interviews and discussions were often conducted in public places, including hotels and schools. Where necessary, research participants were provided with the bus fare to meet the researcher in a safe place.

Table 2. Interviews

	Marsabit Central	Moyale	Total
Government officials	2	1	3
Chiefs and assistant chiefs	4	4	8
Village and clan leaders	4	4	8
Politicians and political appointees (CSAC)	3	2	5
Local committees (BWCs, LOCs, etc.)	4	4	8
Total	17	15	**32**

During fieldwork, validation of registered beneficiaries for the social pension was still in progress. Final beneficiary lists had not yet been confirmed and potential social pension beneficiaries had not yet begun to receive payments. As such, and given that the research programme focused on the cash transfers programmes more broadly and not just the social pension, focus group discussions with beneficiaries included individuals who had been benefiting from OPCT and/or registered for the social pension. Focus groups with non-beneficiaries included individuals eligible for the social pension (aged 70 and above), but who were not enrolled in any government cash transfer programme or who were not receiving the cash transfer due to technical issues associated with their registration, such as having their name missing from the payroll or double registration. A total of ten focus group discussions were held (Table 3). Both the interviews and focus group discussions conducted collected data on both the OPCT and the social pension.

Table 3. Focus group discussions

	Marsabit Central	Moyale	Total
Female beneficiaries	1	1	2
Male beneficiaries	1	1	2
Female non-beneficiaries	1	1	2
Male non-beneficiaries	1	1	2
Mixed (M/F) beneficiaries	1	1	2
Total	5	5	**10**

The fieldwork was divided into three phases, which provided the opportunity to ask follow-up questions and gain feedback on gaps in interviews and focus group discussions. Phase 1 fieldwork took place in Marsabit Central, phase 2 in Moyale County, and phase 3 was reserved for follow-up interviews in both counties. Interview questions focused on understanding the processes of implementation for the OPCT and the social pension. Most relevant for this paper were questions about registration processes for the social pension. Given that at the time of this research the social pension was undergoing beneficiary verification, analysis is limited to the registration process, and does not including analysis of the recertification process, payments, grievances or other aspects of implementation.

Historic construction of the state in Marsabit

Bordering Ethiopia to the north, Marsabit County is one of the four northern counties in Kenya. Marsabit County has the lowest population density of any county in Kenya, with four people per every square kilometre (KNBS 2009). Due to the county's arid or semi-arid physical environment, over 80 percent of the county's population are pastoralists, with the other 20 percent engaged in agriculture, commerce and other economic activities. Due to limited rainfall and water networks, the county experiences frequent droughts that result in high levels of food insecurity (Lekapana 2013; Okilwa 2015). The county is composed of multiple ethnic groups, with livelihood diversification amongst the largest ethnic groups, including the Borana, Burji, Dassenech, Gabbra and Rendile (KNBS 2009).

Marsabit County has experienced decades of political and economic marginalisation from the central state. In the arid and semi-arid lands, the colonial government saw pastoralism as 'primitive, backward and to be discouraged' and therefore implemented policies, including the creation of private property rights, which impeded the mobility of pastoralists and limited access to common property (Zwanenberg 1972: 224). The implementation of policies which transformed previously open lands until privately owned property introduced and reproduced vulnerability amongst pastoralists (Achiba 2019). With independence, the Kenyan administration failed to dismantle the retrogressive policies implemented by the colonial administration. Rather, the colonial policies 'remained in place for the next three decades, endorsed and funded by international agencies still committed to the paradigms of the past' (Waller 2012: 19). Beyond these 'technical' solutions to the question of land use and production in the arid and semi-arid lands, during both the colonial and post-colonial era in Kenya, there was very limited construction of essential physical and social infrastructure in the north, including road networks, railways, schools and health centres (Arero 2007).

The marginalisation of the arid and semi-arid lands, including Marsabit County, from the central state resulted in customary systems of local governance being afforded greater importance than in other parts of the country. While governance structures of local communities vary, governance functions are often relegated to clan leaders and elders, which has implications for daily political life within these communities (Bassi 2005; Schlee 1989). While the governance roles of these community leaders remain important, recent policy changes enacted by the central governance have also had significant impacts. First, decentralisation and the 2013 creation of county governments has moved some systems of governance closer to the people (Scott-Villiers 2017; Wagana 2017; Bulle and Ombui 2016). Furthermore, the central government has enacted policies within the arid and semi-arid lands, including Marsabit, to 'increase agricultural productivity, generate mineral resources for export and expand infrastructure required for regional economic integration' (Achiba 2019: 5). In 2017 a paved road was completed, linking Isiolo to Moyale through Marsabit town. This road provided, for the first time, reliable overland transport (Kochore 2016). Achiba argues that these policy changes have also resulted in 'a change in narrative' of pastoralism, in a way in which respects 'the unique challenges to the development of the region and the rational for protecting and promoting mobility and supporting pastoral customary institutions' (2019: 5).

Despite these recent policy changes, as one of the four northernmost, pastoralist counties, Marsabit continues to occupy a peripheral economic and political position from the central state. Decades of marginalisation have resulted in a poor record of formal service and welfare provision and low levels of state reach and capacity. The county has a poverty rate of 78.5 percent, a net primary school attendance rate of 48 percent, a net secondary school attendance rate of 9.5 percent and relatively high levels of maternal and child morality (KNBS 2016; Okilwa 2015). While recent developmental visions aim to increase investment and development in previously marginalised areas, it is likely that Marsabit's historically peripheral economic and political position within the apparatus of the state have impacted the state's efforts to implement social programmes according to the official guidelines, particularly within peripheral communities. As such, Marsabit is an interesting case study in which to examine the registration process for the social pension at the local level and, in so doing, illuminate the power and politics which undergird registration, even for a nominally universal programme.

Implementation of the social pension in Marsabit

Similarly to the other government-implemented cash transfer programmes in Kenya, there were expectations within SAU and the Department of Social Development in Nairobi that the social pension would be implemented uniformly across the country to ensure equitable opportunities for registration, even across diverse sub-national contexts. However, unlike the CT programmes, precise guidelines for registration were less formalised, in part because of the assumption that, in comparison to the existing CT programmes, which are targeted, a nominally universal programme such as the social pension would require less oversight over registration procedures, as the goal was to register every person who met the minimum age requirement and was not already enrolled in a CT programme.

However, the visibility of the social pension registration prior to the 2017 elections was prioritised over uniform implementation. In Marsabit, contrary to official guidelines, registration and verification was carried out, not only by bureaucrats, but also involved community leaders, including chiefs, village elders and clan leaders. This resulted in a lack of transparency over the registration procedures, and local perceptions that decision-making was dominated by local actors. We find that this lack of uniformity in the implementation of the social pension was the result of two interrelated factors: weak state infrastructural power, including limited state reach; and pressures from the central government to register beneficiaries before the heavily contested national election in August 2017.

Timing of the registration for the social pension

Across all counties in Kenya in July 2017, there was a mass push to register everyone aged 70 and above for the social pension. Over a period of one month, county and sub-county offices were under enormous pressure to ensure that all eligible beneficiaries were registered within a short period, prior to the August 2017 general elections. In interviews with government officials, it became clear that there had been significant pressure from coordinators within SAU to implement the social pension under very tight timelines, with limited resources. These pressures were evident all across Kenya. As one sub-county social development official in central Kenya argued, 'if it fails, the officers will be blamed, the *wazees* [the elderly] will ask where their money is'.[11]

The timing of the registration itself was politically motivated, to ensure registration happened prior to the election and could be held up as evidence of the incumbent government's commitment to reducing poverty amongst the elderly. This was noted by a member of a beneficiary welfare committee (BWC), who felt that the elderly were prioritised over other vulnerable members of society to increase political gains from their registration.[12] This sentiment was echoed by a civil servant working the Children's Office in Nairobi, who noted that he wished 'children had votes', so that the CT-OVC would also be expanded, and that the social pension created political gains for the incumbent politicians, not simply by creating political support amongst the elderly who would directly benefit from the social pension, but also with their children and extended family, as the UP would reduce the financial burden they faced in caring for elderly family members.[13]

The timing of the registration was noted by most of our respondents, including government officials, local leaders and potential beneficiaries. In the words of one government official,

> 'I might say it is political, it is directives of the president to register all people above 70, it was therefore the role of the ministry, department and treasury to plan together to implement and make sure it is budgeted for. The directives were given June-July and in August there was election, and in July the government must do budgeting for the implementation.'[14]

Similarly, a village elder, when interviewed in May 2018 noted,

> 'This 70 plus which is discussed and not yet implemented is somehow better because everybody in the village is registered as long as they are above 70 years old … but it is just political, it was started almost a year, but no payment has been made, *ni siasa tupu,*'[15]

[11] Interview with a sub-county social development official, Nyeri County, July 2017.
[12] Interview with a member of a beneficiary welfare committee, Marsabit Central sub-county, Marsabit County, 2018.
[13] Interview with a government official in the Department of Children's Services, Nairobi office, Nakuru, 2018.
[14] Interview with a government official, Marsabit County, 2018.
[15] Interview with a village elder, Marsabit Central sub-county, Marsabit County, 2018.

which roughly translates as 'it is empty politics'. This timing was particularly salient in Marsabit County, which has historically been a swing county, with closely contested elections. In the 2013 national elections, 48 percent of the county's population voted for Uhuru Kenyatta, while in the 2017 election 84 percent of the county's population voted for the incumbent, Kenyatta (Verjee 2017).

Within Marsabit County, respondents often reported hearing politicians mention the registration for the social pension during their campaign speeches prior to the 2017 national election, with some politicians promising that the social pension would only continue if the current government regime, President Uhuru Kenyatta and the Jubilee Party, were re-elected. A government official noted that politicians commonly campaigned with the social pension, promising voters that 'they will pass the bills for pension money and you will get money' when they campaign in the villages.[16] Even more commonly, respondents reported hearing local politicians aligned with the Jubilee Party using the campaign tool, not for their personal campaigns, but when campaigning for their party's presidential and deputy presidential candidates. One member of a BWC explained,

> 'I think all the politicians in this constituency were elected because they were in Jubilee party that was led by Uhuru. The fact that Uhuru and Jubilee kept their promise made them so popular that even the next elections Jubilee will take all the votes here … the MP told us that if we vote for Uhuru and Jubilee, this [social pension] will happen and it did. From what I have heard in the community, people will continue voting for Jubilee so as to get more good things. People are not ready to go back to the times when national government forgot their plight.'[17]

In the lead-up to the election, local radio broadcasts often hosted incumbent politicians on their shows. Politicians frequently mentioned the social pension and praised President Uhuru Kenyatta and the Jubilee Party for implementing the UP throughout the country.[18]

In both Marsabit Central and Moyale sub-counties, both the provision of the OPCT and the expansion of support for the elderly through the social pension registration often impacted beneficiaries' views of the incumbent party, with one OPCT beneficiary noting, 'It was necessary, we [had] to vote in Uhuru because he brought us the money'.[19] A government official similarly relayed that he often heard the elders say, 'we will keep Uhuru no matter what, as he brought us the money'.[20] In one of the FGDs, in what was a common sentiment, a participant reported,

[16] Interview with a government official, Marsabit County, 2018.
[17] Interview with a member of a beneficiary welfare committee, Marsabit County, 2018.
[18] Interview with community elders, Marsabit County, 2018.
[19] Interview with a beneficiary, Marsabit County, 2018.
[20] Interview with a government official, Marsabit County, 2018.

> 'We thank the government of Uhuru [Kenyatta] so much because it has remembered us. … If it were not for this money, some of us would have been already dead … All the elderly people in this location voted for Uhuru. We support his government with "both hands". We would vote for him [the president] again and again'.[21, 22]

In the focus group discussions conducted, beneficiaries resoundingly and consistently expressed the view that the OPCT and the social pension were evidence that the government had 'remembered' and started to support marginalised areas of the country, including Marsabit. Indeed, the timing of the registration was precisely to mobilise such political support. While the plans for the social pension were ongoing well in advance of the 2017 election, the registration was used by the incumbent government to demonstrate their support for social assistance for the elderly in Kenya. As one government official expressed, 'Why July? People have seen the benefit of the cash transfer, the elderly people over 60 are already benefiting. They will vote for the person who is giving them the money'.[23]

State capacity and reach

Across the entire country, there was immense pressure placed on social development officers by SAU, to register all persons aged 70 and above in the social pension during a short registration period. Through the interviews and focus group discussions, it became clear that the narrow timelines had significant implications for the social pension registration. As will be explored further in this section, the rushed mass registration process enhanced the impacts of already limited state capacity and state reach. Thus, government officials responsible for the social pension registration were forced to take shortcuts to ensure widespread registration and meet the demands placed on them by their superiors, with little opportunity for follow-up with vulnerable communities at risk of exclusion from the social pension.

The social development offices in all counties and sub-counties were ordered to conduct the registration process for the social pension but did not receive funding to facilitate the registration process. As a government officer in Marsabit relayed, the '70 plus programme was on zero budget. We had to implement the programme without any facilitation from the government'.[24] When we probed, asking how it was possible to conduct a large-scale registration with no dedicated financial resources, the officer replied, 'We sourced for the facilitation money through "kuomba omba"',[25] which roughly translates as 'begging and begging'. The officer recounted the process of asking other government offices, NGOs and politicians for facilitation money and resources such as vehicles. And staff, said, 'Actually I do not want to remember how I

[21] Focus group discussion, Marsabit County, 2018.
[22] Please note that quantifying the effects of the UP registration on the election results is beyond the scope of this study.
[23] Interview with a government official, Nairobi, 2017.
[24] Interview with a government official, Marsabit County, 2018.
[25] Ibid.

did that, it was just too much'.[26] Similar sentiments were expressed in other interviews with government officers conducted in both Marsabit Central and Moyale sub-counties.

While SDOs in all counties faced financial pressures, in Marsabit County these financial limitations were compounded by several factors, including limited human and physical resources, the vastness of the territory, inadequate and poorly maintained road networks and a largely pastoralist population. The lack of resources for registration posed a significant barrier in the implementation of the UP and, as a result, some people who met the minimum age requirement were left out of the social pension and SDOs frequently relied on local leaders for assistance, due to the logistical challenges of the registration process.

The vastness of Marsabit County poses a great challenge to the implementation of all the cash transfer programmes. Marsabit County is the largest county in Kenya in terms of geographical area covered (KNBS 2009). This challenge is exacerbated by the fact that, just like the other northern counties, there is either poor or non-existent road infrastructure. During the mass registration for the social pension, some parts of the county were inaccessible. Eligible citizens living in locations distant from the sub-county offices, especially pastoralists, were often excluded from the registration process. These issues were not unique to the social pension; however, the restricted timelines for the mass registration exacerbated the issue. Long distances often made it difficult or impossible for disabled, sickly and elderly persons to travel to the sub-county offices to register for the programme. For instance, one government official reported he was aware 'of a severely disabled man who is very far from town and it is not possible … to capture his biometric [data] due to shortages, both logistical and personnel'.[27]

This reality is complicated by limited resources for service delivery. There is significant understaffing across the entire county. The county SDO heads several sub-counties, including Marsabit Central, which limits her ability to oversee service implementation. Junior staff are often sent to support sub-county offices in day-to-day implementation. The county office also does not have an administrative secretary, which increases the workload of the senior staff and undermines efficient implementation of the CT programmes, particularly during payment periods, when hundreds of beneficiaries and potential beneficiaries come to the office to complain or enquire about the programmes.[28] Sub-county offices such as Moyale are also understaffed. There are only two officers serving the entire sub-county, and the SCSDO was the sole officer for a long period of time, with the second officer deployed only that year. One government official reported,

> 'We are poorly staffed because we serve seven wards and two districts and the furthest location is 150km and most of the areas are rough and

[26] Ibid.
[27] Interview with a government official, Marsabit County, 2018.
[28] Interview with a government official, Marsabit County, 2018.

> unreachable during [the] rainy season, and some areas are conflict zones [that we] are unable to reach. And, for the community to get service is hard, so we needed an office in *Sololo* to serve nearby areas.'[29]

Another government official similarly reported that they did not even have a secretary and that a new trainee officer who was supposed to relieve some of their duties had been instead redirected to help with the social pension validation in Northorr because there were no officers in Northorr sub-county.[30] Furthermore, both the county and all sub-counties face significant limitations in physical resources. There is a single operational vehicle for all the social development offices throughout the entire county. The SDO noted that much of the terrain in Marsabit hindered their ability to effectively implement programmes. Moreover, the poor condition of their single vehicle and the lack of a driver often required officers to request drivers from other government ministries. In the implementation of the UP, an Officer noted that limited mobility reduced their ability to reach the furthest locations and hindered the universal coverage, which was at the core of the programme.[31] Similarly, in Moyale sub-county, the officers depend on lifts from NGOs, public transit and hired motorcycles to reach locations for registration, service delivery and other social development programmes.[32]

Throughout the mass registration for the social pension, limitations in terms of financial, human and physical resources meant that some potential beneficiaries were not registered for the programme. Given the limited resources and the short time available for implementation, officers were frequently unable to travel to distant locations to register beneficiaries and thus dependent on local officials to identify and provide the names and information of potential beneficiaries. Government officials were initially hesitant to provide details on how they facilitated the registration process.[33] However, one government official noted that, due to resource constraints, the registration had to be done without the physical involvement of officers, and they instead asked chiefs and assistant chiefs to mobilise their communities and collect names for the registration. The official noted that they,

> '…had to dig our pockets [to find the money] for making calls to various chiefs and the assistant chiefs to mobilise the communities for targeting [registration for the UP], we also had to involve Deputy County Commissioner to order chiefs in other area to do the targeting [registration] and send the names to us, this was basically very instrumental for some places which are very far to reach.'[34]

[29] Interview with a government official, Marsabit County, 2018.
[30] Interview with a government official, Marsabit County, 2018.
[31] Interview with a government official, Marsabit County, 2018.
[32] Interview with a government official, Marsabit County, 2018.
[33] One government officer relayed that the SAU provided five tablets for officers to use in the registration process, and they were trained in the use of the tablets. However, they were asked to start the registration without further facilitation.
[34] Ibid.

In such cases, it was difficult for officers to verify that all eligible potential beneficiaries were captured. Furthermore, the distance of many locations from social development offices, and the significant transportation costs, made it impossible for potential beneficiaries who felt they were left out of the social pension to independently reach the offices to be registered directly. In Marsabit Central sub-county, one government officer reported that some individuals were not targeted, due to inaccessibility, and relayed the case of a reportedly 135-year-old blind man, who was supposed to be brought into the Social Development Office for registration. Because he lived in a very rural interior area, officers were unable to reach the potential beneficiary and he was unable to reach the office, which meant that he was left out of the programme.[35]

The ability of the state to assert legitimate authority over communities in Marsabit also poses substantial barriers to the implementation of the social pension. Implementation of the programme requires that the state can identify and render legible citizens, which requires identification and documentation of its citizens, and to do so in a way that is deemed credible by communities. While the universality of the social pension reduces the need for the state to be embedded within communities to effectively identify and target beneficiaries, it still requires beneficiaries to be registered with the central state, in possession of a national identification card and to have physical access to the structures of the state for registration to occur. There are three interrelated factors that clearly impacted the ability of government officers to register and verify beneficiaries for the social pension in Marsabit: regional instability; low rates of registration for national identity cards; and high rates of pastoralism and the resulting seasonal mobility. First, conflicts between ethnic groups in some areas of Marsabit hindered the registration and verification processes. Some areas, which experience repeated and violent clashes between ethnic groups, cannot be reached by social development officers. Registration and verification in these areas is thus impossible.[36]

Second, transhumant communities were particularly difficult to target during both the registration and verification processes, which required in-person verification of identification documents by a government official. Between 80 and 85 percent of the population in Marsabit is involved in transhumant pastoralism, which makes it difficult for the state to effectively register and verify vulnerable populations (Marsabit County Government and World Food Programme 2015; Lekapana 2013). Even in a universal programme, where the state is not required to certify levels of poverty amongst transhumant populations, registration and verification for the UP still requires the state to have repeated physical access in order to collect their biometric data, which is required for registration and payment. As one government official noted, ‘nomadism makes [the] recertification process difficult, thereby making service delivery ineffective’.[37] Relatedly, to be registered for the social pension, potential beneficiaries and their ‘caregivers’ require a valid national identification card. While national identification cards are mandatory for all Kenyan citizens over the age of 18,

[35] Interview with a government official, Marsabit County, 2018
[36] Interview with a government official, Marsabit County, 2018.
[37] Interview with a government official, Marsabit County, 2018.

registration coverage is comparatively low in Northern Kenya (World Bank 2016). Prior to the election of Kenya's third president, Mwai Kibaki, many people in Northern Kenya did not consider themselves as citizens of Kenya and therefore did not view national identification cards as a necessity (Wabwire 2016). However, decentralisation and the creation of county governments brought the government and some services closer to the people. Furthermore, the construction of the highway from Isiolo linked the people of Marsabit with Nairobi and enabled them to sell cattle at central markets. These changes have increased registration rates amongst some populations in Marsabit (Wabwire 2016). However, one study conducted by the HSNP in Marsabit, Mandera, Turkana and Wajir found that approximately 20 percent of targeted households still did not have any adult with a valid ID card, which 'suggests an individual registration rate in the rough order of 50% for this group in these areas' (World Bank 2016: 10). The proximity of Marsabit County and, especially Moyale sub-county, to the border with Ethiopia further complicated the registration for national identification cards. An interview with a chief in Moyale County revealed that it is difficult for an individual to register for a national identification card after the age of 25, especially near the border, as they need to be vetted by both the Deputy County Commissioner and the Registrar of Persons located at the county. The chief additionally reported that such vetting has not been completed for several years now.[38] Furthermore, among those who have identification cards, many are illiterate and recorded ages lower than their actual ages when registering for their national identification cards. Therefore, one chief reported that some people in his area who physically appear 80 years old may have identification cards that report them to be as young as 55, which renders them ineligible for the social pension.[39] Collectively, these challenges meant that some elderly persons who qualified for the social pension were unable to register for the programme simply because they lacked a valid identification card.

State oversight

These facets of implementation are further complicated by the limited oversight provided by the central government over government officials posted to Marsabit County, which allows for these officials to make decisions and adapt implementation of the CT programmes, including the UP, to the local context. This was especially true in the case of the initial registration for the UP, as it was completed in the tight timeframe prior to the 2017 national election. As previously discussed, government officials were given instructions from SAU to register every eligible potential beneficiary for the social pension and were provided with tablets and training on how to use the tablets. However, they were left to figure out how to best facilitate this registration process, given the specific constraints and challenges of the counties in which they operated.[40] Government officials thus reported that they were asked by SAU 'to start registration without further facilitation' and that they registered about 900

[38] Interview with a chief, Moyale sub-county, Marsabit County, 2018.
[39] Ibid.
[40] Interviews with government officials in Marsabit, Nakuru, Nyeri and Homa Bay Counties, Kenya, 2018.

beneficiaries.[41] In Marsabit County, as previously discussed, this often meant relying on chiefs and local officials throughout the registration process.

The challenges of oversight were also seen during the implementation of other cash transfer programmes in Marsabit County, including the OPCT and CT-OVC programme, which indicates that these challenges were not solely driven by the timing of the programme. While all government officers involved in the implementation of the OPCT and CT-OVC across all counties receive similar training on the operations manual and communicate regularly with both their immediate superiors in the ministry and SAU, focus is placed on meeting targeting, registration, validation and complaints and grievance goals, rather than the processes through which those goals are achieved. Thus, in counties such as Marsabit, where there are significant challenges and resource constraints, government officials are often unable to follow to official guidelines for implementation to reach the goals set for the programme. In the context of the CT-OVC and the OPCT, the operations manual specifies that targeting of beneficiaries should be done by independent location targeting committees. However, registration of beneficiaries was frequently done by elders, under instructions from the chiefs. For instance, in both Marsabit Central and Moyale, the CSAC members, chiefs, BWC and the beneficiaries all reported that the actual selection of beneficiaries was done by the elders.

Government officials noted that they signed and submitted performance contracts every financial year. Each officer develops their own personal targets that are based on their superiors' targets and the requirements of the areas that they oversee. One officer explained that they create achievable goals, but there are no rewards for meeting or exceeding personal targets, and there are no set penalties for failing to meet set targets. Government officers noted that the main oversight SAU provides over the cash transfer programmes is 'to make sure the beneficiaries are receiving the money, and whether the money from cash transfers has improved the livelihood of the beneficiaries'.[42] Officers from the SAU visit the county usually once a year, but do not visit all sub-counties. During the visit, officers from the SAU usually visit the offices and a select number of beneficiary households. The limited state capacity for oversight in areas such as Marsabit County, links back to the historical marginalisation of these arid and semi-arid lands. The state lacks not only the resources to oversee effective implementation of social services and welfare programmes, but they are also insufficiently embedded within the local society. Government officials frequently do not speak local languages and are required to use local interpreters to explain programmes to the community.[43] They lack comprehensive information on the local population, many of whom are not registered in any way through the state and must rely on community leaders, including clan elders, village elders and chiefs to gather information and register local populations for state programmes, including the social

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[41] Interview with a government official, Marasabit County, 2018.
[42] Interview with a government official, Marsabit County, 2018.
[43] Interview with a government official formerly posted to Marsabit County, Nyeri County, 2018.

pension. Ultimately, these limited oversight structures provide the space for government officials to adjust implementation according to the constraints they face.

Conclusion

The OPCT and the social pension combined are now providing significant support to 833,000 elderly people across Kenya. Recent studies have shown that the social pension not only improved recipients' economic wellbeing, but also their ability to save and help provide for family members (MLSP 2020; Tran et al. 2019). Furthermore, it has increased their autonomy, improved their sense of self-worth and provided recipients the economic freedom to 'realise their ideal roles in society as elders' (Tran et al. 2019: 70).

Despite the positive impacts already demonstrated by the social pension, this paper has demonstrated that limited state capacity and reach impact the state's ability to reach the poorest of the poor, even through nominally universal programmes, such as the social pension. Such programmes are inherently political. While competitive elections, such as those in Kenya, can drive the expansion of popular social assistance programmes, they can also impact the timing of key components of implementation, such as the mass nationwide registration conducted for the social pension. The drive to rapidly register eligible beneficiaries prior to the election resulted in the exclusion of some vulnerable members of society. While the nominally universal design of the Inua Jamii social pension does increase the number of elderly citizens receiving income support and the transparency of programme criteria by simplifying eligibility requirements (Chirchir and Tran 2019), remote and vulnerable populations may still lack access to government offices, identification documents and information necessary to ensure truly universal access to the social pension. Moreover, higher than expected enrolment numbers also forced the state to renege on some of its initial promises, including on the core tenet of full universalism, by excluding those that already hold pensions.

The case study of Marsabit County highlights the challenges of registration in low-capacity and highly competitive electoral contexts, even for nominally universal programmes. While these challenges were not unique to Marsabit, they certainly were more pronounced in the context of limited state capacity shaped by the historical marginalisation of the arid and semi-arid northern counties. Our research highlights that, in contexts of low state capacity, even universal programmes can face significant challenges in reaching remote and vulnerable populations. These debates over universal versus targeted programmes will continue as the government of Kenya, and governments across the regions, look to respond to rising economic uncertainty for vulnerable populations associated with the Covid-19 pandemic (see Jerving 2020).

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