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Translation of Global Climate Change Discourses to the Local Policies, and the Resilience of Pastoralists

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ABSTRACT

The paper focused on the need to document impacts of the global climate discourses at the local levels. In addition, it sought to fill the lacuna on the translation of discourses insofar as pastoralists land rights' and adaptation are concerned, while looking at translation and implementation of these discourses. Theoretically, the paper employed the Actor-Network-Theory where civil society organizations are hinged around key actors in formulating Kenya climate law. Data was gathered through key informants and desk reviews. The paper found participation of pastoral communities in the global discourses e.g. Green Climate Fund readiness framework not as explicit. Additionally, civil society space has grown as exhibited by the Paris Agreement and pointer the Kenya climate change Act. Policy-wise, CSOs need to focus on developing county-specific climate regimes in Kenya, in line with the 2010 constitution, as pastoralists need to be part of the adaptation conversations.

Keywords

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1. INTRODUCTION

Global discourses on climate change are said to set the tone for global climate regimes. The interplay between local adaptation mechanisms and the global debates maybe mediated through global and local civil society organizations on one hand and the governments through bilateral and multilateral agreements on the other hand. The institutional spaces that could be created within these debates and adaptation strategies provide room for the inclusion and participation of the local communities, in line with the universal human rights declaration.

This paper interrogated the extent to which global discourses and local policy frameworks may allow inclusion and participation of pastoralists in climate change adaptation strategies. With the global goals of promoting adaptive capacity and enhancing resilience, this paper may contributed to a better understanding of the implications of the discourses on climate change to pastoralists in Kenya. The paper concluded by discussing how best to include pastoralists' voices in the global climate debates within the Green Climate Fund readiness projects.

2.2 Background

The spirit of Paris agreement through the "bottom up" approach (UNFCCC, 2015), articles 7(2, 5 and 8), reinforce the UN human rights people-centeredness approach to development. With claims of one of the discourses at the global level focusing on the inclusion of the indigenous communities and their adaptation strategies in the CoP processes, little seems to be documented on the effects of such discourses at the grassroots levels. Additionally, the translation of the actual discourses may be lacking insofar as pasture land is fast converting to urban centers and other competing land use. Communal lands are being replaced by support system for the urban metropolis.

Whilst the global discourses maybe focused on protecting vital assets for indigenous communities' resilience, the alternative debates see assets belonging to these communities such as land as not properly utilized (Harden, 1968, World Bank, 1992). Adaptation fund that might target these communities are also channeled to investments on energy e.g. Green Climate Funds to private sector and multinationals. On this basis then, this paper focuses on looking at how discourses by civil is shaping policies on resilience of the pastoralists. This is with the view of digging deep into: Why pastoralists could be under threat?

2.2.1 Justification

The voices of indigenous communities in climate regimes focuses on rights protection and adaptation during the last decades (UNFCCC, 2015). Article 7 of the Paris agreement calls for participation and inclusion in adaptation, and protection of the rights of the indigenous communities. Indigenous communities may also be viewed as a centre-piece of adaptation as they are said to demonstrate resilience to the adverse impacts of climate change. Their resilience may not be the case as it may appear as romanticizing their plight. Increasingly, they suffer climate extremes they leave them more and more vulnerable.

Indigenous people may be said to be custodians of vital resources such as forests and rangelands even though their rights to these climate resources receives insufficient attention. When discussing indigenous people in the world, pastoralists are part of the group of indigenous people. Pastoralists are people dependent on livestock for their livelihood. Pastoralists face threats of unsecured access to their land (Rutten, 1992; Mwangi, 2015). Pastoralists' land rights access receive little attention from CSOs (Christoplos et al., 2014, Locher, 2015), even though pastoralists safeguard land (McGahey et al., 2014).

Globally, there is increasing recognition of pastoralists' livelihood strategy as effective for the rangelands (McGahey et al, 2014, Nassef, Anderson, & Hesse, 2009). Following the tragedy of the

commons theory (Hardin, 1968), pastoralism was easily judged as ineffective. Discourses on land continue to favour privatization and subdivision (African Union, 2013) which could be seen as not in support of pastoralists' adaptation strategies such as morbidity. However, the alternative debate which seek to safeguard communal land in Kenya led to the development of a Community Land Act in 2016 (RoK, Community land Act, 2016). Linking these discourses to the climate change adaptation is attempted in this paper.

The Kenya Climate Change Act (2016) and the pastoralists' adaptation discourses may ignite debate on the future of pastoralists. Reviewing climate change action plan 2012-2017 and the climate law seem to focus on pastoralists as a frontline community. At the heart of the Kenya Climate change Act 2016 was seen as due to the active role of the civil society in driving the process. However, the position of various actors on pastoralists' climate change adaptation in line with the law ought to be examined.

At the Global level, UNFCCC system incorporate a broad range of civil society organizations including environmental NGOs, lobby groups, city networks, intergovernmental organizations, law firms, indigenous groups, youths organizations, faith based groups and oil companies (Bäckstrand et al., 2017). Intricacies and different interest that these civil society organizations represent is enough ground to investigate their level of involvement in advancing adaptation strategies based on land rights for the pastoralists. This is in line with the post-Copenhagen climate regimes which marked the gradually proximate interplay of the UNFCCC system and climate action for the civil society organizations (Hale, 2016, Bäckstrand et al., 2017).

Globally, civil society organizations may claim to represent vulnerable communities who are right-holders to natural resources, rangelands, forests and water resources (Christoplos et al., 2014; Pace, 2002, Gemmill & Bamidele-Izu, 2002). CSOs can play a critical role in driving discourses at local, national and global arena. CSOs' participation in the climate regimes may be important, as seen in the momentous event that marked the collapse of Copenhagen talks in 2009, which seem to have brought a new dimensions in their role.

In Kenya, the role of civil society in driving the policy and regulatory framework may not be ignored. Case in point is the Climate Change Act (2016) in Kenya. The civil society was key in the enactment of the climate change law by initiating the process and actively and strategically lobbying for parliament to legislate the law (KCCWG 2010, Christoplos et al., 2014). The Climate law in Kenya, being a civil society driven process makes one believe that it could have responds to the needs of vulnerable communities including the pastoralists. This may be best studies with the Actor-Network-Theory as the guiding theoretical framework.

2.3 Theoretical framework

The Actor-Network- Theory (ANT) or the sociology of translation forms overarching theory in this paper (Latour, 2005, Law, 1992, Callon, 1985). ANT concerns that to a greater degree human interactions are mediated through objects of one type or another (Law, 1992). Networks take part in social processes, shape it, and are important in social interactions. ANT states that order is as a result of heterogeneity. Sociology of translation or Actor-Network theory is an approach in power studies (Callon, 1984). An intricate web of interactions intertwining society and nature dictates the capability of specific actors to get other actors (Callon, 1984).

Translation concept accentuate the continuous displacements and transformation that take place in discourses: goals, interest, scripts and actors being displaced. The ramification of certainty in discourse bring actors in a relationships with each other in a lucid way. The end result is made possible through a variety of displacements and metamorphosis, negotiations and alterations that

complemented them. In discourses pertaining the resilience of pastoralists, translation, which is the mechanism that shapes the social and natural world gradually may not be ignored (Callon, 1984). Fifth moment to the translation theory called iterations or overlaps is needed to understand the change process (Callon, 1986; Andersen & Earley 2014) as an adaptation mechanism for the pastoralists. The sociology of translation points to the opposing local narratives as a result of the uncertainty in the background and misinterpretation (Eilenberg, 2015).

2.4 Methodology

This paper relied heavily on desktop reviews and key informant interviews with the civil society organizations working in Kenya. Case study on one key actor rallying other CSOs to problematize land and climate change was looked into while analysing activities of UN-FAO and Northern Rangeland Trusts. The scoping study provided the initial data in writing this review paper.

2.5 Literature review

At the outer-core of international climate governance and negotiation processes seem to be the civil society organizations. In climate regimes, the role of civil society organizations maybe visible. Bäckstrand, Kuyper, Linnér & Lövbrand (2017), since the formation of UNFCCC, it became an authentic node for diversified civil societies and social networks.

Under the global framework on climate change, local institutions and communities may have a role to play in mitigation and adaptation strategies. Mitigation and adaptation measures may depend on the property regime especially for land. On the part of the vulnerable communities, especially pastoralists, the property regime common to them is communal which seem to be under threat. Locher (2015) states that rural areas in developing countries have witnessed an increase in land demand by investors, a phenomenon she refers to as 'global land rush' coupled with climate change and the push for policy frame work that commodifies land.

It maybe important to interrogate the global response to climate change through the action of civil societies on the ways in which they may help secure land rights and adaptation strategies of the pastoralists. With the global goal of promoting adaptive capacity and enhancing resilience, it is of great importance to understand the implication of the action (or non-action) of the civil societies on the adaptation strategies employed by pastoralists in Kenya.

With the communal property regime facing lots of pressure, how are the voices of the local communities during the drafting of the international climate agreement on adaptation captured? In terms of inclusion, are the civil societies playing a role in shaping the adaptation strategies in the county, country, region and globally? This paper thus sought to find the interplay of the global climate regime through look at the civil societies and pastoralists adaptation strategies.

Policy interplay is defined as the process of interaction and influence that two or more policies effectiveness have on each other (Atela, Quinn, Minang & Houdet, 2015, Young 2002). Policy interplay is important in the governance of natural resources within the context of evolving social systems pegged on existing institutional arrangements (Atela et al., 2015). Policy interplay for the case of pastoralists' adaptation strategy may then implies the multiple layers in the global climate regime focusing on: the intended Nationally Determined Contributions (INDCs), the national climate change law and the regulations set at the county level. Further the interplay then depend on other legal instruments such as climate Change Act and Community Land Act that could be vital for communities in accessing financing e.g. the carbon trade.

The end result of institutional interplay can yield positive result i.e. beneficial as suggested by (Miles et al., 2002, Atela et al., 2015) or it can be detrimental where the institutional objective diverge (Urwin & Jordan, 2008, Atela et al., 2015). Within the context of land rights for the pastoralists, beneficial outcomes will include secure land tenure which supports climate change adaptation

strategies by the pastoralists. The adaptation strategies are shaped by the different level of interaction. The interaction maybe both vertical and horizontal (Atela et al., 2015, Locher 2015).

The devastating impacts of climate change coupled with worsening environmental conditions such as land degradation have increased (Rauch, 2014, Locher, 2015). Pastoralist and agro-pastoralist in the marginal areas are pushed to cope with reduced income thus the need to adapt to climate change through diverse livelihood strategies (Locher, 2015).

For pastoralists, securing their land rights through group title deeds and incorporating aspects of diverse livelihoods such as tourism under community ranches, livestock take off programs and securing both wildlife and livestock migration corridors may enhance their survival. McGahey et al (2014) point to the benefit of pastoralists' production system as promoting soil fertility, important to soil, water, carbon regulation, pest and disease control, conservation of biodiversity and fire management system. In the mitigation of climate change, grazing land spread on five billion hectares of land and sequestering about 200-500kg of carbon per hectare annually. This maybe potential for the carbon market when civil society take the right steps in providing positional papers and in negotiating for the resilience of the practice.

Pastoralists plays a significant role in East Africa through the supply of meat, milk and livestock products for consumption in Eastern Africa (Nassef, Anderson, & Hesse, 2009). Additionally, national parks and conservation area seem to fall within the ASALs. In Kenya for instance, 92% of conservation areas exist in pastoral areas (Nassef, et al, 2009).). Despite the huge role played by pastoralists and the ASALs, the input or investments in these regions is meagre. Proper investments in these lands has been seen in the cases of Argentina, Israel and Mexico to yield better outcome in terms of human wellbeing and development outcome (Nassef, et al, 2009). According to the African Union (2013), pastoralists' production is the main and cost effective economic activity within the rangelands though there is the need to have in place policies that go an extra mile beyond production of livestock, and livestock value chain. African Union (2013) calls for the need to develop policies on pastoral land hence safeguarding access of the rangeland.

Despite pastoralists' production being recognized in the contemporary world as effective, it has faced historical and systematic hurdles. Africa Union (2013) revisits the colonial legacies as part of the systematic approach that belittled the practice. In Kenya for instance, the perception that colonialist had against pastoralists viewed it as inefficient with low productivity and a contributor to environmental degradation. This led to sedentary life being enforced on the pastoralists. Furthermore the right to access of land was also denied while the colonialists used the rangelands for ranching (African Union, 2013).

With new roads and heavy infrastructural projects that are seen as opening up the "virgin" land that were once occupied by pastoralist in Kenya and the prospect and exploitation of oil in parts of Northern parts of the country, the future of pastoralists productions seem bleak. Losing pastoralists' production to external pressure exacerbated by climate change would amount to great losses both in terms of material culture, biodiversity and livelihood streams.

The Paris agreement may have opened spaces for the civil society to a more robust role through joint processes such as transnational mitigation in addition to local, and transnational adaptation strategies and in assessing the national action (Bäckstrand et al., 2017). The inclusion of civil societies goes which beyond the observer roles to incorporate their works in the monitoring together with implementation of NDCs (Bäckstrand et al., 2017). The Paris agreement charted the course for the civil societies' actions and interactions (Bäckstrand et al., 2017). It is within these spaces that the active role of the civil societies in adaptation strategies that one may anticipate their role in pastoralists production.

2.6 Insights and findings

The discourses on climate change and pastoralists' adaptation form an undertaking of civil society in Kenya. This is evident from the climate law in Kenya: Climate change Act 2016 which was spear-headed by the CSOs.

The discourses by civil society may have enabled some of the pastoral communities with community title deeds under group ranches to access financing from carbon trade. Additionally, the communities are benefiting from streams of income by running community tourism lodges which could help reduce their vulnerability to climate change.

With the community land secured in some parts of Kenya for pastoralists' adaptation through mobility and setting areas to do controlled grazing as part of the activities by CSOs, the debate on their role will continue.

The Climate change Act 2016 maybe providing the framework for the counties to domesticate climate law. In this regard, the civil society may still need to empower the communities and the local leadership to agitate for climate specific law. This is to ensure that the counties benefits from the climate funds at the national government and global resources e.g. the Green Climate Fund. Additionally, climate discourses are yet to address problems of exacerbated vulnerabilities among the pastoralists. The discourses on climate change may need to move beyond emergency responses to climate extremes e.g. drought and floods and rethink pastoralists' practices.

3. Conclusions

Globally, civil society organizations may be representatives of the vulnerable communities who sees to be right-holders to natural resources, rangelands, forests and water. CSOs may also be critical in driving discourses at local, national and global arenas. On the part of pastoralists' climate change adaptation strategies, the main discourse by CSOs in Kenya may have led to enactment of the Climate Change Act 2016. The onus may require CSOs to focus the debate to the gains post the law. CSOs may also need to create a more robust linkages with the counties and the national government to legislate climate specific law that can support Green Climate Fund readiness programs. In addition, they may need to get communities to be part of the adaptation conversations. The INDCs may need to support pastoralists' adaptation strategies that rely on land banking, and, also in meeting the target of carbon emission which will depend on the degree of vegetation cover in these fragile ecosystems. This may indeed provide a strategic policy direction on adaptation.

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Key Terms And definitions

Pastoralists - people dependent on livestock for their livelihood

Policy interplay - the process of interaction and influence that two or more policies effectiveness have on each other