

Linking Non-Governmental Organizations, Water Law, and Community Values: Lessons from Western Kenya

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Introduction

East Africa's Lake Victoria is a critical resource for the countries and people that live on its shores, providing food security and livelihoods for thousands. The Lake faces numerous pressures that the watershed's governments lack financial resources to address. Non-governmental organizations (NGOs) are key change agents working with lakeshore communities and implementing internationally-funded projects. The NGOs have to navigate complex laws that govern access to and use of water resources, as they interact with government entities and local populations. Water is governed by customary rules and norms, as well as recently adopted statutory and codified laws. This research seeks to understand the nexus of NGO projects, water law, and local community participation around water access and use in the Kenyan portion of the Lake Victoria Basin. More specifically, this research examines the influence of gender and customary law on evaluation and monitoring in the NGO projects. Results from my research will help NGOs, and officials responsible for managing water under statutory law, understand how customary rules influence local participation and rights of access. Overlooking this nexus can lead to more conflict over access to water and to failed projects.

Results

I. Publications (planned, in press, or published)

One paper has been submitted for publication. The citation is as follows.

Eckman, Karlyn, Kimberly Nuckles and Valerie Were. April 2012. Interdisciplinary exploration in evaluation: Adapting the KAP study to evaluate environmental programs. Submitted to the American Journal of Evaluation (AJE).

I also plan on submitting three papers for publication in peer-reviewed journals. Working titles and a brief description of the purpose of each article are provided below.

Paper 1 Potential Title(s):

- a. Non-governmental organization (NGO) development projects and customary water law use in western Kenya
- b. Influence of customary water law on water development projects in western Kenya
- c. Navigating legal pluralism in water development projects in Western Kenya

Purpose of Article

The purpose of this paper is to understand how customary water laws are used to govern use and access in Western Kenya given the legal pluralism that exists.

Paper 2 Working Title:

- Gender and water access and use in western Kenya

Purpose of Article

Now that the new water law has decentralized water management, the need for functioning water associations is more necessary than ever. Few exist (see Roy Crow and Swallow 2005) and women are known to be important to development since CBOs and NGOs like to work with women's groups (anecdotal information). Women are still primarily responsible for the day-to-day acquisition of water for the household. The purpose of this paper is to understand what women's groups' need/how they can be helped to form water associations.

Paper 3 Working Title:

- Evaluation and impact assessment practices among water NGO water projects NGOs in western Kenya

Purpose of Article

The purpose of this paper is to examine the evaluation practices of NGOs administering water development projects in the Kenyan portion of the LVB.

II. Presentations (planned or completed)

I am a co-author on a paper that was presented at Evaluation 2011, the annual meeting of the American Evaluation Society. In addition, I presented a paper describing the results from a September 2011 field trip to Kenya. The full citation for the presentations are as follows:

Eckman, Karlyn and Valerie Were. November 3 2011. Strategies for dealing with scale issues when evaluating natural resources projects. Oral presentation. 2011 American Evaluation Association Annual Conference (Evaluation 2011: Values and Valuing in Evaluation). November 2-5, 2011, Anaheim, California.

Were, Valerie and Karlyn Eckman. November 3 2011. Understanding the social impacts of non-governmental organization water projects: Lessons from western Kenya. Oral presentation. American Evaluation Association Annual Conference (Evaluation 2011: Values and Valuing in Evaluation), November 2-5, 2011, Anaheim, California.

More presentations are planned once the current data collection phase is completed.

Future project plans

Describe how the work completed during the period of time funded by the Consortium will lead to further research, etc. If this project is part of a graduate student's dissertation, include goal date for dissertation completion.

Thanks to Consortium funding, I spent much of the 2011-2012 academic year in the field. I was in Kenya from September to October 2011 before returning to the United States to

connect with my Examining Committee and to attend Evaluation 2011. I then returned to Kenya in February 2012 and will be here until August. I anticipate the need to return to Kenya for another 2 to 3 months to finish gathering the information I need therefore my data collection will continue into the 2012-2013 academic year. I plan on graduating in Spring 2014.