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“To be a refugee, it’s like to be without your arms, legs”: A Narrative Inquiry into Refugee Participation in Kakuma Refugee Camp and Nairobi, Kenya

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Executive Summary

Although not a new concept, refugee participation, or the involvement of refugees in decision-making and service-delivery for refugees, has been gaining currency as a result of a recent shift in global refugee policy from humanitarian towards neoliberal developmentalist approaches. Refugee inclusion, self-reliance, and resilience, among other terms, can be seen as proxies for refugee participation in recent global refugee policy discourse. These policy shifts speak to the imperative of integrating refugees in host societies and of including refugees in decision-making about their lives and in refugee programming. On the one hand, these terms can imply an opening of sorts for refugees to be given more substantive social and economic concessions within the global refugee regime. On the other hand, these keywords gesture to a conception of refugee participation as a solution to the "problems" of refugee aid dependence and irregular migration. It can also present new challenges for refugees as the push for self-reliance runs the risk of abandoning them to the forces of the market without social political rights in the host country. As well, the emphasis on self-sufficiency, among other neoliberal policy imperatives, leaves out all the ways that refugees have already been participating in civic and economic activities in their host countries, and global refugee policy, in that regard, somewhat trails the realities on the ground. As my research in Kenya in 2019 has revealed, there is a major disconnect between recent global refugee policy formulations and refugee experiences of participation. In the Kakuma Refugee Camp, refugee-led organizations have increasingly been providing education, health awareness, sports and recreation programs. Despite inclusion in the implementation of refugee programming, refugee leaders are excluded from meaningful input in decision-making and planning. In Nairobi, urban refugees, often "invisible," are forced to be self-reliant due to the relatively low-level of humanitarian operations in the city and, as a result, tend to have few connections to UNHCR and the NGOs, and even less access to participatory mechanisms than their counterparts in the camp. Despite some potential for recent refugee participation policies to modify the way refugees are consulted, involved, and served by humanitarian actors in Kenya, there are significant limitations as a result of the national encampment policy as well as the securitization of refugees. Policymakers will have to embed safeguards and protections into refugee participation processes to legitimate and allow refugees and refugee-led organizations to be heard and have their views meaningfully considered.

Introduction

Refugee studies scholars have long lamented the ways in which the global refugee regime was predicated on notions of refugees as passive recipients of aid (Harrell-Bond 1986; Olivius 2013). Given the increasingly protracted nature of displacement, with refugees now exiled an average of two decades (Brandt *et al.* 2017), the perception of refugees as inactive is fast being seen as outmoded within global refugee policy. Although not a new concept, refugee participation, variously understood through the lens of self-reliance as the involvement of refugees in decision-making and service-delivery for refugees, has been gaining currency as a result of a recent shift in global refugee policy from humanitarian towards neoliberal developmentalist approaches (Olivius 2013; Skran & Easton-Calabria 2020). According to Olivius (2013: 42-43), "refugee participation in the delivery of humanitarian aid and the governance of refugee camps and settlements is thought to improve efficiency in protection and assistance, combat refugee 'dependency' and foster self-reliance." Citing Lippert (1999), she traces refugee participation in the shift to neoliberal rationalities in the last three decades in the West in which "citizens are encouraged to become responsible, autonomous subjects able to make rational choices" (Olivius 2013: 45). Through case studies of refugee women in Bangladesh, who supposedly "do not participate enough," and in Thailand, who "participate too much," Olivius argues that humanitarian workers governed refugees through participation often "mixed with top-down practices of coercion and surveillance" (Olivius 2013: 45).

Though recent changes in global refugee policy might open up new avenues for refugee participation, it can also present new challenges for refugees as the push for self-reliance runs the risk of abandoning them to the forces of the market without social and political rights in the host country. As well, the emphasis on self-sufficiency, among other neoliberal policy imperatives, leaves out all the ways that refugees have already been participating in civic and economic activities in their host countries, and global refugee policy, in that regard, somewhat trails the realities on the ground. Despite these gaps and silences, the discourse of participation in current global refugee policy could provide policy cover for refugees to lead more legible lives, less affected by police harassment and the lack of basic rights and services. However, as my research in Kenya in 2019 has revealed, there are significant disjunctures between recent global refugee

policy formulations and refugee experiences of participation. Global refugee policy discourse, in focusing on the social and economic aspects of refugeehood, forgets the ways in which being a refugee is politicized. Nyers likewise contends that "the refugee is constituted through a series of ontological omissions: whatever is present to the political subject (i.e., citizen) is absent to the refugee," a denial of the usual rights of citizenship which represents them "as invisible, speechless, and, above all, nonpolitical" (2006: 3).

In the Kenyan context, the national encampment policy and the securitization of refugees frustrate the realization of global refugee policy modifications that claim to empower refugees as self-reliant civic actors. The objective of this working paper is to explore the experiences of refugees and refugee leaders in the Kakuma Refugee Camp and Nairobi, Kenya, and in doing so, to try to understand the role played by refugee-led organizations, particularly in the decision-making, planning and implementation of refugee programming.

1.1.Methods

The paper makes use of interviews and focus groups with the leaders and members of four refugee community-based organizations (CBOs) in Kakuma Refugee Camp and Nairobi. Data from these methods is triangulated with document analysis and interviews with UNHCR, NGOs, and Kenyan government representatives, as well as reflections and photos from the field. CBOs 1 and 2 are based in Kakuma, and CBOs 3 and 4 are in Nairobi. Through narrative inquiry, I focus on what the stories of refugees and refugee leaders tell us about how they have been able to participate in refugee programming, with attention paid to differences in gender, age, nationality, and geographic location. By focusing on personal accounts, narrative inquiry "provides researchers with a rich framework through which they can investigate the ways humans experience the world depicted through their stories" (Webster & Mertova 2007: 3). Within this paper, I use these stories as a means to gage the ways their status as refugees, among other social variables, shapes their experiences of refugee participation. Pseudonyms have been used to provide as much anonymity as possible.

1.2.Positionality

My positionality as an insider and an outsider has been both a limitation and an asset in my research on refugees in Kenya. Despite coming from Canada, being an ethnic Somali researcher in Kenya

proved at times difficult in gaining access to participants in civil society and government. I can only surmise that it might be related to Kenya's historic and current tensions with local and regional Somalis, and to having the same surname as a prominent Somali Kenyan politician. To be fair, several Kenyan civil society and government officials were quite friendly and agreed to be interviewed. Refugees tended to carefully weigh my intentions before agreeing to speak with me. I interviewed refugees from across the Horn, Eastern and Central Africa and was always treated with respect and courtesy. They were usually interested in my own life story as a former refugee, an experience over which we bonded over biscuits and soda. Sometimes, refugees saw me as someone who was like them, and at other times, they saw me as an outsider who could relay their stories to the world. I have reflected often about the ways I was received and read by others and have read them in turn, an exercise which has been productive in thinking about what James Milner calls the "everyday politics of the refugee regime" (Milner 2019). I am indebted to all those who agreed to speak with me, in particular to the refugee participants for sharing their stories with me and for the hospitable way in which they welcomed me into their organizations.

2. Refugee Participation in Global Refugee Policies

In the last few years, there have been an increasing number of non-binding international agreements and declarations which suggest a shift from refugee policies which assumed refugees as passive recipients of humanitarian assistance to refugees as civically engaged development actors. This policy shift speaks to the imperative of integrating refugees in host societies and of including refugees in decision-making about their lives and involvement in refugee programming. One of the key policy documents that underscores this shift is the New York Declaration for Refugees and Migrants (2016) which calls for "a whole of society approach to refugee response" and global responsibility sharing, ostensibly of the refugee "burden" (UN General Assembly 2016). The New York Declaration, curiously, acknowledges the complex social, economic and political dilemmas faced by refugees and other forced migrants and calls for a "comprehensive approach" to these problems. The Declaration states:

> 22. Underlining the importance of a comprehensive approach to the issues involved, we will ensure a people-centered, sensitive, humane, dignified, gender-responsive and prompt reception for all persons arriving in our countries, and particularly those in large movements, whether refugees or migrants. We will also ensure full respect

> and protection for their human rights and fundamental freedoms (UN General Assembly 2016: 5).

The New York Declaration comes one year after the 2015 European "refugee crisis," in which millions of Syrian and other refugees sought asylum on the continent, eliciting both an initial "welcome culture" in Germany and "fortress Europe" elsewhere on the continent (Liebe *et al.* 2018; Malik 2018). In that sense, the New York Declaration could be seen as a response to Global North policy objectives to stem the disorderly migration of refugees from the Global South through the promotion of "durable solutions," particularly local integration, suggesting that "refugee camps should be the exception and, to the extent possible, a temporary measure in response to an emergency," particularly as "60 per cent of refugees worldwide are in urban settings and only a minority are in camps" (UN General Assembly 2016: 13, no. 73). It also calls for the provision of humanitarian aid to refugees and local communities in ways that are relevant to variant spatial, social and policy contexts. Furthermore, the New York Declaration outlines what is called the Comprehensive Refugee Response Framework (CRRF), which seeks to "encourage and empower refugees, at the outset of an emergency phase, to establish supportive systems and networks that involve refugees and host communities" (UN General Assembly 2016: 18, no. 7). With regard to refugee participation, the CRRF, which has been incorporated into the 2018 Global Compact on Refugees, recommends "joint responses involving all such actors in order to strengthen the nexus between humanitarian and development actors, facilitate cooperation across institutional mandates and, by helping to build self-reliance and resilience, lay a basis for sustainable solutions" (UN General Assembly 2016: 15, no. 85). As such, refugee participation within the CRRF is seen mainly in terms of economic self-sufficiency and personal grit which inadvertently reinforce the neoliberal presumption of refugees as "burdensome."

Other, though less influential, policy documents focus on social programs. Agenda for Humanity (2016), based on the 2030 Sustainable Development Goals, is a five-point plan for people in crisis developed by the UN Office for the Coordination of Humanitarian Affairs. The document appeals for a "leave no one behind" approach "reaching everyone and empowering all women, men, girls and boys to be agents of positive transformation" (UN Office for the Coordination of Humanitarian Affairs 2016: 1). The Agenda calls for "strategic and normative transformations" in order to "empower and promote the participation and leadership of young people in national, local and

international conflict prevention and resolution responses and in the recovery of communities" (UN Office for the Coordination of Humanitarian Affairs 2016: 1–2). It also recommends "programmes that successfully integrate refugee youth into communities, provide education, [and] vocational training and employment opportunities should be increased and supported" (UN Office for the Coordination of Humanitarian Affairs 2016: 2). Additionally, the document advises the inclusion of vulnerable and minoritized refugees, including girls, women, and those with disabilities.

Moreover, the High-Level Panel on Humanitarian Financing, a nine-person expert panel appointed by the UN Secretary General to find solutions on the humanitarian funding gap, promotes a "participation revolution" in which humanitarian actors "listen more to beneficiaries and include them in decisions that affect them" (High-Level Panel on Humanitarian Financing 2016: 22). In the annual consultations with NGOs in 2017, the UN High Commissioner for Refugees underlined the necessity of including refugees "not just as beneficiary but as real actors," and later called for the "participation of refugees in decision-making processes" (Montemurro & Wendt 2018: 4). Regionally, the Kampala Declaration on Refugees (2017) also encourages refugee "resilience and self-reliance" by "recognizing that refugees can be agents of development who positively contribute to the sustainable development of their host districts" (Government of Uganda & United Nations 2017: 5).

Refugee inclusion, self-reliance, and resilience, among other terms, can be seen as proxies for refugee participation in recent global refugee policy discourse which takes various neoliberal developmental approaches. On the one hand, these terms can imply an opening of sorts for refugees to be given more substantive social and economic concessions within the global refugee regime. On the other hand, these keywords gesture to a conception of refugee participation as a solution to the "problems" of refugee aid dependence and irregular migration. Krause & Schmidt argue that self-reliance policies, which recast refugees as "actors," aim to increase their "resilience" and reduce their "vulnerabilities," and in doing so, "solidify a pathologized understanding of refugees" (2020: 29). As such, Easton-Calabria suggests that "the enduring popularity of refugee self-reliance is related to outside vested interests and exogenous trends – in short, its instrumentalization – rather than its 'success' as fostered by assistance actors" (2020: 144).

Policy documents are living instruments of governance, subject to interpretation, reformulation, and sometimes, disregard and even resistance. We have to also attend to the experiences of refugee participation and what these tell us about what it means for a refugee to take part in refugee programming and, more generally, the civic and economic sectors of their host society.

3. Kenya's National Refugee Policy

As of March 31, 2020, Kenya hosted 494, 585 registered refugees and asylum-seekers. About 44% of those refugees live in the Dadaab Refugee Camps in the north-east, 40% in Kakuma Refugee Camp in the northwest, and 16% in urban areas such as Nairobi (UNHCR Kenya 2020: 1). The country has hosted refugees from neighbouring countries for decades and had an ad-hoc open refugee policy which, in many instances, allowed refugees to work until the arrival of Somali refugees in 1991 (Milner 2009: 86). From the early 1990s and onwards, Kenya pursued an official encampment policy which mandates that refugees live in the two main refugee camps in the north and gave up refugee status determination to the UNHCR (Milner 2009: 88). This policy shift is significant for two reasons. First, the encampment policy securitized refugees, especially Somali refugees, owing largely to historic animosity toward Somalis as a result of colonial policies and attitudes as well as a post-colonial secessionist war in the mainly Somali north-east in the 1960s that reasserted the suspicion of Somalis as a threat to the Kenyan state (Hyndman 1997: 15). Also, Kenya's mainly Somali north-east and Nairobi's predominantly Somali Eastleigh district have been seen by the government as fronts in the country's "war on terror," primarily against suspected Al-Shabab insurgents claiming to resist Kenyan intervention in Somalia (Sperber 2015: 2). As just over half (53.7%) of the refugees in Kenya originate from Somalia (UNHCR Kenya 2020: 1), national refugee policy is, in some respects, affected by the securitization of Somali refugees. Second, the hosting of a relatively large number of refugees has historically provided Kenya some economic and diplomatic benefits. The recent trend in paying off refugee hosting countries to keep refugees from migrating to the Global North has provided a further economic incentive to maintain the status quo as Kenya sought to leverage the refugee presence for international aid (Moore 2016). Recent changes to global refugee policy that purport to empower refugees, and which Kenya has signed, are up against the realities of a disempowering national refugee policy that limits mobility and employment rights among an array of constraints that complicate the ability of refugees to participate in matters that affect them.

4. “To be a refugee, it’s like to be without your arms, legs”: Refugee Participation in Kakuma Refugee Camp and Nairobi

Historically, encamped refugees were encouraged to self-organize as a way of enabling the implementation of refugee operations (i.e. enumeration exercises, community health campaigns, official messages to the community). Increasingly, refugee led organizations have been providing education, health awareness, sports and recreation programs in the Kakuma Refugee Camp. Despite some involvement in the implementation of refugee programming, refugee leaders are excluded from meaningful input in decision-making and planning. As well, their attempts to gain autonomy and self-sufficiency have been undermined by the country’s refugee policies and the sometimes-underhanded way UNHCR and NGOs deal with them. Urban refugees in Nairobi, often “invisible,” are forced to be self-reliant due to the relatively low-level of humanitarian operations in the city and, as a result, tend to have few connections to UNHCR and the NGOs, and even less access to participatory mechanisms than their counterparts in the camp.

4.1. Kakuma Refugee Camp

In the Kakuma Refugee Camp, I made contact with two refugee-led community-based organizations (CBOs). CBO 1 is registered with the government and provided services primarily to refugee youth in the four sub-camps. It has a diverse leadership and membership consisting of youth from most of the nationalities in the camp. I interviewed four refugee leaders, and twenty general members in a focus group comprising mostly young men with some women. Most of the young people in the focus group considered themselves as leaders and were often undertaking leadership and language training at the centre.

CBO 2 achieved NGO status, and runs programs in the camp, and has expanded to providing services to refugees in a Kenyan urban centre and a nearby country. I conducted a focus group with seven refugee leaders, most of whom were also young men although there was a large number of female participants in the organization’s programs. Its leadership consisted largely of Francophone refugees and seems to enjoy somewhat of a closer partnership with some local UNHCR officials than other refugee-led CBOs.

Social barriers within the camp context, particularly the risk of sexual and gender-based violence and family obligations, seem to reduce female participation. Participation in social activities can also be made difficult by regular outbreaks of general violence, lack of affordable transportation, and police harassment. Travelling on a motorbike on my way from one of the focus groups, we were twice stopped by police who demanded "chai," a euphemism for a bribe, at an unofficial checkpoint between the sub-camps. The amount is usually a minimum of 100 Kenyan shillings (or 1 US dollar), and refugees can be turned back or arrested in certain cases. Not wanting to put my participants in harms-way, I decided to pay the amount though my co-rider asked me to remain silent, worried the price could rise if the policeman found out I was a Westerner. I was told that bribes are not paid when UNHCR vehicles travel through the road, suggesting the influence of local agency officials.

Participants also told me that there is palpable tension between refugees and the local Turkana community, who seem to have been left behind by the camp's economy as well as being politically and economically marginalized within the country. These tensions are more pronounced between the Turkana community and Somali refugees, who are seen as wealthiest community in the camp. I was told that robberies and assaults against Somali merchants are often not taken seriously by police. In July 2019, a Somali woman was sexually assaulted and murdered by a gang of youth alleged to be from the Turkana community, causing a riot when police failed to apprehend the culprits. After my focus group at CBO 1, three Somali boys approached me, asking if I was in the camp to do research for my own ends or if I was interested to "get the word out" about the xenophobic and sexual violence facing Somali girls and women in the camp. I spoke with several people, including a Somali Kenyan NGO worker who confirmed that this incident took place, though UNHCR has tended to downplay these incidents. When some Somali refugee and local youth reportedly clashed during a community protest, police carried out a widespread crackdown on Somalis in the camp with some Somali Kenyan NGO aid workers rounded up with the Somali refugees. I went to Somali Market in Kakuma 1 on two occasions and witnessed stores closing unusually early at 5 o'clock in the evening to avoid xenophobic harassment and attacks from some local youth. As most of the stores were operated by women, many felt particularly unsafe working later in the evening.

4.2. Nairobi

In Nairobi, I connected with a predominantly Francophone (CBO 3) refugee-led organization and a mixed-nationality Somali organization (CBO 4). Interestingly, both Nairobi-based organizations focus on maintaining a sense of cultural identity, unsurprising given the ways in which refugees have to be "invisible" in the city. CBO 3 operates from one of the poorer areas of Nairobi and serves both refugees and local communities. I conducted an in-depth interview with two senior leaders, both of whom were middle-aged men. The organization relies mostly on fundraising and small grants from NGOs, but, generally, has little outside funding and support. They provide French lessons to refugee and local children and run a music studio and a sewing workshop. Program attendees make traditional African shirts and dresses which are sold with the funds used to sustain the organization.

CBO 4 is located in a neighbourhood with a substantial Somali population and was founded by a former Somali refugee in the West. I interviewed two leaders and conducted two focus groups with eleven general members and program beneficiaries. It has a mainly Somali Kenyan local leadership and general members who are both Somali refugees and Somali Kenyans. The hybrid nature of the group's citizenship status belies close cultural ties between members of the organization. CBO 4 fundraises from Somalis in the diaspora and Kenya. It offers Somali poetry and storytelling workshops, a small library and study space for students, and henna, sewing, basket weaving, carpetmaking, pottery and painting classes. There are special classes for deaf and hard of hearing students. The organization also invites visiting Somali authors to give lectures and launch their books at their centre. As well, they hold an annual Somali cultural festival in a large and prominent venue to showcase traditional Somali arts, dance, clothing, and hold public forums. CBO 4 has a mixed gender clientele with women forming a majority of program beneficiaries. As well as "preserving" Somali cultural traditions, the organization promotes livelihood opportunities to address high youth unemployment. Given how Somali refugees are securitized, a hybrid organizational model with the involvement of Somali Kenyan and diaspora leaders might provide more opportunities for Somalis to participate in refugee programming in Kenya. A 2016 research paper that was commissioned by UNHCR called for the engagement of the Somali diaspora, who have played a critical role as a financial lifeline to their relatives in East Africa, to be included in durable solutions for Somali refugees (Shandy and Das 2016).

As in Kakuma, refugees in Nairobi suffer from police harassment and the fear of being sent back to the camps or deportation to their home country. As a result, they often have to lead inconspicuous lives to avoid trouble with police. I spent a lot of time with the two organizations, observing programs and speaking with leaders, general members, program staff and beneficiaries. CBO 3 is located within a vibrant market in a "slum." Businesses in this market are operated by both refugees and Kenyans. When we finished the interview with the leaders of the organization at 6:00 o'clock in the evening, the participants were anxious to get home as there was an ongoing national census and the government directed everyone to be in their homes at 8:00 p.m. to be "enumerated," an order that many Kenyans in the city did not take seriously. Going back to my apartment in an up-market neighbourhood with a large "expatriate" community, it dawned on me how, unlike a privileged Western graduate student like myself, urban refugees need to move cautiously within the city at all times to avoid being noticed. This was particularly the case in the mainly Somali neighbourhood where CBO 4 is situated. Even as a Canadian, I was told by some of my informants to always carry a notarized copy of my passport to avoid trouble with the police as a young Somali man. I had also been advised me to not take my Canadian citizenship for granted as many Somalis from the West had needlessly been abandoned to their fates by the countries in which they held citizenship. Somali refugees, as well as many Somali Kenyans, explained that they limited their movement to ethnic Somali enclaves in the city in order to not invite police attention. After major terrorist attacks, police in Nairobi carry out blanket arrests of Somali refugees, and sometimes, Somali Kenyans. In 2014, police conducted "Operation Usalama [Security] Watch," holding hundreds, if not thousands, of Somalis at Kasarani Stadium, what some called "a concentration camp" (Sperber 2015: 1–2). Although Somalis in the city were reputed as prosperous businesspeople, recent refugees from the camps and ethnic minorities seemed to be underrepresented in the Somali business community. Unlike Kakuma Refugee Camp, Somali owned businesses in this predominantly Somali neighbourhood are open late into the night.

Despite the lack of movement and employment rights, refugee youth in Kakuma viewed the camp as a space of possibility, where they can rebuild their lives through access to education and livelihoods, which are often unavailable in their war-torn countries. Jansen, through an ethnographic account of socio-economic activities in Kakuma, argues that the refugee camp enables displaced people the chance to continue their life projects and "opens up a perspective on

refugees as social agents, with capabilities and strategies that actively seek to access and maneuver the camp environment, hereby shaping and altering it" (2016: 153). Nevertheless, refugees in Kakuma told me that access to food aid was becoming irregular as refugees are asked to be self-reliant. Bhagat made a connection between neoliberal self-reliance policies in the camps and the precarious lives of refugees in Nairobi, many of whom "struggle to access citizenship, shelter, or work within pre-existing urban poverty" as a result (2019: 3). He also contends that Somali refugees, in particular, are rendered "disposable" by "ongoing neoliberalisation and xenophobia in Nairobi" (Bhagat 2019: 3). Camp and urban refugee leaders and organizations work within this restrictive policy context to support the education, livelihoods, and well-being of their communities.

4.3. Young refugees as "change-makers"

To make sense of the kinds of refugee participation that is occurring in Kenya, I refer to Arnstein, an early and influential participation theorist, who defined participation as "the redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future" (1969: 216). For Arnstein, genuine participation entails the "have-nots" having a meaningful role in policymaking, planning and implementation.

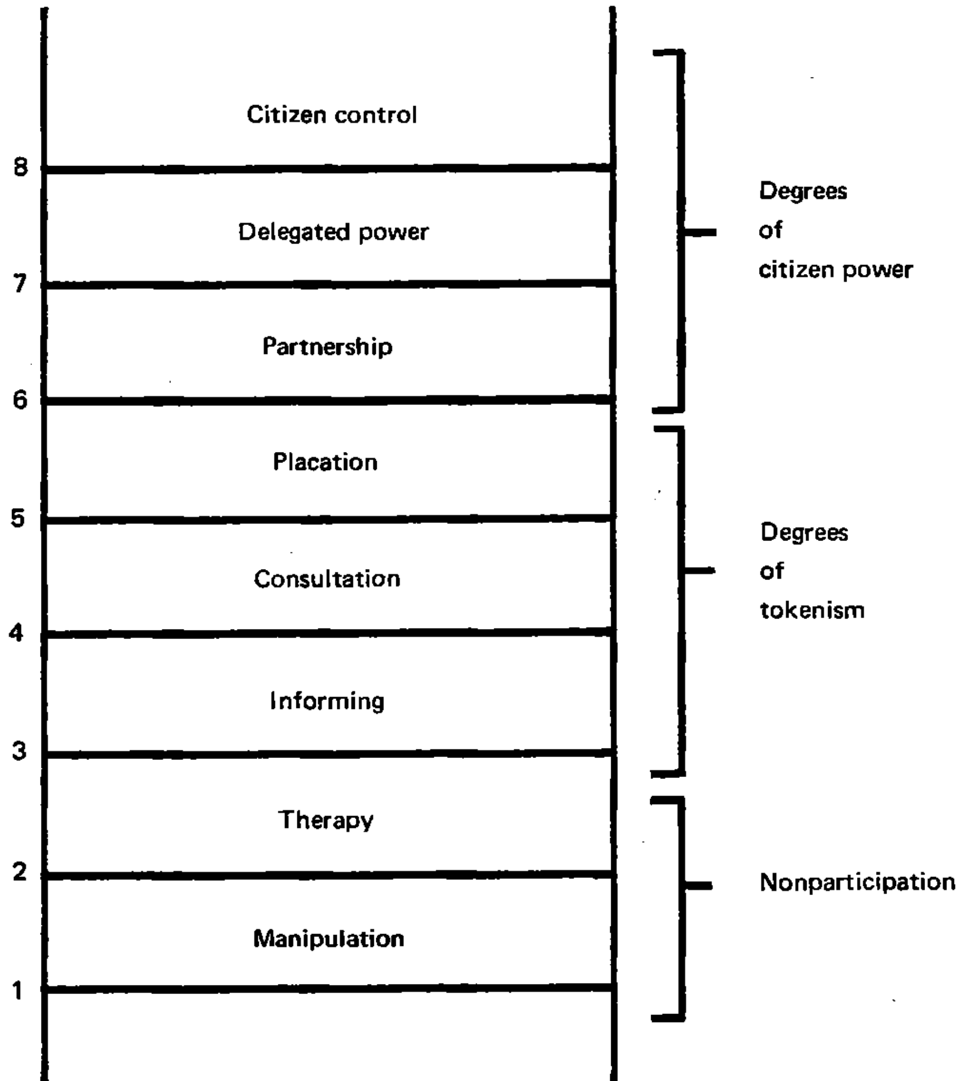

Figure 1: "Eight Rungs on a Ladder of Citizen Participation" (Arnstein 1969: 217)

Through a "ladder of citizen participation," as seen through the figure above, Arnstein proposed that the degrees of citizen involvement can go from non-participation on the lower end (i.e. manipulation and therapy) to tokenism (i.e. informing, consultation, and placation) and citizen power (i.e. partnership, delegated power and citizen control) in the middle and higher ends (Arnstein 1969: 216–224).

Research participants at CBO 1 and 2 were largely young, English speaking, secondary school educated, and some completed or were attending tertiary education programs. Both CBOs started as an informal group that then became refugee youth association, and later, a registered

community-based organization. The underrepresentation of female and older refugees as well as some nationalities in both organizations indicated the ways civic participation competes with social reproduction and is suggestive of the fears and limitations facing certain nationalities.

Though UNHCR organizes blocks, the residential quarters of the camp, by nationality to supposedly maintain peace and a sense of community, the biggest schism is between refugees and the host community, rather than between different refugee nationalities. The shared challenges of navigating camp spaces and accessing services seems to have created common cause among refugee youth at CBO 1. When I asked about dynamics within the organization, Pierre, a young refugee leader said, "though we're from different backgrounds, we have commonalities," and emphasized that "intercultural understanding [is helped] through interaction of colleagues at school." Both refugee organizations that I visited were diverse with leaders and participants from a variety of countries of origin. The two CBOs in Kakuma have a large number of Francophone and Arabic speaking refugees and a smaller number of Somalis. I was told during my time in Kakuma and Nairobi that Somali refugees preferred to be engaged in business rather than community organizations.

I interviewed Anna, who is a senior leader of CBO 1, at length. She told me that youth find camp life challenging given the remoteness of Kakuma, and the limited mobility and employment rights. She was part of a group of young people who co-founded the organization to support the education and livelihood needs of refugee youth. I asked her about her experiences of being a young leader in the camp and how she thought about refugee participation. Anna said that "refugee participation is about giving refugees the opportunity to speak out and to know their rights and privileges." She was critical about the ways that UNHCR and NGOs in the camp treated refugees as unthinking subjects while promoting initiatives to "empower" refugees as "change-makers." When they want to consult the community, these entities call community leaders, who tend to be older block or neighbourhood leaders, to their office "saying this is the information we have brought for you. This is how it's going to be." Anna's description of the current level of refugee engagement falls under Arnstein's "informing" stage of civic participation in which "too frequently the emphasis is placed on a one-way flow of information – from officials to citizens – with no channel provided for feedback and no power for negotiation" (Arnstein 1969: 219). There seems to be a differentiation of roles between being youth leaders, who are expected to facilitate social change

within their communities, and community leaders, who are more often middle-aged men with responsibilities for block safety and liaising with officials. Both are rarely consulted in a meaningful sense and are often used as sources or conveyors of information to their respective communities. A young man in the focus group at CBO 1 agreed with Anna, claiming that "they make assumptions about refugees being vulnerable and uneducated and therefore can't make good decisions which is not true."

Albert, a young male leader at CBO 1, agreed, claiming that UNHCR officials only come to refugees when they need something. However, when refugees need a service or have a question, it can be challenging to gain entry.

> Access to the UNHCR office is difficult and you are given the run around, spending months without receiving service. They talk to you like a child at home. They ask "what's your problem" without considering that maybe the woman [in front of them] had her husband cut in front of her. To be a refugee, it's like to be without your arms, legs.

I was struck by Albert's conjuring of a limbless body to represent the refugee experience, conveying frustration not only over curtailed work and mobility rights, but also of the ceaseless and undignified ways of being forced to ask and wait for services. Heading back to the UN compound after dinner at a Somali restaurant in Kakuma town one night, I noticed a pregnant young woman, who had fallen ill, with her husband and a small child, standing outside the security gate, begging the guards to call a doctor inside. When I inquired, the husband told me they had been standing at the gate for most of the day and that he was afraid for his wife's condition. The guards told me that they had alerted the relevant staff inside and the couple just had to wait. I later asked a Kenyan NGO worker about a similar situation and was told that "pleading" outside the UN compound was one of the ways refugees seek to gain "attention" for resettlement.

Albert claimed that UNHCR's national staff do not provide adequate support to refugees unless international staff are present, a claim repeated by other research participants. There seems to be a division of labour within UNHCR in which national staff are given duties in the camp, whereas international staff mainly work from the UN compound, rarely venture to the field, and use a security escort when they do so. At the focus group at CBO 1, a middle-aged man, who seems to be one of the older community leaders, said that, "UNHCR has become localized and the Kenyan view of refugees becomes dominant, which is the perception of the refugee as nothing and knowing

nothing." The participants seemed to still believe in the goodness of international refugee law but thought that they had been abandoned to the dictates of national policy which they argued disempowered them.

Figure 2: Posters in Kakuma Refugee Camp urging refugees to "say no to open defecation." (Credit: Mohamed Duale, 2019)

The educated, largely English-speaking and mostly male youth leaders who I have met possess the most social capital in the camp, are employed as "incentive" workers, and are able to more easily navigate some bureaucratic processes as a result. They are encouraged to adopt liberal-humanitarian discourses of being "change-makers," altering "regressive" cultural and individual habits, and "building" peace. The camp has with posters that encourage refugees to "say no to open defecation" as well as workshops that "educate" community members to be "ambassadors" to "end FGM." These initiatives often ignore the structural inequities of the camp, such as the lack of access to justice for victims of sexual and gender-based violence, sometimes committed by those in power, and the dearth of public latrines. In prioritizing personal hygiene and archaic cultural practices, and not questions of power, these "therapy" programs, which seek to help refugees to "adjust their values and attitudes to those of the larger society," pathologize displacement rather than addressing the "victimization that create their pathologies" (Arnstein

1969: 218-219). Olivius suggests that participation in this sense "constitutes a technology of government that works through the construction of certain forms of refugee subjectivities" (2013: 44).

I also noticed, through my discussions and interactions with both organizations, a cosmopolitan sensibility among youth leaders with a toleration of cultural differences and aspirations to live, work, and become citizens of countries elsewhere in the world. As a result of their visibility and liberal worldviews, refugee youth leaders are often profiled by UNHCR and NGOs in their communications to showcase their own work in the camp. One of the young people, who was profiled in such as manner, remarked, "they look for people who are resilient, those who make them look good as if they're the ones who did what I've accomplished."

At CBO 4 in Nairobi, change-making was not so much about individuals making a difference in the community as changing their own life trajectories, "to change people's lives as much as possible in terms of employment," as Xoriyo, a young female leader of the organization, explained to me. In providing livelihood opportunities in the cultural sector, the CBO hoped to "save" Somali refugee youth from the social dangers of urban life as most come to the city without their families.

> Most of the youth are not living with their parents, with parents in Somalia or abroad, and being re-united can take ten years; it's like they're transiting. Some of the youth [in the neighbourhood] are refugees without documents. There is miraa [khat] and drug use due to depression as they can't think of anything better to do or hope for. Once they don't feel comfortable here, they will want to tahriib [migrate].

Given high rates of unemployment, the leaders of the organization claimed refugee youth were "at-risk" of involvement with gangs, prostitution, and drug use, particularly khat, a mild stimulant that is legally sold in Kenya. Xoriyo told me that the centre seeks to "empower the youth through the arts." As the neighbourhood is business oriented, there is a shortage of community spaces, and the centre is a place where young people can connect, becoming "therapeutic in its own way." This was especially the case for female refugee youth who have limited options to socialize in an organized manner. Xoriyo described how "most women in the program are living on their own and when they come here it's a space they can open up." She talked about "an identity crisis" among Somali youth in Nairobi, among both refugees and citizens. As she was raised in a middle-class neighbourhood in Nairobi, Xoriyo lamented that "growing up I didn't see successful

Somalis." She recalled, "where I grew up, there were no Somalis, so I was told you are Kenyan, but also Somali at the same time, so you don't know where you stand." Moreover, "for refugees from Somalia, it [Kenya] doesn't seem like the best place for them, so they look to leave." As such, CBO 4 provides "avenues to open up and ask questions," and also "creates employment by hiring from within the community." The centre seeks to facilitate social change through economic empowerment and a healthy sense of identity as Xoriyo asserted, "the moment you see people who are successful and who look like you, you begin to imagine differently." White considers this "transformative participation," the idea that "empowerment must involve action from below" in which "outsiders can only facilitate" but "cannot bring it about" (1996: 9).

4.4. Undermining refugee participation

Host governments and UNHCR tend to be sensitive, for reasons pertaining to state sovereignty and the agency's mandate, about refugee politics beyond community self-mobilization on camp-based issues. There is a fear that refugees, if given latitude to organize freely, could become "political" in the sense of challenging the refugee regime or getting involved in homeland politics, which could potentially create political problems for both the host state and UNHCR (Lecadet 2016). As such, a variety of legal, bureaucratic and programmatic measures, originating in national policy, and everyday ways of governing camps, have served to restrict, manage and, ultimately, undermine refugee participation. One of those ways is the process for registering a community-based organization with Kenyan authorities. Refugee participants told me that it was difficult to attain registered status, and that most refugee organizations, as a result, are unregistered and informal, and their work is often unseen and unsupported by UNHCR and NGOs. They are often required to have a large number of Kenyan nationals within the board of directors and general membership and to have activities pertaining to the local community. These requirements not only defeat the purpose of having a refugee-led organization, but also hint at an intent to surveil refugee leaders and organizations. Charles, a middle-aged refugee leader in CBO 1, informed me that the stringent conditions requiring the placement of citizens has been a recent development, causing many refugee organizations to close as "only those who registered before can continue" to operate as a CBO. Currently registered CBOs worry about maintaining registration in the future.

Just like those in Kakuma, the work of refugee leaders in Nairobi is thwarted by the national encampment policy which takes away refugee's rights to live and work in the country. By living

in urban areas, outside the officially designated camps in the north of the country, refugee leaders are more exposed to being arrested and having their organization closed. According to a UNHCR official, urban refugees “are not supposed to exist.” CBO 3 in Nairobi faces a precarious future as it has been refused access to banking and had its organizational structure questioned. Although a registered CBO, its bank account was closed after a bank manager inquired and supposedly discovered that refugees were not allowed to open accounts. Even though their vice-chairperson is Kenyan, François, a leader with the CBO, said that “the bank manager told us that at least 60% of your executive have to be Kenyan.” The participant told me that “we even went to RAS [Refugee Affairs Secretariat] and they said we’re doing our part to change the law, to advocate.” He maintained that giving control of refugee organizations to nationals was counterintuitive “because they have no experience or idea of what we go through.” The required percentage of Kenyans in a refugee organization seems to be an unwritten regulation as it fluctuates depending on the context and the bureaucrat interpreting the law. François contended that “it doesn’t mean we as refugees don’t want to work with Kenyans but there are areas they won’t deliver, and it changes the essence of our organization.” He alluded to the contradiction between being given refugee status and being prevented from participating in society. “The government gave us a certificate [refugee status], but there are laws that are not well defined,” François observed.

I spoke to an official at the Refugee Affairs Secretariat (RAS), the government agency which implements national refugee policy, who disputed the claims made by refugee leaders, pointing out that “there is no requirement to have Kenyans on the CBO executive.” The official did clarify that CBOs need to have a Kenya Revenue Authority (KRA) personal identification number (PIN) to open an organizational bank account. However, “in order to get KRA PIN, you need a bank account.” Furthermore, “to open a bank account, you need ID, including alien ID. Alien ID expires every five years, and when its renewed, it’s a different number which creates issues.” The official, nevertheless, seemed sympathetic to the plight of refugee-led organizations and said that they are having “ongoing dialogue with the banking industry to find out solutions.” The official also directed me to read the relevant legislation for clarification. However, the *Societies Act of 1968*, which regulates community organizations, does not mention refugees (Government of Kenya 1968).

Nonetheless, one UNHCR official seemed to defend these stringent regulations, suggesting their importance to national security given alleged links between mobile money transfers and a recent terrorist attack in Nairobi. Another UNHCR official seemed frustrated by what these challenges represented, arguing that there is "tension between policy commitments at different levels, between the commitment to the Global Compacts and the camp policy which is designed for repatriation." This official further argued that "direct participation of refugees is restricted by the encampment policy, and if you have an integrated approach, you need a meeting place where refugees and hosts can meet."

In Kakuma, refugee-led organizations are undermined by the ambiguities and powerlessness that the encampment policy creates, giving UNHCR, RAS, and NGO staff latitude to determine the scope of refugee participation in camp operations and programs. A senior UNHCR official in the camp told me that "refugee participation is core to what we do, with a centrality of protection of the communities, including asylum seekers, refugees, and persons of concern." The official claimed that "refugees are engaged in design, planning and implementation" of programs, and that "we rely on a community structure" to get things done. The official further explained that UNHCR created a consultative body of community leaders with two tiers of representation, a senate and body of community leaders who participate in the discussion of the agency's plans. According to White, this is "representative participation" in which "the function of participation was to allow the local people a voice in the character of the project" (1996: 8).

Refugee leaders that I interviewed confirmed that these bodies are elected, or selected, depending on one's view. I was told that these community leaders were periodically consulted about what their communities needed and were asked to propose solutions. Refugees alleged that being "engaged" simply meant being consulted but did not entail decision-making power. The kind of consultative participation which refugees in Kakuma described is what Arnstein called "a sham since it offers no assurance that citizen concerns and ideas will be taken into account" (1969: 219). Instead, she argues that "what powerholders achieve is the evidence that they have gone through the required motions of involving 'those people'" (Arnstein 1969: 219). Though refugee leaders advise UNHCR about solutions to problems in the camp, if implemented, it is often without their partnership, leaving some with a feeling of being irrelevant or used. An older male participant in the focus group claimed that "we're good for implementation but [they] consider us cheap." Thus,

the current way in which refugee leaders are invited to advise UNHCR and then ignored can be considered "placation" as it permits refugees to "advise or plan ad infinitum but retain for powerholders the right to judge the legitimacy or feasibility of the advice" (Arnstein 1969: 220). Similarly, White calls this type of participation "instrumentalist" as "its function is as a means to achieve cost-effectiveness, on the one hand, and a local facility, on the other" (1996: 8).

Figure 3: A poster in Kakuma Refugee Camp imploring people to report "fraud and corruption" in the Somali language. (Credit: Mohamed Duale, 2019)

Research participants in Kakuma also talked about corruption within UNHCR and NGOs, which is apparently a significant problem given the ubiquitous multilingual signs throughout the camp which implore refugees to call a hotline to report it. Participants considered these posters cynical since the hotline goes directly to an office that is implicated in corruption. Most of the research participants agreed that refugees were excluded from meaningful decision-making and other important stages of programing in the camp due to endemic corruption and a perceived desire to limit transparency and accountability on the part of humanitarian actors. A young male participant explained, "if refugees are involved, they can ask a lot of questions."

Refugees questioned the democratic possibilities that the concept of refugee participation implied given the hierarchal structure of the camp with international staff at the top, followed by national staff below them, with refugee or "incentive" workers at the bottom. Parallel to that structure are the Kenyan police and government officials who wield significant power as agents of the host state. Decision-making power and privileges are distributed according to those structures, and refugees were pessimistic about dealing with those "above" them on an equitable footing. I spoke to a Kenyan civil society activist who noted how refugees who speak out might be subject to reprisal. The activist suggested how "UNHCR can affect your resettlement case [and you] can lose service and be seen as problematic," and recommended that "refugees should be given the opportunity to speak freely and without fear."

Refugees comprise the majority of the UNHCR and NGO workforce and are often given the most challenging tasks in implementing programs and services within the camp. However, they are paid an "incentive wage," which is typically a fraction of what a Kenyan national makes in the same position. Implicit within the use of the word "incentive" is the notion that refugees are aid dependent and need incentivizing to work. Employers in the camp are required to "harmonize" refugee salaries according to the rate set by the government, and refugees are forbidden from taking on more than one "incentive" job and can be fired if caught doing so. The way in which refugees are labelled as "incentive workers" reminds one of neoliberal reforms in the West during the 1990s in which "welfare" recipients were entered into "workfare" programs to reduce their supposed dependence on social assistance.

Although many refugees are well-educated, Anna emphasized that refugees are often assumed to lack professional competencies and are often trained through leadership and "change-maker" programs. However, refugees are de-professionalized by lowered expectations of their capacity as a result of their "incentive" position, causing some to "lose their training" as they are regularly denied the promotion and leadership roles for which they were prepared. In 2018, refugee teachers and headteachers in Kakuma Refugee Camp were fired altogether following a directive from the government to establish national control over refugee schools (Ebru TV Kenya 2018). The move threatened the quality of instruction given that refugee educators are the backbone of schools in the camp. When refugees talked about building their capacity, they usually referred to the need for sustainable funding, mentorship and support from donors rather than leadership or "change-

maker" training. Nonetheless, there were stark differences between the two Kakuma organizations in terms of the availability of funding with CBO 2 being better connected and financed than CBO 1 in part due to the support of some local UNHCR officials. Likewise, in Nairobi, CBO 4 had better access to resources than CBO 3 as a result of fundraising from within Somali Kenyan and diaspora communities. This suggests that some external support to refugee-led organizations is available but is unevenly distributed.

I was told by UNHCR officials in Kenya that refugees are meaningfully consulted and involved in refugee programming and are allowed to form organizations without much interference. Stories from refugee organizations in Kakuma and Nairobi suggests otherwise, indicating that refugee participation is undermined by the encampment policy which limits refugees' right to work and travel as well as the securitization of refugees as a result of the "war on terror" and xenophobia. These political barriers have also created uncertainty about whether refugees should even be allowed to associate, organize, and lead their communities. As Hyndman pointed out: "In Kenya, many citizens live in communities; refugees live in camps. Citizens move without restriction; they have political and economic relationships to the historically contingent places in which they live" (Hyndman 2000: 140). A former member of parliament likewise argued that the problem lies in the lack of entrenched refugee rights within Kenyan law, claiming that "refugees have no legal personhood under the law," making the registration, existence and activities of refugee organizations, ultimately, illegal.

In a refugee context, there are limits to the explanatory power of participation theory which is based on post-war Western conceptions of citizen involvement in governance and usually denotes some kind of political rights. We need theoretical perspectives that account for how refugees in the Global South, as subjects of the refugee regime, are to meaningfully participate without binding political rights. Already, White's theory of interests intimates that this might be untenable as participation is inherently political, even agonistic. She stressed that "participation must be seen as political. There are always tensions underlying issues such as who is involved, how, and on whose terms" (White 1996: 6). White cautions that "while participation has the potential to challenge patterns of dominance, it may also be the means through which existing power relations are entrenched and reproduced" (1996: 6).

5. Policy and Research Recommendations

5.1. Global and national

1. Formally and substantively include refugees in the making of global and national refugee policies. Refugees are often the least consulted even though they are the most impacted. Refugee leaders and organizations should be included in the formulation of durable solutions (i.e. resettlement and integration policies, assessment of country of origin conditions, and the development of frameworks for return).
2. Establish an independent office to advocate and review refugee participation within UN bodies and mechanisms dealing with refugee affairs and human rights.
3. Coordinated advocacy to entrench refugee rights within Kenyan laws and policies with a focus on ending forced encampment and providing residency rights that enable refugees to live, work and move freely within the country.
4. In the interim, it is important that Kenya lifts restrictions on refugee access to banking, and business and CBO/NGO registration. Kenya should also synchronize refugee identification documents, which are complicated by the renewal of refugee I.D. cards every five years, an occurrence that then invalidates previous registration with banks, the tax authority or other government departments.
5. Recognize the credentials of refugee professionals. For instance, refugee teachers with degrees from their home country or programs in the camps are currently unregistered with the Teachers Service Commission (TSC). This lack of recognition undercuts their professionalism and future social mobility. Modalities to recognize the credentials of refugee teachers, among many other professionals, some who may have their left documents behind, should be put in place. In particular, supporting refugee teachers, who are the majority of the teaching force in the camps, is critical to addressing the underachievement of refugee children and youth in Kenya.
6. End the "incentive" wage scheme which maintains a two-tiered workplace with "expatriates" and citizens at the top and refugees at the bottom. This system devalues and exploits refugees and UNHCR should initiate dialogue with the Kenyan government for its speedy rescindment or phased withdrawal.

5.2. Local and organizational

1. Provide dedicated community space to facilitate participation, including safe spaces for women, youth and minority groups.
2. Address basic and intermediate needs which can hinder participation (i.e. access to transportation, food, water, childcare, feminine hygiene products, electricity, and internet).
3. Improve the functioning of existing consultative structures within UNHCR and NGOs to cultivate trust, community input, and equity.
4. Establish a community of practice to build capacity for refugee participation within UNHCR and NGOs.
5. Develop a refugee participation framework and toolkit with key stakeholders (i.e. particularly refugee-led organizations, practitioners, and researchers). Include metrics and mechanisms for the evaluation and reporting of refugee participation within UNHCR and NGOs.
6. Build the capacity of refugee-led organizations and refugee leaders, who can amplify refugee voices, through governance training, mentoring, and support in applying to sustainable funding.
7. Provide a platform (i.e. annual conference) for refugee leaders and organizations to meet, strategize, advocate, and collaborate.
8. Broaden the inclusiveness of refugee representative bodies to include refugee groups that are currently underrepresented or "invisible" in refugee participation processes. These groups can include women and youth, persons living with disabilities, underrepresented nationalities, ethnic minorities, LGBTQI refugees, urban refugees and non-registered refugee organizations.

5.3. Research

1. Include refugees in research, knowledge production, and dissemination or mobilization processes. Opportunities should be provided to refugee students to conduct research, write, and present their work at academic conferences. This will require efforts to identify and mentor refugee scholars and dedicated resources to support their work. Refugees should be fairly compensated for this work and should not be expected to incur out of pocket expenses.

2. Identify the research priorities of refugee-led organizations and include them in the research agenda of refugee research initiatives.
3. Provide open-access research methods training to refugee students, leaders, and organizations to transfer and build their research skills.

6. Conclusion

The language of refugee participation in current global refugee policy signals an ideological shift from a model of managing displacement (Agier 2010; Hyndman 2000), what Hyndman called a "colonialism of compassion" (2000: xvi, 44, 60), which presumed refugees as passive victims in need of care, to a neoliberal framework in which they are expected to be self-reliant. Though the social and political outcomes of this emerging model are by no means a foregone conclusion, a sober analysis of the ideological basis of this transition, its contradictions and potential to reinforce asymmetries of power in the refugee regime is warranted. One of the most striking inconsistencies is between national policies which limit a refugee's access to the usual rights of civilian life and global policy prescriptions calling for refugee self-sufficiency and involvement in refugee programming.

Despite some potential for recent refugee participation policies to modify the way refugees are engaged by humanitarian actors in Kenya, there are significant limitations as a result of the national encampment policy and the securitization of refugees. In addition, we have to recognize that participation sometimes entails visibility and a substantial amount of social capital, privileges which are not available to all refugees for reasons of legal status, age, gender, sexuality, nationality, fluency in the official language, and disability, among a host of factors. There is also an enormous power differential between refugees on the one hand, and citizens, police, state officials, and humanitarian workers on the other, and we must wonder the extent to which refugees can challenge powerful figures and vested interests without risking their refugee status or life. In 2018, UNHCR supported a pride parade in Kakuma Refugee Camp to promote the participation of LGBTQI refugees, which later resulted in violence toward festival attendees and a lack of adequate police protection given the criminalization of same-sex relations in the country (Sopelsa 2018: 1-2). This is a glaring example of how liberal-humanitarian participatory discourses can meet the hard realities of local and national politics in Kenya. Policymakers will have to embed safeguards and

protections into refugee participation processes to legitimate and allow refugees and refugee-led organizations to be heard and have their views meaningfully considered. As François at CBO 3 insisted, “Being a refugee isn’t someone who isn’t human or half-human.”

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