

REPUBLIC OF KENYA



GOVERNMENT OF MAKUENI COUNTY



DEPARTMENT OF GENDER, CHILDREN, CULTURE AND SOCIAL SERVICES.

MAKUENI ARTS, CULTURE AND HERITAGE POLICY

2022

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FOREWORD

Governments cannot determine a people's culture; indeed, they are partly determined by it. But they can influence it for better or worse and in so doing affect the path of development. UNESCO (1995).

Every human being has the right to culture, including the right to enjoy and develop cultural life and identity. Culture is the hallmark of a people's consciousness and is the pillar upon which a community bases its own political aspirations, economic development and social identity. Cultural background is one of the primary sources of identity. It is the source for a great deal of self-definition, expression, and sense of group belonging. As cultures interact and intermix, cultural identities change. This process can be enriching, but disorienting. The confluence of peoples and cultures has resulted in an increasingly global, multicultural world brimming with tension, confusion and conflict in the process of its adjustment to pluralism.

This County Arts, Culture and Heritage policy is timely and addresses rich areas of our cultural and natural heritage that have been handed down from time immemorial. The policy presents the rich and vast endowments of the County in its cultural and natural heritage and outlines ways in which we can harness these for the socio-economic development of our people. We are convinced that working with partners such as the National Museums of Kenya (NMK) with whom we signed a memorandum of understanding recently, we will make progress in this endeavour.

It is envisaged that through the cultural renaissance that will emerge through the implementation of the outlined policy interventions, the Akamba community will increase the value they attach to their culture and creative expressions and will proactively seek and protect their cultural rights. Their livelihoods will also benefit from the vibrant cultural and creative industries that this policy seeks to support. We therefore can look forward to a vibrant Akamba community that appreciates and thrives on its rich cultural and natural heritage.

County Executive Committee Member,

GENDER, CHILDREN, CULTURE AND SOCIAL SERVICES.

ACKNOWLEDGEMENT

The successful development of the Makueni County arts, culture and heritage policy is a product of concerted efforts by many individuals who made valuable contribution to the process. The County Executive Committee (CEC) Member for Gender, Children, Culture and Social Services is appreciated for spearheading and providing leadership in the exercise.

The Director, Culture, Music and the Arts, the Arts and Music Officer, the Culture Officer and the interns in the directorate are appreciated for their efforts in the development of the policy. Special thanks to Meshack Musyoki, County Liaison Officer for being the technical lead in the development of this Policy. The Directorates of Legal Services and Monitoring and Evaluation are appreciated for the advice in the development of the policy.

The community is the source of the arts, cultural and natural heritage knowledge and information. Community members and all stakeholders representing the cultural and creative industries who have provided valuable information and participated in the validation process for the policy are appreciated.

Asanteni sana.

Chief Officer,

GENDER, CHILDREN, CULTURE AND SOCIAL SERVICES.

Definition of Terms

Antiquity

According to the *National Museums and Heritage Act, 2006*, antiquity means: any movable object other than a book or document made in or imported into Kenya before the year 1895, or any human, faunal or floral remains of similar minimum age which may exist in Kenya.

Cultural Heritage

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) *Convention for the Protection of the World Cultural and Natural Heritage, 1972*, cultural heritage refers to:

Monuments; architectural works, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combinations of features which are of outstanding universal value from the point of view of history, art or science;

Groups of buildings; groups of separate or connected buildings which, because of their architecture, their homogeneity or their place in the landscape, are of outstanding universal value from the point of view of history, art and science;

Sites; works of man or the combined works of nature and of man and areas including archaeological sites which are of outstanding universal value from the historical, aesthetic, ethnological or anthropological points of view. According to the *National Museums and Heritage Act, 2006*, cultural heritage includes objects of archaeological or paleontological interest, objects of historical interest and protected objects.

Cultural Tourism

The International Scientific Committee on Cultural Tourism defines cultural tourism as: ‘that activity which enables people to experience the different ways of life of other people, thereby gaining at first hand an understanding of their customs, traditions, the physical environment, the intellectual ideas and those places of architectural, historic, archaeological

or other cultural significance, which remain from earlier times’.

Crafts; Crafts include carvings, beadwork, weaving, pottery, basketry and glasswork. The production of traditional crafts captures activities inherited from individual and collective traditional creativity.

Cultural and Creative Industries

The United Nations Conference on Trade and Development (UNCTAD) defines the creative industries as ‘the cycles of creation, production and distribution of goods and services that use creativity and intellectual capital as primary inputs; (constituting) a set of knowledge-based activities, focused on but not limited to arts, potentially generating revenues from trade and intellectual property rights; (and comprising) tangible products and intangible intellectual or artistic services with creative content, economic value and market objectives.

Film

Film refers to a cinematographic film, recorded video cassette film, recorded video discs, any recorded audiovisual medium and includes any commentary (whether spoken and when the spoken/speaking appears in the film or not) and any music or other sound effect associated with the film and any part of a film.

Intangible Cultural Heritage

The UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, 2003 defines intangible culture as ‘the practices, representations, expressions, knowledge, skills as well as the instruments, objects, artefacts and cultural spaces associated therewith that communities, groups and, in, some cases, individuals recognize as part of their cultural heritage’.

Monument

According to the *National Museums and Heritage Act, 2006*, monument means:

A place or immovable structure of any age which, being of historical, cultural, scientific, architectural, technological or other human interest has been and remains declared by the Cabinet Secretary to be a monument;

A rock painting, carving or inscription made on an immovable object;

An ancient earthwork or other immovable object attributable to human activity; A structure, which is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attached to it and has been and remains declared by the Cabinet Secretary to be a monument;

A shipwreck more than fifty years old; and such adjoining land as may be required for maintenance thereof.

Museum

According to UNESCO, a museum is a non profit permanent institution in the service of society and its development, open to the public which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment. (International Council of Museums (ICOM) Article 3, Statutes, 2007).

Natural Heritage

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) *Convention for the Protection of the World Cultural and Natural Heritage, 1972* and the *National Museums and Heritage Act, 2006*, the following is considered as natural heritage:

Natural features consisting of physical and biological formations or groups of such formations which are of outstanding universal value from the aesthetic or scientific point of view;

Geological features and landscapes or physiographical formations of special significance, rarity and beauty;

Precisely delineated areas which constitute the habitat of threatened species of animals and plants of outstanding universal value from the point of view of science, conservation or natural beauty;

Natural sites or precisely delineated natural areas of outstanding universal value from the point of view of science, conservation or natural beauty; and

Areas which are or have been of religious significance, use or veneration and which include but are not limited to Kayas.

Performing Arts Performing arts are creative expressions by individuals or groups and include genres such as theatre, music, dance, storytelling, poetry, puppetry and spoken word.

Object of Archaeological or Palaeontological Interest According to the *National Museums and Heritage Act, 2006*, this means: an antiquity which was in existence before the year 1800.

Object of Historical, Cultural or Scientific Interest According to the *National Museums and Heritage Act, 2006*, this means: an object which came into existence in or after the year 1800.

Tangible Cultural Heritage

Tangible cultural heritage refers to physical artefacts, movable and immovable, that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations. It includes cultural artefacts, archaeological findings, buildings, historic monuments,

underwater cultural heritage and contemporary architecture among others which are considered worthy for preservation.

The Arts

Cultural expressions that are enriched by a people's cultural and natural heritage and include: visual arts (painting, sculpture, photography and others); performing arts (dance, music, theatre, musical theatre and film); literature; and architecture and design (including graphics and digital media arts).

Traditional Knowledge

According to the the *Protection of Traditional Knowledge and Cultural Expressions Act, 2016*, traditional knowledge means any knowledge originating from an individual, local or traditional community that is the result of intellectual activity and insight in a traditional context, including know-how, skills, innovations, practices and learning embodied in the traditional lifestyle of a community or contained in the codified knowledge systems passed on from one generation to another including agricultural, environmental or medicine knowledge, knowledge associated with genetic resources or other components of biological diversity and know-how of traditional architecture, construction technologies, designs, marks and indications.

Visual Arts

Visual arts expressed through wood carvings, pottery, fine art, rock paintings, photography, sculptures, jewelry, ornaments, ceramics, hand textiles and woven products, basketry products, bead work, body art, graffiti, household gifts and batiks, among others. These art forms reflect a community's way of life, identity, values and norms and bring out the beauty in a society.

EXECUTIVE SUMMARY

The Makueni County Arts, Culture and Heritage policy aims to guide the development of a dynamic, vibrant and transformed arts, culture and heritage sector in the County through the strengthening of community participation and stakeholder engagement, promotion of creativity, innovation and authenticity in the cultural and creative industries and efficient stewardship, preservation and protection of the County's cultural and natural heritage for posterity.

The various elements of the policy are outlined in chapters. Chapter one is the introduction that presents the place of the arts, culture and heritage sector in sustainable development, sets out the rationale for the policy by making reference to the constitutional and legal imperative for the promotion and protection of traditional knowledge and cultural expressions, the potential of the cultural and creative industries in Makueni County and the distinct cultural and artistic vitality in the County. The guiding principles drawn from the national values and principles of governance and bill of rights in the *Constitution of Kenya (2010)* are also presented. The inherent value and the instrumental social and economic value of the arts, culture and heritage sector is underscored. The chapter then presents the objectives, scope and outline of the policy development process.

Chapter two is the situational analysis. The chapter outlines the legal and policy framework within which the policy is premised starting with the international cultural instruments developed by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Convention on Biological Diversity, the Nagoya Protocol and the International Treaty on Plant Genetic Resources for Food and Agriculture. The aspiration in the African Union Agenda 2063 on the place heritage and culture and the African Charter on Human and Peoples' Rights' linking of development and culture are outlined. Key provisions of the *Constitution of Kenya (2010)* on culture and heritage, development of indigenous languages, freedom of expression and association and the protection of intellectual property rights are outlined. Relevant national and county government legislative and policy frameworks on the arts, culture and heritage sector are cited. A description of the arts, culture and heritage sector in Makueni County is presented emphasizing the immense potential in the County's cultural and natural heritage and in its cultural and creative industries practitioners and entrepreneurs. The chapter ends by presenting the challenges and issues to be addressed by the policy.

Chapter three presents the strategic interventions. For each strategy the policy statements are outlined. The strategies cover cultural heritage including tangible and intangible cultural heritage; cultural and creative industries, Kiikamba language and literature development and

cultural tourism. County Public Museums, County Public Libraries; County Archives and Documentation Service, County Symbols, Protection of Indigenous/Traditional Knowledge, Akamba Gastronomic Heritage, Heritage Sites, Monuments and Antiquities and Akamba Heroes and Heroines are outlined as elements under tangible cultural heritage and key policy interventions by the County government proffered. Traditional games and recreation is outlined under intangible cultural heritage that also includes the cultural and creative industries, Kiikamba language and literature development and cultural tourism. Key policy interventions for the following components of the cultural and creative industries are outlined: crafts; publishing industry, design and architecture; visual arts, performing arts, and the cinema and the audio-visual industry.

Chapter four sets out the implementation framework for the policy. The institutional and administrative framework, human resource and capacity building, funding, monitoring and evaluation and the timelines for the review of the policy are outline

CHAPTER 1: BACKGROUND

1.1 Introduction

The arts, culture and heritage give a community its unique identity. It is an expression of the ways of living developed by a community and passed on from generation to generation, including customs, practices, places, objects, artistic expressions and values. It has a critical bearing on a community's development as there can be no sustainable development without a strong culture component.

The United Nations Educational, Scientific and Cultural Organization (UNESCO) acknowledges that no society can flourish without culture nor can any development be sustainable without it. The intrinsic relationship between culture and development underscores not only the critical role of culture in development, but also its centrality in shaping human understanding and world view. Culture is critical for the achievement of socially acceptable, economically efficient, and inclusive sustainable development, which ensures gender and inter-generational equity. Through culture, people take control of their lives and resources and are equipped to participate fully in decision-making processes, harnessing and preserving the environment and building a just and fair society.

Kenya has a diverse manifestation of the arts, culture and heritage that enrich the lives of its various communities in countless ways and fosters national cohesion. However, globalization poses a threat of eroding the cultural identity of the country, which calls for creative ways of fostering vibrancy, innovativeness and prosperous knowledge in societies.

Makueni County Government recognizes the arts, culture and heritage as important policy assets and prosperity generator. In addition to their inherent value to society, the arts offer a distinctive blend of benefits and make the County vibrant, welcoming and desirable. Cultural places, events and opportunities are magnetic, attracting not only artists and arts entrepreneurs but also families, travelers and businesses. It creates jobs, stimulates commercial foot traffic and locally re-circulates income, all of which leverage community revitalization, attracts diverse populations and strengthens communities. Capitalizing on these effects of the creative space requires strong public sector support in order to impact positively on the County's economy and boost the quality of life of Makueni County residents.

However, the County is plagued by several difficulties, which risk diminishing its arts, culture and heritage potential. For instance, there is limited data on the arts, culture and heritage in the County. This is countered by a bulge in the number of individuals and groups who want to venture into the arts, culture and heritage sector and who often must travel to Nairobi to access privately owned creative centres. Talents continue to be dimmed every day since it is impossible for many individuals to afford the privately-owned creative spaces. It is therefore imperative for the county government to establish these creative centres.

Therefore, it is important to put in place a policy framework to guide Makueni County arts, culture and heritage sector while ensuring that those in the cultural and creative industries and consumers of their products and services are not exploited. The policy also addresses the regulation of the infrastructure for the arts, culture and heritage, this is, public amenities and the public entertainment sector and proffers key County government interventions in order to sustain the role of the arts, culture, heritage in contributing to socio-economic development of the county. This policy seeks to protect, preserve and promote the unique identity of the people of Makueni County and use it for their well-being and development.

1.2 Rationale for the Policy

Article 11 of the Constitution of Kenya (2010) recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people and nation. Article 11 (2) provides that the state shall promote all forms of national and cultural expression through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage; recognize the role of science and indigenous technologies in the development of the nation; and promote the intellectual property rights of the people of Kenya.

The *Protection of Traditional Knowledge and Cultural Expressions Act, 2016* gives county governments a key mandate in the establishment and maintenance of a register of information relating to traditional knowledge and cultural expressions of the communities within a County and the preservation, protection, conservation and promotion of the traditional knowledge and cultural expressions. There is a great deal of opportunity in this regard in the Makueni County culture and arts industry and all that the practitioners need is a conducive and enabling environment to help them create extra ordinary, quality content and attain skills, which will enable them in branding, selling

and managing their work effectively. This would in turn promote the County's social economic development through employment creation and poverty alleviation.

However, lack of proper preservation of cultural activities, items/artefacts and practices has eroded the Kamba's traditions. This has made the current generation to lack the necessary information about their roots and further created knowledge gaps on cultural issues like the traditional sacred places, the Kamba language itself among others. These have severely hindered the growth of this sector and as such denied the County the opportunities to use it to drive growth and improve the living standards of the residents.

Therefore, it is necessary to find ways of strengthening the sector's capacity in order to fulfil the development objectives enumerated above. To this end, the culture, heritage and arts policy aims to translate the broad social and economic development ideals portended by this sector by addressing the challenges and creating a favourable atmosphere for the exploitation of its potential. The policy will guide the revival, preservation, promotion and the overall development of cultural heritage sector. It is alive to the diverse nature of the County and hence will ensure the mainstreaming of culture and heritage into all the Makueni County Government departments as a tool for public participation.

1.3 Guiding Principles

The following principles will underpin this policy:

- (i) Community participation;
- (ii) Innovation and novelty;
- (iii) Freedom of expression;
- (iv) Access to information;
- (v) Respect for diversity;
- (vi) Protection of indigeneity;
- (vii) Preservation;
- (viii) Sustainability; and
- (ix) Empowerment.

1.4 Policy Statement

This policy endeavours to provide the governance framework for reviving, preserving and promoting the overall development of the arts, culture and heritage sector in Makueni County. This is with a view to tackling the identified challenges and fostering good working relations with the concerned institutions and other stakeholders to effectively achieve our set objectives. As a result, there will be economic empowerment, culture will be safeguarded and thereafter leading to benefits accrued from the creative economy.

1.5 Scope of the Policy

The policy aims to guide the development of a dynamic, vibrant and transformed arts, culture and heritage sector in the County through strengthening of community participation and stakeholder engagement, promotion of creativity, innovation and authenticity in the cultural and creative industries and efficient stewardship, preservation and protection of the County's cultural and natural heritage for posterity.

1.6 Policy Development Process

This policy has been developed through a consultative process involving various departments of the County Government of Makueni such as the Department of Gender, Children, Culture and Social Services, the Office of the County Attorney, cultural and creative industries practitioners and entrepreneurs and the public. The policy has been subjected to extensive stakeholder consultations and confirmed to reflect their views expressed at the various meetings held to discuss it.

CHAPTER 2: SITUATIONAL ANALYSIS

2.1 Introduction

Makueni County is home to distinct cultural, heritage and artistic vitality. Its creative sector includes the following: performing arts-theatre production groups, film production groups and individuals, comedy/comedians, spoken word artists and other emerging art forms, traditional, secular, gospel and contemporary music and dance groups and individual artists; visual arts (painting, sculpture, photography and others), crafts and design (jewellery, accessories, basketry and weaving, carvings and others); fashion and design; Akamba indigenous food entrepreneurs; and Akamba traditional medicine entrepreneurs/herbalists among others.

2.1.1 The Arts Sector in Makueni County

i) Cultural and Creative Industries

Crafts

Crafts include carvings, beadwork, weaving, pottery, basketry and glasswork. There are several organized groups and cooperatives specializing in carvings. These include: Makueni Handicrafts Cooperative Society, Kwa Kiliu Group and the Mbui Nzau Group among others. The groups are not digitally linked to the market. The Directorate of Culture, Music and the Arts has recently developed a digital exhibition for some of the groups and will endeavour to give visibility to the different groups.

The following groups are involved in beadwork, weaving and basketry: Dorcas Beads, Kasikeu, Dry Land Natural Resource Centre (DNRC), Mbumbuni and Chariots for Hope Children's Home, Mbooni. The three groups have established international markets. However, small scale entrepreneurs involved in beadwork, weaving and basketry are exploited by middlemen and women. The main challenge is access to markets.

The Kyeni Kya Kitoo Self Help Group that runs the Kwa Maiko Kamba Pottery and Modeling Centre, Mbooni has appropriated the Akamba art of pottery into the development of energy saving products. The group is able to attract a wide market through its renewable energy partners. There are also pockets of individuals involved in pottery on a small scale who struggle with accessing markets for their products.

The main challenges facing the crafts sector in the County are: access to markets; value addition of products and diversification of product range; capacity building for more innovative designs; and lack of co-creation spaces that also serve as marketing hubs. There is no group involved in glasswork and soapstone/granite carving making it an unexploited opportunity.

ii) Performing Arts

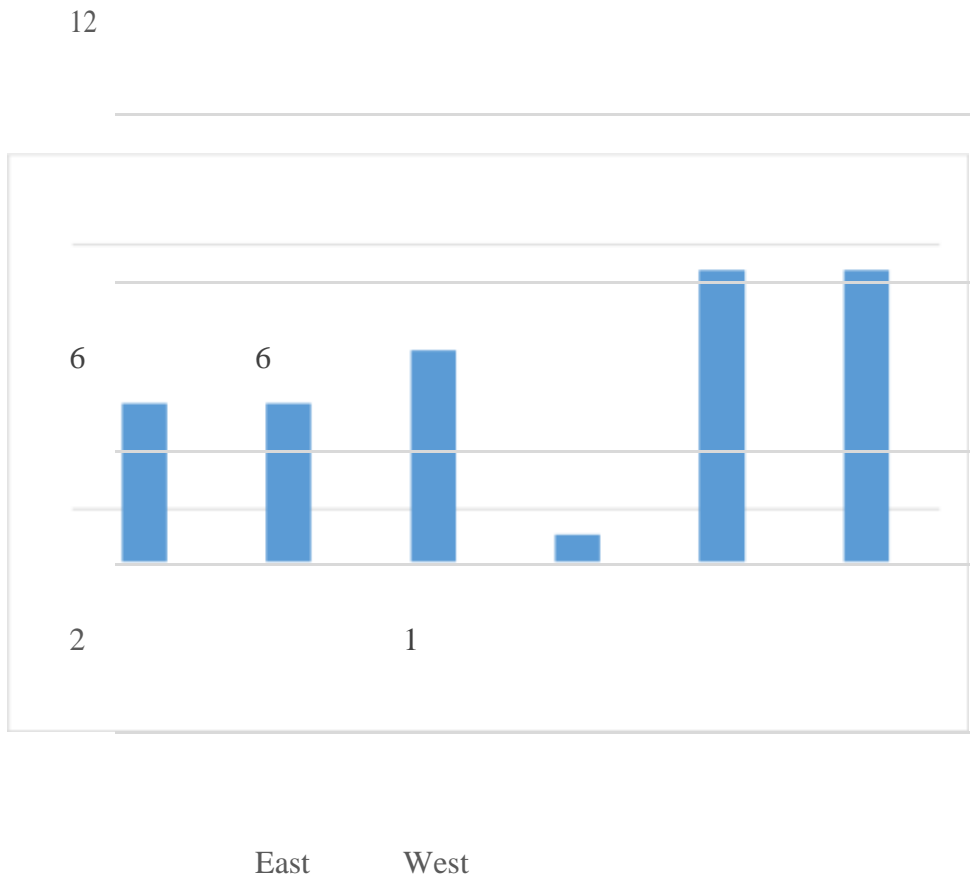
The Government of Makueni County has established the Makueni Recording Studio and an amphitheatre at the Wote Green Public Park that are at the service of performing artists.

Music

The County has a vibrant music sector made up of traditional, contemporary, secular, gospel music groups and individual artists.

Secular Music Bands

Number of Secular Music Bands



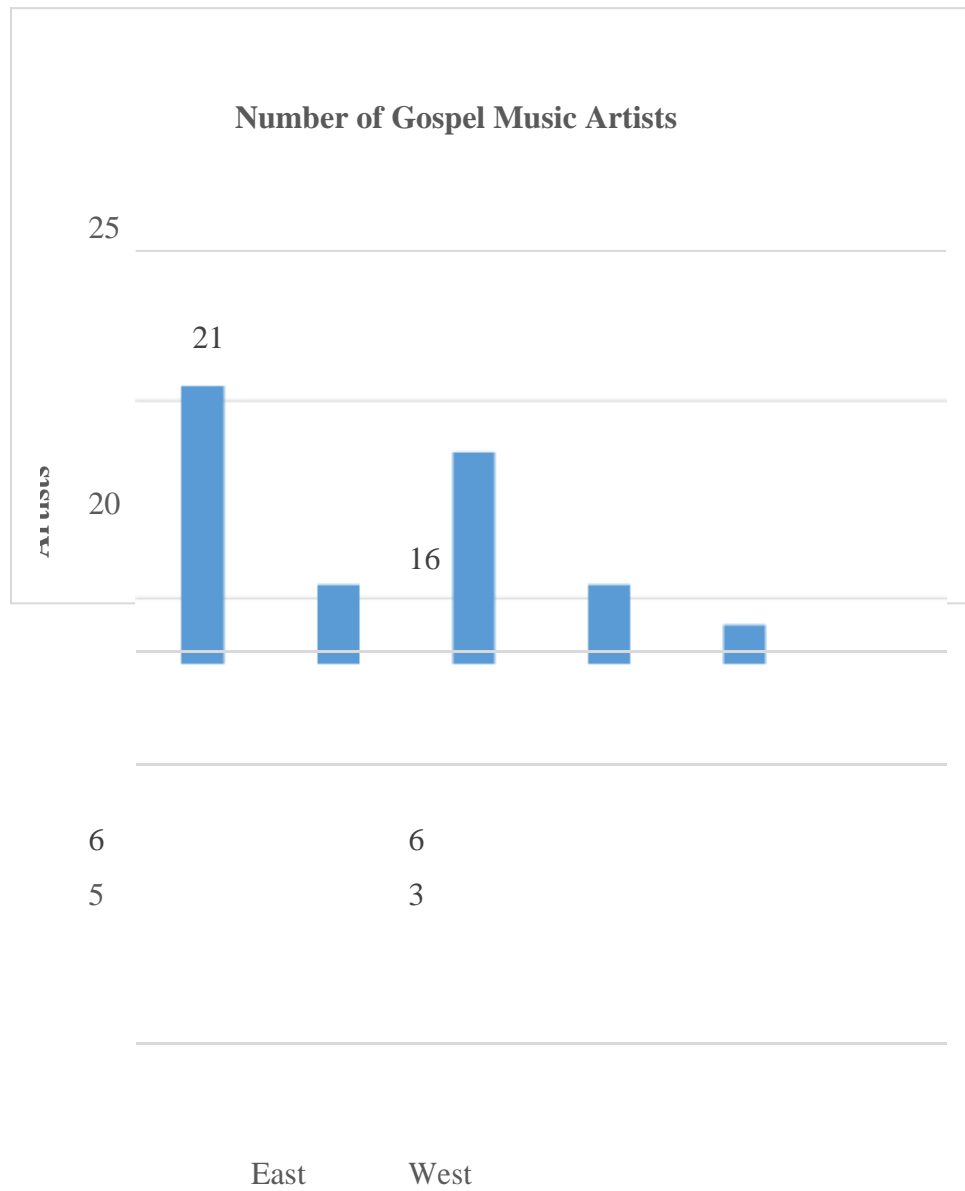
Sub County

Source: Directorate of Culture, Music and the Arts Database, August 2020.

Secular music bands face the challenge of inadequate skills in the management of the bands as profitable entities and also inadequate modern equipment to entertain an audience that is slowly becoming choosy in the quality of music they listen to.

Gospel Music Artists and Groups

The County has a growing gospel music sector. Most of the gospel artists have been recorded at the Makueni Recording Studio. The following figure shows the gospel artists in the 6 Sub Counties



Sub County

Source: Makueni Recording Studio Database, August 2020.

Upcoming secular and gospel artists are often unaware of the existing Collective Management Organizations (CMOs) licensed by the Kenya Copyright Board (KECOBO) that are important in protecting their intellectual property rights and ensuring that they earn royalties from the performance of their works. There is need to sensitize secular and gospel artists on the available CMOs and other service providers who produce content for Skiza Tunes, You Tube Channel and other digital marketing platforms.

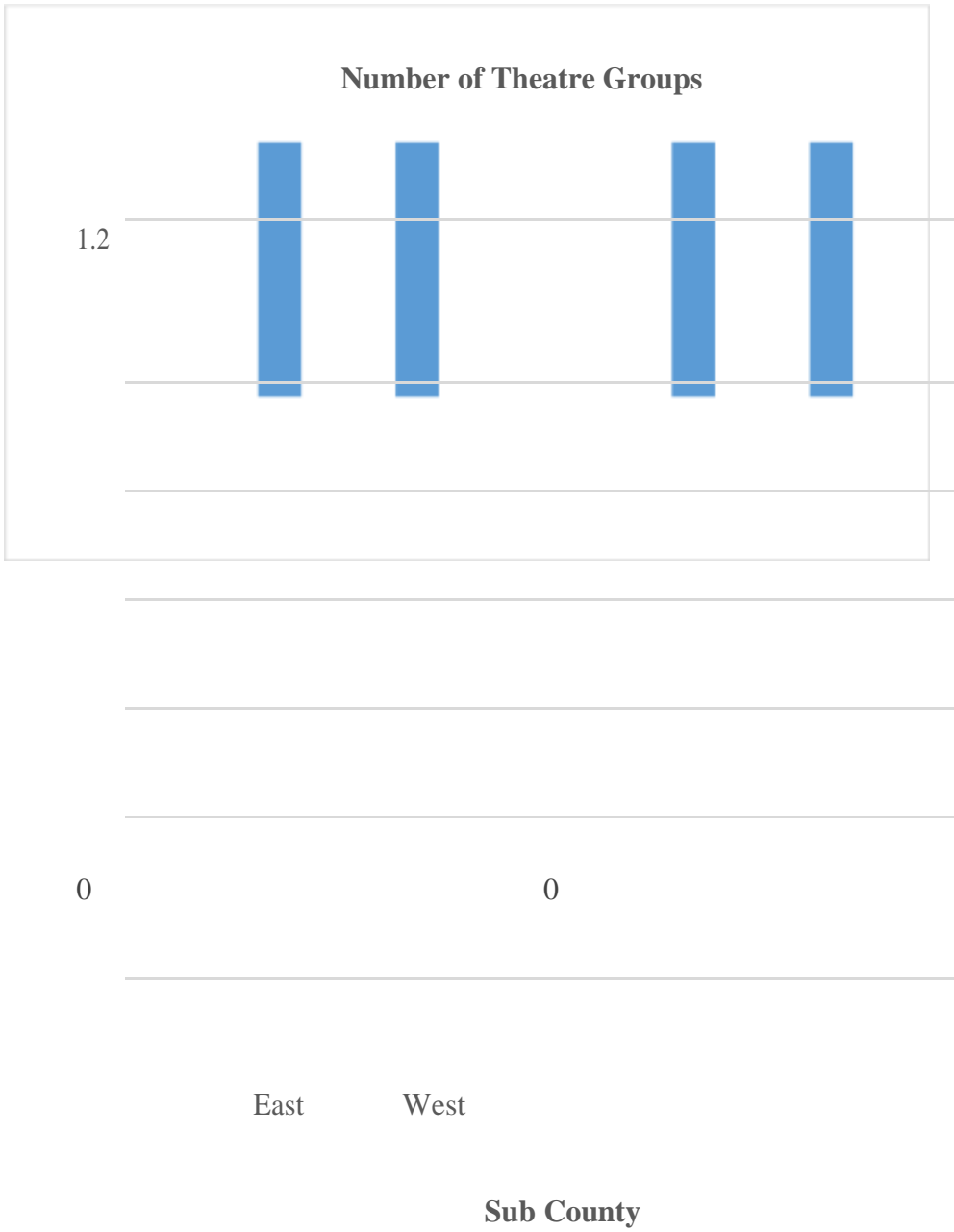
Dance

There are three active contemporary dance groups in the County from Kilome, Kibwezi West and Makueni Sub County. The dance groups face the challenge of costumes and props and space for their rehearsals. The groups are often misunderstood as the society is yet to be accustomed to the eclectic choreography in contemporary dance and abstract dance that is not easy to interpret the message.

Traditional dance groups include the *Kilumi* and *Mbeni* dance groups. The *Kilumi* dance groups include: *Kithio kya Makusu* and *Thome wa Tutini* from Kibwezi West and *Kithio kya Mukamba*, *Tulimani* and *Umiisyo wa Kiliku* from Mbooni Sub County. The groups face the challenge of costumes and maintenance of traditional music instruments and limited opportunities to showcase their art during events organized by the County government and other actors. Majority have also not recorded their works and have elderly members who require geriatric care. The *Kilumi* and *Mbeni* dance requires urgent preservation and protection so that it is not lost/become extinct. There is need to deliberately make traditional dance attractive to the youth to assure its continued survival.

Theatre

Theatre includes plays and other dramatic performances. The County has four active theatre groups: Tsunami, Wote Theatre Group, Nzakika and Kibwezi Theatre Group. The groups are distributed in the Sub Counties as follows:



Source: Directorate of Culture, Music and the Arts Database, August 2020.

The underdevelopment of this sector is due to inadequate spaces for rehearsals and incentives and opportunities for the groups to showcase their work in County government and other actors’ events and projects. Theatre for development is a powerful tool that the County government should nurture and support.

Poetry

The County has many oral poets ‘*Myali*’ artists who are active during society events. However, majority of the artists have not been able to record and protect their work and disseminate their works through digital platforms. It is important to prioritize the recording and marketing of oral poetry that also serves as social commentary and critique of the ills in society.

The available published poetry work is *Ngaeka Waeka: Myali ya Kiikamba Anthology of Kiikamba Poetry* that was published in 2011. The anthology has contributions from Makueni County poets. Other published poetry collections are out of print.

The Spoken Word is an emerging art form that has been popularized by the school drama and film festivals and the Kenya Music and Cultural Festival (KMCF). Theatre spaces in urban centres of the country have also given space to spoken word artists to showcase their art. It is important for the County to popularize this art and provide the necessary capacity building to prospective enthusiasts and artists.

Storytelling

The oral narrative genre is practiced in the school drama and film festivals and the Kenya Music and Cultural Festival (KMCF). This genre that featured every evening in the Akamba *Thome* is slowly diminishing. There is need to document and archive the oral narrative heritage of the Akamba. It could be popularized through the local FM radio stations, animation and in County government events.

Puppetry

Over the years puppetry has become unpopular. However, it is re-emerging as a new art form for behaviour change communication among the youth and children. It is currently being popularized by the Kenya Music and Cultural Festival (KMCF). There are few groups using puppetry in the County for civic education and in advocacy.

Disk Jockeys (DJs)

Makueni County is home to a growing number of Disk Jockeys owing to the booming entertainment and events sector across the County. DJs are predominantly located in the urban centres along the Nairobi-Mombasa Highway. The main challenge they face is the lack of a

national association to advance their interests and safeguard their welfare. A lot of youth interested in developing their talent in this sector are also faced with the challenge of lack of a training platform and subsequent certification.

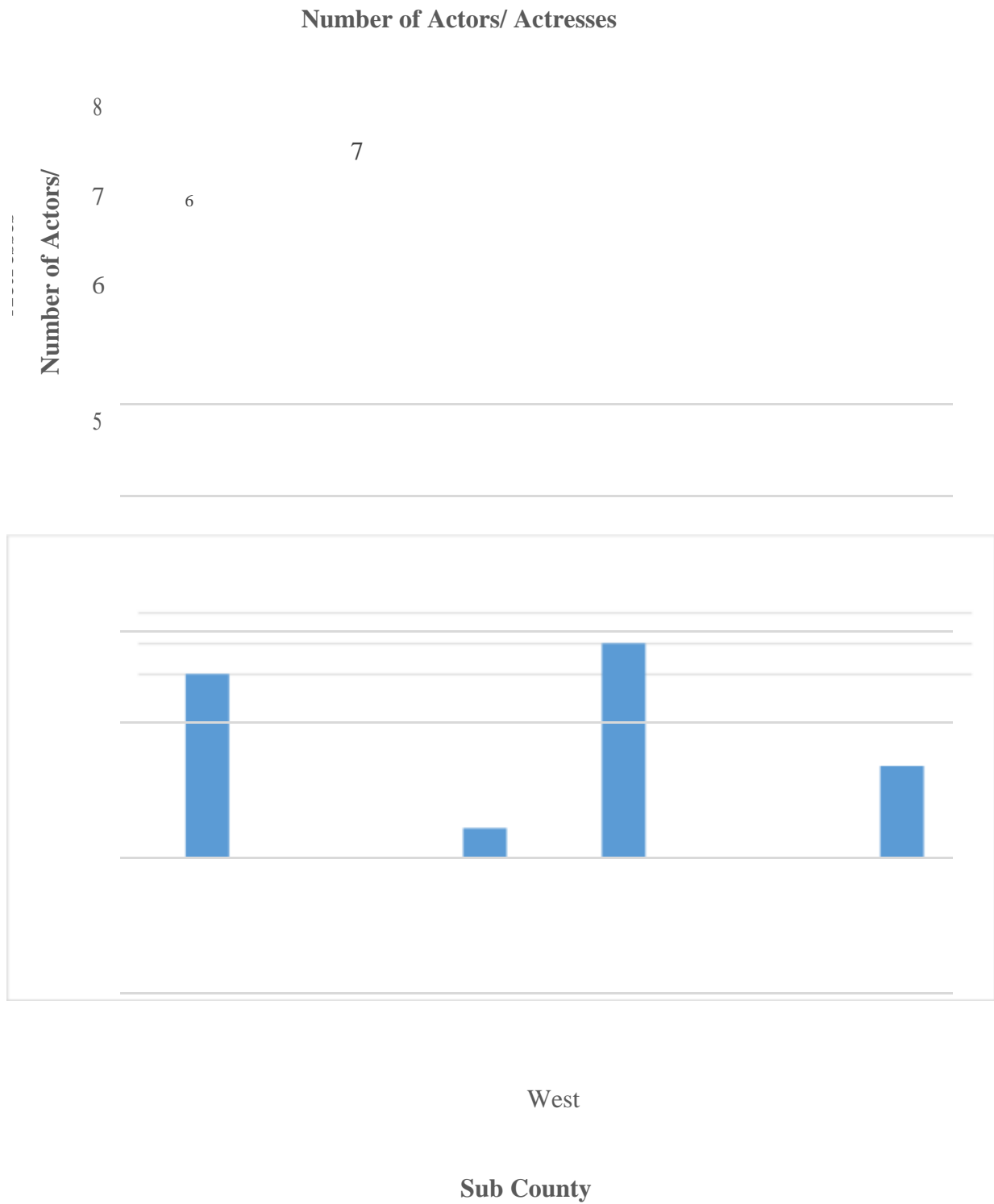
iii) Cinema and Audio-Visual Industry

Cultural products can be consumed through cinema and audio-visual platforms (film, television, photography, video and broadcasting). Audiences are entertained and exposed to other cultural experiences through these mediums.

Film

The following figures show the diversity of talent in the cinema and audio-visual industry in the

County:



Source: Directorate of Culture, Music and the Arts Database, August 2020.

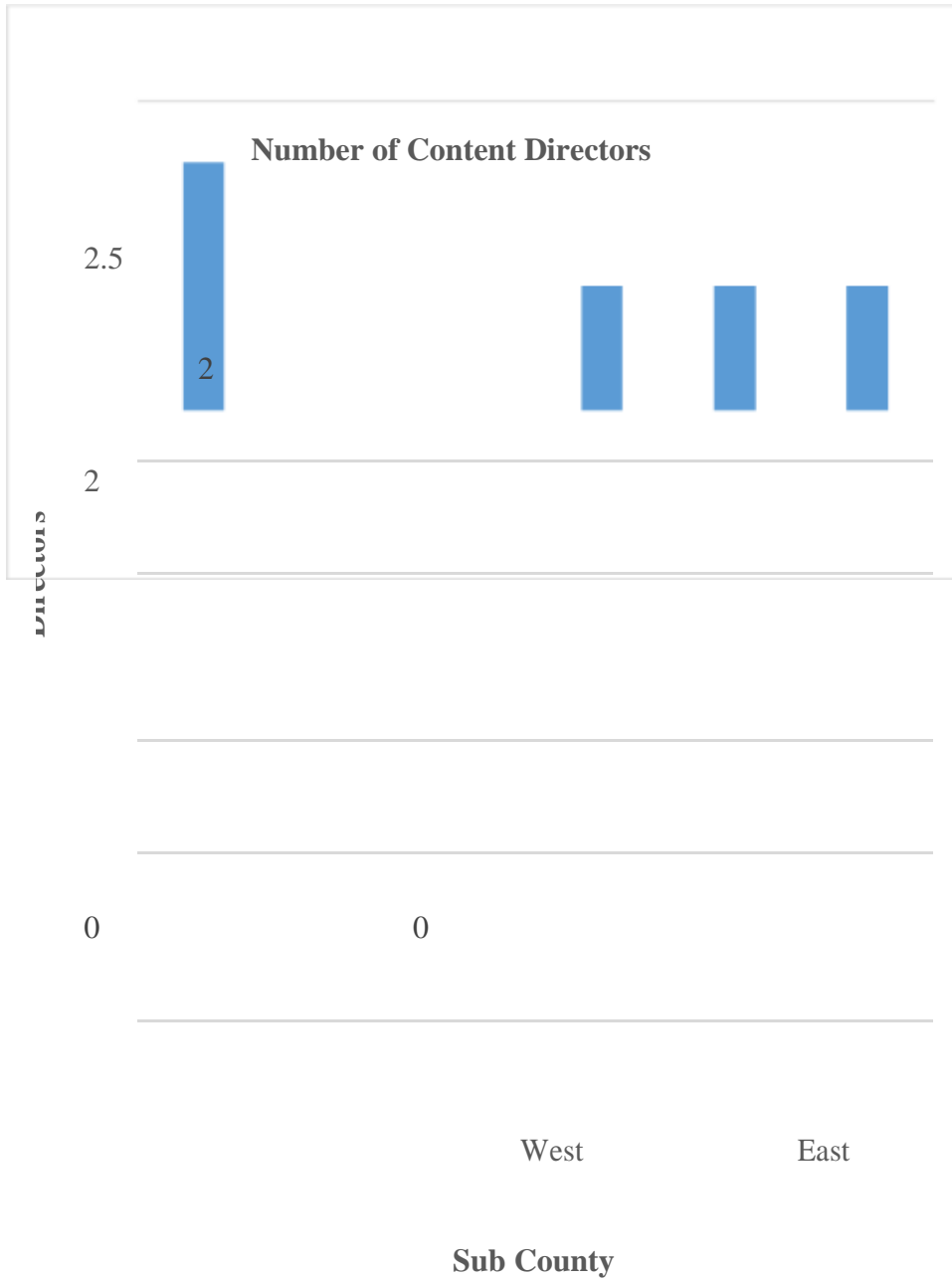
The following figure shows the film makers specializing in photography and directing of photography in film production:



Sub County

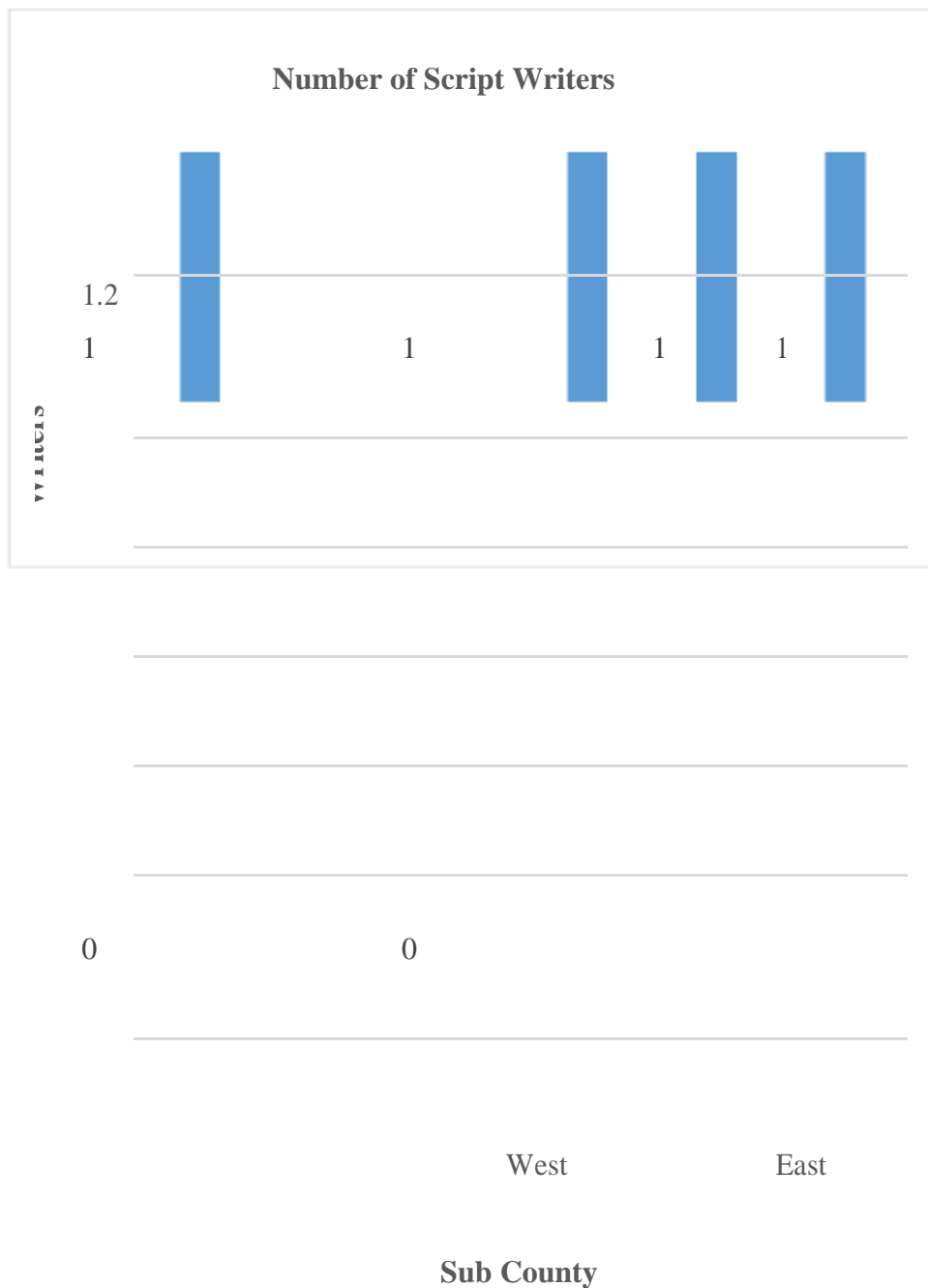
Source: Directorate of Culture, Music and the Arts Database, August 2020.

The County also has experienced directors in film production as outlined in the following figure:



Source: Directorate of Culture, Music and the Arts, August 2020.

The County has limited script writers for film. The following figure shows the script writers for film in the County:



Source: Directorate of Culture, Music and the Arts Database, August 2020.

2.1.2 The Culture and Heritage Sector in Makueni County

Makueni County is richly endowed with cultural and natural heritage.

Heritage

Makueni County has various cultural and natural heritage sites. These include: cultural and natural heritage sites, religious and sacred sites. The table below shows some of the sites:

Table 1: Makueni County Cultural and Natural Heritage Sites

TYPE OF HERITAGE	HERITAGE SITE	LOCATION
Heritage sites in the	Chyulu Hills Complex	Kibwezi West Sub County
	Tsavo East National Park	Kibwezi East Sub County
	Tsavo West National Park	Kibwezi East Sub County
Religious Heritage Sites	AIC Kalamba	Makueni Sub County
	PCEA Scottish Mission Church	Kibwezi West Sub County
	St. Peter and Paul Church	Kaiti Sub County
	Kwa Musalava, Kauti	Kaiti Sub County
	Catholic Church, Mbitini	Makueni Sub County
	Sikh Temple, Makindu	Kibwezi West Sub County

TYPE OF HERITAGE	HERITAGE SITE	LOCATION
Cultural Heritage Sites	Mulata legendary rock, Nzau	Makueni Sub County
	Kisula leviathan caves	Kibwezi East Sub County
	Muambwani, Mbitini	Makueni Sub County
	Kwa Mbisu, Mbooni	Mbooni Sub County
	Mau Detention Camps, Mbitini and Kathonzweni	Makueni Sub County
	Waiyaki wa Hinga Burial Site	Kibwezi West Sub County
Natural Heritage Sites	Makongo Viewpoint	Kaiti Sub County
	Mbooni Mavindu Forest	Mbooni Sub County
	Makuli-Nguuta Forest	Makueni Sub County
	Kibwezi Forest	Kibwezi West Sub County
	Kilungu Forest	Kaiti Sub County
	Nthangu Forest	Kaiti Sub County
	Nzau Hill Forest	Makueni Sub County
	Ilovoto Waterfalls	Kaiti Sub County
	Masamukye Hot springs	Kibwezi West Sub County

	The Yatta Plateau	Kibwezi West and East Sub Counties
	Dwa Sisal Farm	Kibwezi West Sub County
Sacred Sites	Kwa Mwiitu Shrine	Makueni Sub County
	Kasamu Shrine	Kibwezi West Sub County
	Kwa Katee Shrine	Kibwezi West Sub County
	Kwa Mwangali Shrine	Kibwezi West Sub County
	Mitini Shrine	Kibwezi West Sub County
	Kwa Kitundumo Shrine	Kilome Sub County
	Kwa Mutula Shrine	Kibwezi West Sub County
	Masamukye Shrine	Kibwezi West Sub County

Source: Report of the Mapping of Heritage Sites and Monuments, Directorate of Culture, Music and the Arts, June 2020.

The policy underscores the urgency to utilize a memorandum of understanding (MOU) signed with the National Museums of Kenya (NMK) in March, 2020 to ensure that: the heritage sites that have been in the tentative list of UNESCO World Heritage Sites are admitted into the prestigious global recognition of world heritage sites and the mapping, gazettement and protection of other heritage sites in the County.

The places of natural beauty and panoramic landscapes of international geological significance are also proposed for nomination into the UNESCO Global Geoparks recognition. It is anticipated that this process will stimulate increased interest and tourism flows for educational, entertainment and enjoyment purposes to the sites and this will contribute to earnings by the cultural and creative industries located along the tourism circuits that will emerge in the County.

Cultural Heritage

Tangible Cultural Heritage

The county government has identified, collected, accessioned and preserved 11 cultural artefacts. However, the artefacts are not well preserved and are susceptible to attacks by ants and other insects.

The County government efforts is augmented by the Akamba Cultural Centre and Museum, a community museum founded by Julius Mutuku Muindi and located at Mulala, Emali/Mulala Ward, that has collected, accessioned, preserved and protected some Akamba cultural artefacts and Dr. David Mailu who has a small collection of Akamba artefacts at his Kee home. There are many cultural artefacts that are yet to be collected, preserved, protected and promoted. There is therefore an urgent need to identify, collect, accession, preserve, protect and promote them. This will reduce their acquisition by Chinese and other cultural art collectors.

County Public Museums

The County does not have a public museum but has made a provision in the *County Integrated Development Plan (CIDP) for 2018 to 2022*. A memorandum of understanding has been signed between the County and the National Museums of Kenya (NMK) that covers the development of heritage infrastructure among other heritage development interventions. In addition, the County

has supported the establishment of the Akamba Cultural Centre and Museum which is a community museum that will augment the efforts of the government.

County Public Libraries

Through Legal Notice No. 142 of 4th June 2019 on the transfer of the library function to the national and county governments, the following public libraries were transferred to the Government of Makueni County: Kinyambu; Kithasyu; and Mutyambua branch libraries. The county government is responsible for the staff emoluments with effect from 1st July 2020, which poses additional financial burden on the County. It is important to establish a County library at the County headquarters.

County Archives and Documentation Service

The County does not have a full-fledged archive and documentation service as contemplated under the *Public Archives and Documentation Service Act, CAP 19* (under review).

County Symbols

County symbols (flag, anthem, motto, seal, coat of arms including natural symbols) represent the identity elements and distinctive characteristics of the County and tell its story while building pride and a sense of belonging among its people. They are chosen wisely and should depict the culture, heritage and nature of the County.

The *Makueni County Flag, Emblems and Names Protection Act, 2015* provides for the County Flag, County Public Seal and the County Coat of Arms. However, the act does not designate the following symbols that are important for a government: the County Anthem; the County Song; the County Pledge; the County Dress; the County River; the County Flower; the County Tree; the County Fruit; the County Animal; the County Bird; and the County Fish. (This is the practice in heraldry in many governments).

The County symbols are important symbols that need to be identified and used in various ways such as for conservation purposes, in the setting up of herbariums, botanical gardens and sanctuaries and in the designation of the various orders used in honouring heroes and heroines from the County. The Directorate of Culture, Music and the Arts is the custodian of all County

symbols and is tasked to educate all citizens and residents of Makueni County in their meaning and history.

Kiikamba Language and Literature Development

Language is an indispensable tool used to describe, classify and catalogue experience, concepts and objects and serves as a cultural repository. Language is learnt culturally and culture is largely acquired and expressed through language. It is important for the County to promote key publications in the language such as dictionaries and grammar books. There is also scarcity of literature (short stories, novels, plays and other literature) in the language. It is important to promote the development of literature in the language.

The arts, culture and heritage sector in Makueni is coordinated by the Directorate of Culture, Music and the Arts in the Department of Gender, Children, Culture and Social Services. The sector is extensive with many practitioners.

2.2 Legal and Institutional Framework

The Constitution of Kenya (2010)

The *Constitution of Kenya (2010)* recognizes culture as the foundation of the nation and as the cumulative civilization of the Kenyan people and nation. It provides that the state shall promote all forms of national and cultural expression through literature, the arts, traditional celebrations, science, communication, information, mass media, publications, libraries and other cultural heritage; recognize the role of science and indigenous technologies in the development of the nation; and promote the intellectual property rights of the people of Kenya.

Language and culture are given prominence in the Bill of Rights as Article 44 of the Constitution provides that: every person has the right to use the language, and to participate in the cultural life, of the person's choice.

Schedule Four Part 2 of the constitution outlines cultural activities, public entertainment and public amenities, including: betting, casinos and other forms of gambling; racing; liquor licensing; cinemas; video shows and hiring; libraries; museums; sports and cultural activities and facilities; and county parks, beaches and recreation facilities as functions of County governments.

Legislations

This policy is responsive to the following laws enacted by the national assembly among others: *The National Museums and Heritage Act, 2006*; the *National Honours Act, 2013*, the *Industrial Property Act, 2001* and the *Protection of Traditional Knowledge and Cultural Expressions Act, 2016*.

The *Protection of Traditional Knowledge and Cultural Expressions Act, 2016* sets out specific responsibilities of County governments in the protection of traditional knowledge and cultural expressions.

The Copyright Act, 2001 (Revised 2019) is central in the protection of the intellectual property rights of artists and practitioners in the cultural and creative industries. The *Films and Stage Plays Act, 1998* (Revised 2012) provides for controlling the making and exhibition of cinematographic films and for the licensing of stage plays, theatres and cinemas.

The *Kenya Information and Communications Act, 2015* and *Kenya Programming Code for Free-to-air Radio and Television, 2015* are central in the control of the content from the cultural and creative industries that is aired through the radio, television and various digital media platforms.

The *Makueni County Culture and Heritage Act, 2016* provides for the procedural matters relating to registration, licensing, management and the overall development of the culture and heritage sector.

International Agreements

The policy is responsive to the various international cultural instruments which Kenya has ratified and form part of our laws pursuant to Article 2 (6) of the *Constitution of Kenya (2010)*.

Kenya has ratified various international instruments on culture that include: the International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966; the UNESCO Convention on the Protection of the World Cultural and Natural Heritage, 1972; the UNESCO Convention on the Safeguarding of Intangible Cultural Heritage, 2003; and the UNESCO Convention on the Protection; Sustainable Development Goals and Promotion of the Diversity of Cultural Expressions, 2005. The Convention on Biological Diversity, 1993 the Nagoya Protocol and the International Treaty on Plant Genetic Resources for Food and Agriculture are also relevant

especially in optimizing benefits realized from utilization of genetic resources associated to traditional knowledge.

The African Union Agenda 2063 sets out the aspirations of the African people. This policy contributes to the following aspiration: ‘Africa is self-confident in its identity, heritage, culture and shared values and is a strong, united and influential partner on the global stage making its contribution to peace, human progress, peaceful co-existence and welfare’.

Policy Frameworks

The *Kenya Vision 2030*, the *Makueni County Vision 2025*, the *National Policy on Culture and Heritage, 2009* and the *County Integrated Development Plans* are emphatic on the relevance of the arts, culture and heritage as a tool for spurring social economic development and ensuring inclusive growth of the County. It is therefore imperative to have a policy framework for this sector in place.

2.3 Challenges

Based on the foregoing, the key challenges facing this sector are:

- (i) Inadequate policy, legal and regulatory framework;
- (ii) Inadequate documentation of tangible and intangible cultural heritage;
- (iii) Lack of an operational county public museum;
- (iv) Inadequate arts, culture and heritage physical spaces (such as auditoriums, theatres, performance stage/arena) for the performing arts;
- (v) Lack of co-creating spaces such as incubators and/or eco-workshops for craftsmen and women;
- (vi) High cost of materials and marketing for the cultural and creative industries practitioners;
- (vii) Inadequate market access for the arts and cultural goods and services;
- (viii) High fees and commissions taken by art galleries and craft markets;
- (ix) Weak cooperatives and associations of artists;
- (x) Inadequate resources to enhance the capacity of the arts, culture and heritage sector;
- (xi) Insufficient exhibition, display and marketing opportunities;
- (xii) Lack of value addition to indigenous food and nutrition, genetic and other resources associated with Akamba indigenous/traditional knowledge;

- (xiii) Inadequate exploitation of indigenous knowledge on food and nutrition and other genetic resources;
- (xiv) The persistent perception of arts, culture and heritage as marginal luxuries and disregard of their economic potential and contributions;
- (xv) Limited opportunities for formal education, training and development of critical technicians in the arts, culture and heritage sector;
- (xvi) Low adoption of technology (print, digital and broadcasting media) to enhance creativity and innovativeness of cultural expressions, products and services; and
- (xvii) Under-exploitation of the opportunities in the private sector to fund and develop the arts, culture and heritage sector.

CHAPTER 3: POLICY OBJECTIVES AND STRATEGIES

3.1 Introduction

This chapter outlines the policy objectives, directions and strategies for addressing the issues identified in the first two Chapters in relation to the goal of enhancing the productivity of the arts, culture and heritage sector in the County. These objectives, directions and strategies provide more specific guidance on how the overall goals and statements of this policy will be attained.

3.2 Policy Objectives and Strategies

3.2.1 Policy Objective 1: To strengthen the policy, legal and regulatory framework on the arts, culture and heritage sector.

This policy recognises that the establishment of a policy, legal and regulatory framework to guide the arts, culture and heritage sector is foundational in enhancing its development. The framework should address challenges such as inadequacy of resources, lack of awareness, inadequate documentation of both the tangible and intangible cultural heritage within the County and low adoption of creativity and innovative ways of improving the cultural and creative industries, among others. The framework will also ensure that the industry is properly managed to strengthen its socio-economic potential.

Policy Direction

The County Government of Makueni shall establish a robust policy, legislative and regulatory framework to facilitate the development of the Makueni County arts, culture and heritage sector.

Strategies:

- (i) Review the *Makueni County Culture and Heritage Act, 2016* to conform with the policy;
- (ii) Enact relevant regulations and guidelines; and
- (iii) Establish appropriate institutional structures.

3.2.2 Policy Objective 2: To document the tangible and intangible cultural heritage of the County

Policy Direction

The County Government of Makueni shall put in place relevant measures to document both the tangible and intangible cultural heritage of the County.

Strategies:

- (i) Mapping of tangible and intangible cultural heritage;
- (ii) Collect, accession, preserve, protect and promote tangible and intangible cultural heritage;
- (iii) Create an up-to-date central repository including digital databanks; and
- (iv) Create awareness on tangible and intangible cultural heritage.

3.2.3 Policy Objective 3: To establish a County public museum at the County Headquarters

Policy Direction

The County Government of Makueni shall establish a County public museum at the County headquarters.

Strategies:

- (i) Allocation of land;
- (ii) Budgetary allocation;
- (iii) Continuous collection, accessioning, preservation and protection of cultural artefacts; and
- (iv) Implementation of the Memorandum of Understanding (MOU) with the National Museums of Kenya (NMK).

3.2.4 Policy Objective 4: To create stakeholder interlinkages and partnerships for the development of the arts, culture and heritage sector.

Policy Direction

The County Government of Makueni shall seek strategic partnership with various stakeholders and map out opportunities for improving the arts, culture and heritage sector of the County.

Strategies:

- (i) Stakeholder mapping and identification;
- (ii) Establish partnerships with state actors; and
- (iii) Establish partnerships with non-state actors.

3.2.5 Policy Objective 5: To facilitate knowledge, skills and information capacity in the arts, culture and heritage sector.

Policy Direction

The County Government shall facilitate knowledge, skills and information capacity building of the arts, culture and heritage sector.

Strategies:

- (i) Continuous research and development;
- (ii) Talent development and training of cultural and creative industries practitioners;
- (iii) Awareness creation on the creative economy; and
- (iv) Awareness creation on Akamba governance and social system including the Akamba clans, justice system, philosophy and others.

3.2.6 Policy Objective 6: To leverage on technology in the arts, culture and heritage sector.

Policy Direction

The County Government shall leverage on technology.

Strategies:

- (i) Digitization of collections of cultural artefacts;
- (ii) Create awareness of digital platforms for marketing arts and cultural goods and services;
and
- (iii) Establish a County data management information system for the cultural and creative industries.

3.2.7 Policy Objective 7: To establish physical infrastructure for the cultural and creative industries.

Policy Direction

The County Government shall establish physical infrastructure for the cultural and creative industries.

Strategies:

- (i) Establish physical spaces for the performing arts;
- (ii) Establish co-creating spaces for the cultural and creative industries; and
- (iii) Engage relevant stakeholders.

3.2.8 Policy Objective 8: To enhance resource capacitation for the arts, culture and heritage sector.

Policy Direction

The County Government shall put in place necessary measures to ensure adequate resource capacitation for the arts, culture and heritage sector.

Strategies:

- (i) Lobby for adequate budget allocation;
- (ii) Optimal staffing;
- (iii) External resource mobilization; and
- (iv) Development of administrative structures.

3.2.9 Policy Objective 9: To facilitate market access for the arts and cultural goods and services.

Policy Direction

The County Government shall facilitate market access for the arts and cultural goods and services.

Strategies:

- (i) Promote the domestic market;
- (ii) Promote the national and international market;
- (iii) Create awareness on the available markets;
- (iv) Promote marketing platforms leveraging on appropriate technology;
- (v) Strengthen the organized groups, cooperatives and associations of artists;

- (vi) Promote the propagation, use and consumption of Akamba indigenous food and traditional brew;
- (vii) Promote value addition; and
- (viii) Organize events, festivals, exhibitions, trade fairs and exchange programmes to promote the arts, culture and heritage sector.

CHAPTER FOUR: IMPLEMENTATION FRAMEWORK

This chapter outlines the framework for actualizing the policy objectives identified herein.

4.1 Monitoring

The monitoring and evaluation framework is intended to measure the progress in the implementation of this Policy. The framework reflects the Policy's overarching objectives as well as objectively verifiable indicators, actors and timelines within which each strategy is to be achieved.

4.2 Evaluation

Evaluation is a critical component in the implementation of the policy to measure progress in the attainment of the policy objectives. Evaluation of the implementation of the policy shall be undertaken in line with the existing County monitoring and evaluation framework. Mid-term evaluation will be undertaken to measure the outcomes and impact of the policy and inform its review.

4.3 Progress Reports

The Department responsible for Arts, Culture and Heritage shall prepare quarterly and annual monitoring and evaluation reports on implementation of the Policy. Monitoring and information studies are to be undertaken jointly with relevant stakeholders.

4.4 Feedback Mechanisms and Stakeholder Consultation

The Department responsible for Arts, Culture and Heritage shall hold a County arts, culture and heritage conference annually in order to monitor progress in implementation of the Policy and receive feedback from the County Government and other stakeholders.

4.5 Policy Funding Mechanism

The County Government will prioritize and set aside a specific annual budgetary allocation for policy implementation. Collaboration with stakeholders and development partners will also be sought to fund and help in the implementation and strengthening of capacity.

4.6 Policy Review

The government shall from time to time in collaboration with all key stakeholders review the policy to ensure that it remains relevant and meets the changing trends at international, national and county level.

4.7 Implementation Matrix

Table 2: Policy Implementation Framework

Objectives	Strategies	Indicators	Actors	Timelines
<p>Objective 1: To strengthen the policy, legal and regulatory framework on cultural heritage.</p>	<p>Review the <i>Makueni County Culture and Heritage Act, 2016</i> to conform with the policy.</p> <p>Enact relevant regulations and guidelines.</p> <p>Establish appropriate institutional structures</p>	<p>Amended <i>Makueni County Culture and Heritage Act, 2016</i>.</p> <p>No. of enacted regulations & guidelines</p> <p>No. of institutional structures established</p>	<p>Department in charge of the Arts, Culture and Heritage</p> <p>Department in charge of legal services</p> <p>Department in charge of Public participation</p> <p>County Assembly</p>	<p><i>Makueni County Culture and Heritage Act, 2016</i> to be amended within 1 year of the adoption of the policy.</p> <p>Relevant regulations and guidelines to be developed and approved within 2 years of the adoption of the policy.</p>
<p>Objective 2: To document the tangible and intangible cultural</p>	<p>Mapping of tangible and intangible cultural heritage.</p>	<p>Database of tangible and intangible cultural</p>	<p>Department in charge of the Arts, Culture and</p>	<p>Appropriate measures to provide adequate budget</p>

<p>heritage of the County.</p>	<p>Collect, accession, preserve and protect tangible and intangible cultural heritage.</p> <p>Create an up-to-date central repository including digital databanks.</p> <p>Create awareness on tangible and intangible cultural heritage.</p>	<p>heritage</p> <p>Inventory of accessioned and preserved collections</p> <p>Database</p> <p>No. of awareness forums and attendees</p>	<p>Heritage</p>	<p>allocation to achieve this policy objective to be instituted within 1 year of the adoption of the policy.</p>
<p>Objective 3: To establish a County public museum at the County Headquarters.</p>	<p>Allocation of land.</p> <p>Budgetary allocation.</p> <p>Continuous collection, accessioning, preservation and protection of cultural artefacts.</p> <p>Implementation of the MOU with the NMK.</p>	<p>No. of designated pieces of Land/ Spaces</p> <p>Amount (Ksh) allocated</p> <p>Inventory of accessioned collections</p> <p>MoU with NMK implemented</p>	<p>Department in charge of the Arts, Culture and Heritage Department in charge of lands</p> <p>Department in charge of Donor Liaison NMK</p>	<p>Land for the County Public Museum to be allocated within 1 year of the adoption of the policy.</p> <p>Appropriate measures for the development of the museum to be instituted within 2 years of the</p>

				adoption of the policy.
Objective 4: To create stakeholder interlinkages and partnerships for the development of the arts, culture and heritage sector.	Stakeholders mapping and identification. Establish partnerships with state actors.	Stakeholders database No. of MoUs established and implemented No. of proposals and concepts	Department in charge of the Arts, Culture and Heritage Department in charge of legal services	Appropriate measures to be instituted within 1 year of the adoption of the policy.

Objectives	Strategies	Indicators	Actors	Timelines
	Establish partnerships with non-state actors.	developed and funded	Department in charge of Donor Liaison	
Objective 5: To facilitate knowledge, skills and information capacity in the arts, culture and heritage sector.	Continuous research and development. Talent development and Training of cultural and creative industries practitioners. Awareness creation on the creative economy. Awareness creation on a good governance and social justice system including the ba clans, justice philosophy system, and others.	No. of research proposals developed and undertaken No. of forums conducted and practitioners trained No. of awareness forums and attendees No. of publications developed	Department in charge of the Arts, Culture and Heritage Department in charge of Public Participation	Appropriate measures to be instituted within 2 years of the adoption of the policy.
Objective 6: To leverage	Digitization of collections of	Digitized cultural	Department in	Appropriate

<p>on technology in the arts, culture and heritage sector.</p>	<p>cultural artefacts.</p> <p>Create awareness of digital platforms for marketing arts and cultural goods and services.</p> <p>Establish a County data management information system (MIS) for the cultural and creative industries.</p>	<p>artefacts inventory No. of awareness forums on digital platforms and attendees Central county data MIS for the cultural and creative industries information</p>	<p>charge of the Arts, Culture and Heritage Department in charge of ICT</p>	<p>measures to be instituted within 2 years of the adoption of the policy.</p>
<p>Objective 7: To establish physical infrastructure for the cultural and creative industries.</p>	<p>Establish physical spaces for the performing arts.</p> <p>Establish co-creating spaces for the cultural and creative industries.</p> <p>Engage relevant stakeholders.</p>	<p>No. of designated physical spaces No. and modes of co-creating spaces established No. of MoUs established and implemented</p>	<p>Department in charge of the Arts, Culture and Heritage Department in charge of Lands Department in charge of Donor</p>	<p>Appropriate measures to be instituted within 2 years of the adoption of the policy.</p>

		No. of proposals and concepts developed and funded	Liaison Department in charge of ICT	
Objective 8: To enhance resource capacitation for the arts, culture and heritage sector.	Lobby for adequate budget allocation. External resource mobilization. Optimal staffing Development of administrative structures.	Amount (Ksh) allocated No. of funding proposals developed and funded No. of staff placed	Department in charge of the Arts, Culture and Heritage Department in charge of Finance Department in charge of Donor Liaison Department in charge of Public Service	Appropriate measures to be instituted within 1 year of the adoption of the policy.

Objectives	Strategies	Indicators	Actors	Timelines
			Makueni County Public Service Board	
Objective 9: To facilitate market access for the arts and cultural goods and services.	<p>Promote the domestic market.</p> <p>Promote the national and international market.</p> <p>Create awareness on the available markets.</p> <p>Promote marketing platforms leveraging on appropriate technology.</p> <p>Strengthen the organized groups, cooperatives and associations of artists.</p>	<p>No. of domestic market promotion fairs and exhibitions held</p> <p>No. of participants supported to engage in national and international exhibitions;</p> <p>No. of marketing promotion and awareness forums conducted and attendees</p> <p>No. of digital platforms</p>	<p>Department in charge of the Arts, Culture and Heritage</p> <p>Department in charge of ICT</p> <p>Department in charge of Trade, Tourism and Cooperatives Development</p> <p>Department in charge of Agriculture</p>	<p>Appropriate measures to be instituted within 2 years of the adoption of the policy.</p>

	<p>Promote the propagation, use and consumption of Akamba indigenous food and traditional brew.</p> <p>Promote value addition</p> <p>Organize events, exhibitions, trade fairs, festivals and exchange programmes to promote the arts, culture and heritage sector.</p>	<p>promoting county arts, culture and heritage;</p> <p>No. of organized groups, cooperatives and associations</p> <p>supported Variety of Akamba indigenous food and traditional brew promoted No. of Akamba indigenous food and traditional brew value chains established</p> <p>No. of arts, culture and heritage sectors events held</p>		
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5. References

UNESCO (1995) *Our Creative Diversity: Report of the World Commission on Culture and Development* Paris: United Nations Educational, Scientific and Cultural Organization.