SUSTAINABLE DEVELOPMENT IN POLAND AND KENYA – A COMPARISON OF REGULATORY AND INSTITUTIONAL APPROACHES

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Abstract

The global imperative for sustainable development demands its integration into national regulatory frameworks, yet effective pathways remain highly contested. This study provides a critical comparative analysis of how Poland and Kenya institutionalize and implement sustainability, framing their efforts as contrasting models of regulatory transposition versus constitutional innovation. As an EU member state, Poland exemplifies a top down, coherence driven approach, adopting a sophisticated legal and monitoring architecture derived from Brussels. In contrast, Kenya, a leader in the East African Community, presents a bottom up, polycentric model, having proactively embedded sustainability principles and devolved governance into its national fabric through its landmark 2010 Constitution. Utilizing a qualitative comparative case-study methodology, this research analyzes primary legislation, national strategies, and institutional architectures. It reveals a fundamental divergence in implementation challenges: Poland's struggle lies in adapting and localizing its sometimes rigid, externally derived frameworks, while Kenya's central challenge is building administrative and technical capacity to fully realize its ambitious, homegrown constitutional vision. Despite differing origins, both nations grapple with the core governance dilemmas of policy coherence and balancing economic growth with environmental protection. The study concludes that the efficacy of sustainability governance is less determined by the origin of the regulatory model and more contingent on a state's capacity for adaptive governance the strategic ability to blend coherent regulation, market-based instruments, and genuine multi stakeholder participation. This comparative analysis

contributes to the theoretical understanding of sustainable development governance by demonstrating how institutional legacies structurally condition policy coherence, implementation dynamics, and the political economy of sustainability transitions.
Keywords: Adaptive Governance, Comparative Policy, Devolution, European Green Deal, Kenya Vision 2030, Policy Coherence, Sustainable Development Goals (SDGs).

Introduction

The concept of sustainable development, as defined by the World Commission on Environment and Development (the Brundtland Commission) in the report "Our Common Future" (1987), refers to development that "meets the needs of the present without compromising the ability of future generations to meet their own needs"[1], has been operationalized globally through the 2030 Agenda and its 17 Sustainable Development Goals (SDGs) [2]. However, the transition from global ambition to national reality remains a profound governance challenge, requiring the integration of economic, social, and environmental objectives across fragmented institutions and competing policy domains [3].

This study posits that the effectiveness of this transition is fundamentally shaped by a country's unique regulatory and institutional architecture. It explores this premise through a comparative analysis of Poland and Kenya two middle income economies navigating sustainability within starkly different regional and historical contexts. Poland, a European Union member, operates within a binding supranational framework that mandates alignment with ambitious environmental and climate targets. Kenya, while influenced by global and continental agendas, has pioneered a constitutionally enshrined, devolved model of sustainability governance.

The research moves beyond a technical comparison of policies to a critical institutional analysis. It asks: *How do the contrasting regulatory institutional frameworks of Poland (externally anchored/EU-driven) and Kenya (internally anchored/constitutionally-driven) shape the implementation, coherence, and ultimate efficacy of sustainable development?* By examining these two models, the study aims to derive insights into the enabling conditions and persistent obstacles for adaptive sustainability governance in diverse development contexts.

1. Current State of the Issue: The Implementation Gap

The concept of sustainable development has become one of the key paradigms shaping global governance, public policy, and academic debate over the past several decades. Since the publication of Our Common Future by the World Commission on Environment and Development, sustainable development has been understood as a multidimensional framework integrating economic growth, environmental protection, and social equity. The adoption of the 2030 Agenda for Sustainable Development [2] and its 17 Sustainable Development Goals (SDGs) further reinforced the need to align national development strategies with global sustainability objectives. Consequently, a substantial body of literature has emerged examining how countries incorporate sustainability principles into their regulatory and institutional systems.

Existing research on sustainable development is largely dominated by single-country studies, focusing on how national policy frameworks respond to global sustainability agendas. In the European context, scholars frequently analyse the role of the European Union as a supranational driver of sustainability governance, particularly through regulatory instruments such as the European Green Deal and climate policy mechanisms. Within this literature, Poland is often presented as an example of a country facing the challenge of reconciling ambitious EU climate objectives with its domestic economic structure, particularly its historical reliance on coal-based energy. At the same time, a significant body of research examines sustainable development in developing economies, where sustainability policies are closely linked to issues such as poverty reduction, institutional capacity, and climate vulnerability. Kenya is widely discussed in the literature due to its relatively advanced policy framework, including the Kenya Vision 2030 strategy and the constitutional recognition of environmental rights introduced in 2010. Scholars highlight the role of decentralised governance and local development planning, while also pointing to challenges related to institutional capacity and coordination across governance levels.

Despite the extensive literature addressing sustainable development in Poland and Kenya individually, comparative analyses involving both countries remain largely absent. A search conducted in the Scopus database indicates that publications explicitly addressing Poland and Kenya within a single sustainability governance framework are extremely limited. However, recent studies examining global sustainability challenges provide insights relevant to both regions. For instance, research on pharmaceutical and personal care product contamination highlights the growing environmental risks associated with emerging pollutants and their implications for achieving several SDGs [4] Similarly, global assessments of antibiotic pollution demonstrate the need for stronger environmental monitoring and integrated environmental–health governance systems, particularly in developing regions [5] Other studies emphasize the importance of integrating climate adaptation and disaster risk reduction strategies to strengthen societal resilience to climate-related hazards [6]. In addition, research on decarbonisation pathways highlights the importance of institutional capacity, financial resources, and international cooperation in supporting sustainable transitions in both developed and developing economies [7].

Despite the growing body of research on sustainability governance, the literature consistently points to a persistent implementation gap between global sustainability commitments and their practical realisation at the national level. Globally, the implementation of the 2030 Agenda is marked by uneven progress and persistent trade-offs between economic growth, social equity, and environmental protection [2]. The central challenge lies in achieving policy coherence, understood as aligning sectoral policies, financing mechanisms, and institutional incentives with the multidimensional objectives of the SDGs.

In Poland, national commitments to sustainable development are primarily implemented through the Strategy for Responsible Development (SRD) until 2020 with a perspective to 2030, which serves as a framework document coordinating actions aimed at SDG implementation [8]. Progress is monitored through a sophisticated online SDG monitoring portal comprising over

140 indicators. Nevertheless, significant tensions remain, particularly between Poland's historical reliance on coal and the European Union's decarbonisation mandates, highlighting a gap between strategic adoption and transformative implementation.

In Kenya, sustainable development is anchored in the long-term Vision 2030 strategy and its Medium-Term Plans, where SDGs function as a cross-cutting development pillar. The country has also demonstrated a proactive approach by developing complementary frameworks such as the Green Economy Strategy and Implementation Plan (GESIP) [9]. However, implementation remains constrained by fragmentation across national ministries and, crucially, by varying levels of administrative capacity among the 47 devolved county governments. These challenges reflect broader coordination difficulties typical of polycentric governance systems, such as those observed in the Borana rangelands [10].

2. The Regulatory-Institutional Framework In Poland: Eu-Driven Coherence

3.1 The Supranational Engine: The European Green Deal

In Poland, the regulation of sustainable development is predominantly shaped by its membership in the European Union. The European Green Deal (EGD) functions as the EU's overarching sustainable growth strategy and is legally binding through instruments such as the European Climate Law and the Governance Regulation for the Energy Union and Climate Action [11]. This establishes a predominantly "top-down" framework, within which national strategies are required to align with EU-wide targets, such as the 55% reduction in greenhouse gas emissions by 2030. Moreover, Cohesion Policy funds representing a significant source of financing for Poland—are increasingly conditional upon meeting green transition criteria, positioning the EU as both a regulatory and financial driver of sustainable development.National Translation: Strategies and Institutionalization

One of Poland's key responses to the European Union's regulatory framework is the Strategy for Responsible Development (SRD), which serves as the main framework integrating economic, social, and environmental objectives, emphasizing the need to balance economic competitiveness, social cohesion, and environmental protection. As noted by Szpor and Śniegocki [12], the implementation of the Sustainable Development Goals (SDGs) in Poland is largely embedded within existing public policy instruments, with the SRD playing a central role in this process, reflecting a coordinated approach to sustainability governance rather than a separate SDG-specific strategy. This strategy is complemented by the State Environmental Policy 2030 [13], which specifies environmental objectives. At the institutional level, an important role is played by the Coordination Committee for Development Policy and the Task Force for SRD Coherence operating within it, which are responsible for coordinating and ensuring the alignment of public policies with the SDGs and the European Green Deal. An important role is also played by Statistics Poland (GUS), which maintains a comprehensive system of SDG indicators, reflecting a strong emphasis on monitoring and reporting progress in achieving sustainable development goals.

3.2 Critical Reflections: The Challenge of Localization

Although the regulatory framework is legally robust and formally coherent, a key challenge remains its localisation and internal political internalisation. EU regulations are often perceived as externally imposed, which fosters an approach focused on formal compliance rather than a sense of shared ownership of the implementation process. The tension between national industrial policy—which takes into account the specific circumstances of coal-dependent regions—and supranational climate goals illustrates a coherence gap within an otherwise highly structured system. Effective implementation requires translating regulatory coherence imposed from Brussels into local legitimacy and adaptive capacity.

3.3 The Regulatory-Institutional Framework in Kenya: Constitutionally-Embedded Polycentricity

3.3.1 Constitutional Foundation: Rights, Devolution, and Participation

Kenya's approach is fundamentally rooted in its 2010 Constitution, which guarantees environmental rights (Article 42), mandates public participation (Article 10), and establishes a devolved system of government (Chapter 11) [10]. This constitutional triumvirate creates a "bottom-up" legal basis for sustainable development, where sustainability is a right, governance is decentralized, and citizens are legally empowered participants a stark contrast to Poland's administrative transposition model.

3.3.2 National Strategies and Polycentric Implementation

The Kenya Vision 2030 provides the long-term economic blueprint, with SDGs woven into its Medium-Term Plans. Thematic strategies like GESIP and the Education for Sustainable Development (ESD) Implementation Strategy provide actionable pathways. Institutionally, the system is polycentric. The State Department for Planning in the National Treasury coordinates national SDG reporting, while the National Environment Management Authority (NEMA) regulates and promotes environmental sustainability [15]. Crucially, County Governments are key implementers, responsible for developing County Integrated Development Plans (CIDPs) that reflect local priorities.

3.3.3 Critical Reflections: The Challenge of Capacity and Coordination

3.4 Kenya's model is innovative and legally potent but faces a capacity-coordination gap. The devolution of responsibilities to counties has not always been matched with adequate financial resources, technical skills, or coherent guidance from the national level, leading to uneven implementation. Furthermore, coordinating action across the State Department for Planning, NEMA, sectoral ministries, and 47 counties remains a complex challenge. This fragmentation echoes the need for strengthened nested governance observed in indigenous systems like the Borana's cross-border agreements [10]. The potential of the constitutional framework is yet to be fully realized due to these systemic constraints.Comparative Analysis and Proposed Future Directions

3.4.1 Comparative Analysis: A Tale of Two Models

The comparison reveals two distinct paradigms (see Table 1).

Table 1: Comparative Analysis of Sustainable Development Frameworks

Dimension	Poland (EU-Driven Coherence Model)	Kenya (Constitutional Polycentricity Model)
Primary Driver	Supranational regulatory alignment (EU law, EGD).	Constitutional mandate & national innovation (2010 Constitution, Vision 2030).
Governance Logic	Top-down, administrative coherence. Emphasis on monitoring & reporting.	Bottom-up, polycentric devolution. Emphasis on participation & rights-based approaches.
Key Strength	High degree of policy coherence; robust	High legal legitimacy & potential for local

Dimension	Poland (EU-Driven Coherence Model)	Kenya (Constitutional Polycentricity Model)
	technical & financial (EU funds) infrastructure.	adaptation & social inclusion.
Core Challenge	**Localization Gap:** Transforming compliance into local ownership & adaptive management.	**Capacity-Coordination Gap:** Harmonizing action across national & county levels, financing constraints.
Knowledge System	Dominated by expert-based, quantitative monitoring (SDG indicators).	Emerging hybrid of formal planning & community-based knowledge systems.

Poland's framework is vertically integrated with the EU but faces a horizontal implementation gap at the local level. Kenya's framework is horizontally ambitious (engaging counties and communities) but suffers from vertical and transversal coordination gaps between national and sub-national tiers.

3.4.2 Proposed Future Directions: Towards Adaptive Sustainability Governance

Drawing from the insights of both models (Fig.1) and the principle of leveraging existing institutional strengths (as demonstrated in the Borana case [10]), the following adaptive directions are proposed:

For Poland:

1. From Compliance to Ownership: Use EU cohesion funding to incentivize participatory, local sustainability pacts that translate SRD and EGD goals into community-owned priorities, moving beyond box-ticking.

2. Bridge the Just Transition: Develop integrated, place-based strategies for carbon intensive regions that explicitly link EU decarbonization mandates with local economic diversification and social resilience, ensuring no one is left behind.

For Kenya:

1. Operationalize Polycentricity: Strengthen the mandate and resources of inter county technical committees and national oversight bodies to provide coherent support and ensure minimum standards, without stifling local innovation.
2. Invest in Hybrid Governance: Formalize mechanisms to integrate community based knowledge and indigenous environmental management practices akin to recognizing the Gadaa system's role [10] into County Integrated Development Plans and environmental impact assessments. Channel climate finance directly to county level and community led institutions.

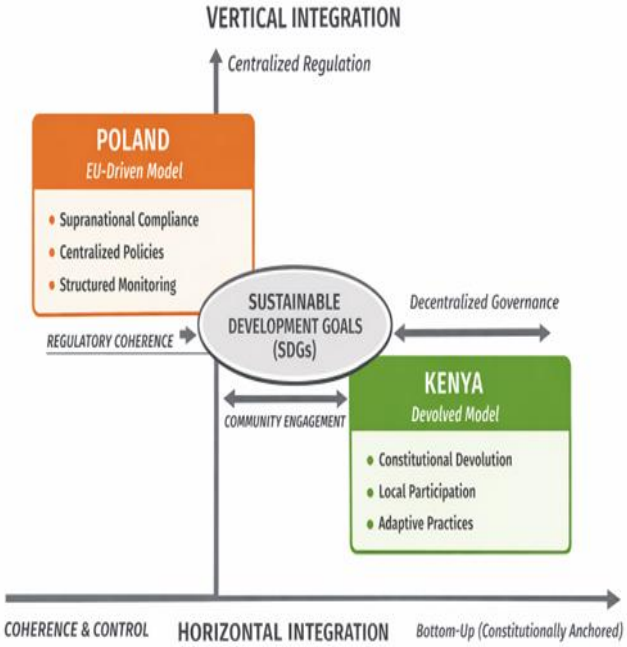

Figure 1. Sustainable development governance models comparison

For Both/General:

1. Foster Hybrid Knowledge Systems: Combine Poland's strength in quantitative SDG monitoring with Kenya's experimentation in participatory planning. Develop "state of sustainability" reports that blend statistical indicators with community-generated well-being assessments.
2. Champion Adaptive Governance: Both systems must evolve from static planning to dynamic learning. This requires creating formal feedback loops where monitoring data and local experiences continuously inform policy adjustments, building resilient governance capable of navigating uncertainty.

4.Conclusion

The comparative analysis demonstrates that there is no single, normatively superior model of sustainable development governance. Both the Polish and Kenyan cases confirm that institutional effectiveness is a function of the configuration of coordination mechanisms, administrative capacity, and systemic context, rather than merely the formal embedding of regulatory frameworks.

The Polish model, which may be characterized as an EU-driven coherence model, is based on strong vertical integration with the supranational legal and regulatory order. It ensures a high degree of policy harmonization, a well-developed monitoring apparatus, and stable financial backing, particularly within the framework of EU cohesion policy and the European Green Deal. At the same time, its structural emphasis on regulatory compliance and reporting may contribute to the technocratization of implementation processes and limit the substantive internalization of sustainable development objectives at the local level. Consequently, there is a risk that sustainability becomes reduced to a procedural requirement rather than functioning as a territorially embedded, transformative process.

In contrast, Kenya's model of constitutionally embedded polycentricity is characterized by strong normative legitimacy and the formal empowerment of participation and decentralization. The constitutional entrenchment of environmental rights, combined with a devolved governance architecture, creates institutional conditions conducive to adaptability and local responsiveness. However, the dispersion of competences and significant disparities in fiscal and administrative capacity across subnational units generate substantial coordination challenges. As a result, the model's transformative potential remains partially constrained by institutional capacity deficits and insufficiently developed mechanisms of multi-level integration.

The central analytical insight derived from this comparison is that the effectiveness of sustainable development governance depends less on the origin and formal structure of regulatory frameworks and more on the state's capacity for adaptive governance. This encompasses the ability to combine legal coherence with operational flexibility, ensure effective multi-level coordination, incorporate societal actors into decision-making processes, and institutionalize feedback-based learning mechanisms.

In the Polish context, this implies the need to strengthen local agency and deepen the participatory dimension of sustainable development implementation within an already relatively coherent regulatory structure. In the Kenyan context, the priority lies in building durable coordination and financial capacities capable of supporting the effective functioning of a polycentric system without undermining its adaptive character.

Ultimately, the achievement of the 2030 Agenda in both countries requires the development of governance architectures that integrate normative stability with operational flexibility and institutional resilience. Only such systems are capable of responding

effectively to the dynamic challenges of sustainable transformation and supporting the emergence of resilient, inclusive societies capable of long-term adaptation.

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Abstrakt

Globalne zobowiązanie do zrównoważonego rozwoju wymaga jego integracji z krajowymi ramami regulacyjnymi, jednak skuteczne ścieżki realizacji tego celu pozostają przedmiotem intensywnych debat. Niniejsze badanie przedstawia krytyczną analizę porównawczą sposobów instytucjonalizacji i implementacji zrównoważonego rozwoju w Polsce i Kenii, ujmując ich działania jako kontrastujące modele transpozycji regulacyjnej oraz innowacji konstytucyjnej. Polska, jako państwo członkowskie Unii Europejskiej, stanowi przykład podejścia odgórnego, ukierunkowanego na spójność, opierającego się na zaawansowanej architekturze prawnej i systemie monitoringu wywodzącym się z poziomu unijnego. Z kolei Kenia, jako jeden z liderów Wspólnoty Wschodnioafrykańskiej, reprezentuje model oddolny, policentryczny, w którym zasady zrównoważonego rozwoju zostały proaktywnie zakorzenione w systemie konstytucyjnym oraz zdecentralizowanym modelu zarządzania, szczególnie poprzez przełomową konstytucję z 2010 roku.

Wykorzystując jakościową metodologię porównawczych studiów przypadków, badanie analizuje akty prawne, strategie krajowe oraz architektury instytucjonalne. Wyniki wskazują na fundamentalne różnice w wyzwaniach implementacyjnych: w Polsce głównym problemem jest adaptacja i lokalizacja często sztywnych, zewnętrznie narzuconych ram regulacyjnych, natomiast w Kenii kluczowym wyzwaniem pozostaje budowanie zdolności administracyjnych i technicznych niezbędnych do pełnej realizacji ambitnej, krajowej wizji konstytucyjnej. Pomimo odmiennych uwarunkowań oba państwa mierzą się z podstawowymi dylematami governance, takimi jak zapewnienie spójności polityk oraz równoważenie wzrostu gospodarczego z ochroną środowiska.

Wnioski badania wskazują, że skuteczność governance zrównoważonego rozwoju zależy w mniejszym stopniu od pochodzenia modelu regulacyjnego, a w większym od zdolności państwa do adaptacyjnego zarządzania, rozumianego jako umiejętność łączenia spójnych regulacji, instrumentów rynkowych oraz rzeczywistego zaangażowania wielu interesariuszy. Analiza porównawcza wnosi wkład do teorii governance zrównoważonego rozwoju, pokazując, w jaki sposób dziedzictwo instytucjonalne strukturalnie kształtuje spójność polityk, dynamikę implementacji oraz polityczną ekonomię transformacji w kierunku zrównoważonego rozwoju.

Słowa kluczowe: adaptacyjne zarządzanie, polityka porównawcza, decentralizacja, Europejski Zielony Ład, Kenya Vision 2030, spójność polityk, Cele Zrównoważonego Rozwoju (SDGs).