Citizens' Voices: Citizens Participation in Devolved Government

Final Report

Submitted to:

THE WORLD BANK
Working for a World Free of Poverty

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June, 2013

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LIST OF ACRONYMS

AIDS	Acquired Immuno Deficiency Syndrome
ATI	Access to Information
CDF	Community Development Fund
CIC	Commission for the Implementation of the Constitution
CJPC	Catholic Justice and Reconciliation Commission
CoE	Committee of Experts
CoK	Constitution of Kenya
CRA	Commission for Revenue Allocation
CSO	Civil Society Organization
DFID	Department for International Development
DFRD	District Focus for Rural Development
FBO	Faith Based Organisation
FGD	Focus Group Discussions
FM	Frequency Modulation
FPE	Free Primary Education
GoK	Government of Kenya
HIV	Human Immunodeficiency Virus
ICT	Information Communication Technology
IDP	Internally Displaced Persons
IEA	Institute of Economic Affairs
IEBC	Independent Electoral and Boundaries Commission
KARA	Kenya Alliance of Resident Association
KHRC	Kenya Human Rights Commission
LASDAP	Local Authority Service Delivery Action Plan
LATF	Local Authority Transfer Fund
M & E	Monitoring and Evaluation
MoU	Memoranda of Understanding
MP	Member of Parliament
NEMA	National Environmental Management Authority
NGO	Non-Governmental Organizations
NSA	Non State Actors
NTA	National Tax Payers Association
OECD	Organisation for Economic Cooperation and Development
PETS	Public Expenditure Tracking Surveys
SMS	Short Message
SPAN	Social and Public Accountability Network
SUPKEM	Supreme Council of Kenya Muslims
TA	Transition Authority
TFDG	Task Force on Devolved Government
TISA	The Institute of Social Accountability
UNDP	United Nations Development Programme

EXECUTIVE SUMMARY

Triggered by the shortfalls of a highly centralized system, the core of the pressure for devolution in Kenya centred on a desire for more direct citizen engagement in governance and general public administration. The promulgation of the Constitution of Kenya (CoK) in August, 2010 paved way for realization of the "dream" system of governance for a majority of Kenyans. The pressure for the new constitution and devolution was driven by amongst others a desire for more direct citizen participation and existence of democratic governance.

The World Bank, in its desire to contribute to such citizens' participation before, during and after the devolution started an initiative aimed at facilitating productive involvement of citizens in county governance. As part of this initiative, the World Bank supported this consultancy aimed at generating practical, innovative and sustainable ideas on enhancing citizens' voices within the devolved Government systems that are to be established under the new constitutional dispensation. The purpose is therefore to establish World Bank priorities for future investment, technical assistance and dialogue with the Government on social accountability and devolution.

The study was carried out between February and April 2013 across eight counties drawn from the eight traditional regions of Kenya. The counties included Kirinyaga, Uasin Gishu, Busia, Kilifi, Homa Bay, Marsabit, Garissa and Nairobi. The process entailed holding consultations with the general public, Government of Kenya (GoK) and county officials, various bodies charged with devolution and transition in Kenya, relevant Civil Society Organisations (CSOs) as well as the World Bank and its partners.

The study findings provide a fascinating glimpse at the reality of local citizen participation in Kenya, and exhibit a colourful landscape of actors, practices and approaches, a diverse range of situations, problems and solutions, as well as a mixed record of strengths, successes and challenges. As far as awareness and understanding of devolution pertains, while over 70% of the citizens were aware about the fact that Kenya was undergoing a process of devolution, most citizens had very limited knowledge of what the process entails. Similarly, citizens' understanding of the meaning and nature of participation was both generic and inadequate.

With regard to participation, less than 50% of the citizens had ever engaged with devolved structures or processes. Such involvement commonly entailed attending various devolution related workshops and/ or barazas organised by CSOs and GoK. Specifically, limited participation in devolved planning and budgeting processes was linked to deliberate exclusion by the ruling class and elites; insufficiency of information such as the timing and venue of meetings; limited expertise; illiteracy; political patronage; lack of openness in such processes; absence of clear spaces for participation and general apathy by the citizenry. On a more positive note however, up to 79% of the citizens expressed a desire to participate in devolved systems and rated their potential to provide useful inputs to such structures as either excellent or very good.

As far as county relations are concerned, most citizens recognize existing inter and intra county dependencies and collaborations. However there were significant variations on the elements around which such existing or desired collaborations centered, these including security, business or trade, infrastructure development and (natural) resources sharing. Most citizens (76%) hoped for greater collaborations upon devolution, but paradoxically harbored high ambitions for county autonomy, besides not seeing a role for themselves regarding facilitation of such collaborations. Similarly, citizens don't recognize as yet the role of the private sector in county development. The key impediments to optimal collaborations mentioned were resource limitations; poor transport infrastructure; insecurity in certain areas; restrictive regulatory frameworks; corruption; impunity and political interference.

Regarding county resources, most counties were yet to initiate structured resource mapping and allocation processes. There were also no defined criteria, policies and procedures for such resource mapping and allocation. Two of the sampled counties had developed County Strategic Plans, championed by County Professional Forums, but with extremely minimal involvement of citizens, a process epitomizing elite capture, which undermines participation of common citizenry. There was consensus amongst the citizenry that resource allocation should be transparent and take into account the poverty index of different areas; ethnic or clan configurations; demographic and geographical balance to avoid potential for resource based tensions and/ or conflict.

57% of the citizens indicated that they had never been involved in Monitoring and Evaluation (M&E) of their leaders' performance, and were neither aware of, nor received any formal performance reports on the same. Performance information, if any, was often received through the media, with no means of verifying the validity, completeness and accuracy of any such data. Key challenges in this regard were noted as absence of structured M&E frameworks; inadequate M&E capacity of citizens as well as inaccessibility to planning processes and data. In order to remedy this situation, proposals were made for setting up of county monitoring committees, citizens' capacity development on M&E as well as setting of clear spaces for citizen involvement in all project stages.

Further, citizens indicated that they do not directly receive any formal feedback, although in general, information from duty bearers was largely regarded as untrustworthy. They were equally unaware of any formal systems for provision of feedback by duty bearers. Fear of victimization and historical inaction by duty bearers on public feedback discouraged citizens from indulging in any of these processes. There was general preference to receive feedback through public barazas and rallies (for elderly or illiterate people and rural dwellers); social media and mobile phone text messages (for the youths); public notices, letters, circulars and GoK reports (for the elites, CSO practitioners and leaders and business community).

Pertaining to recourse accountability, only 45% of the citizens were aware of redress avenues in the event of dissatisfaction with service delivery. On the same breath, most citizens were unaware of their legal rights to quality services, besides low understanding of recourse procedures or processes. Concerns were also raised about huge bureaucracies and lengthy timespans for processing complains; high litigation costs; geographical inaccessibility; and general distrust of the judicial system. As a result of these, most citizens resorted to demonstrations and mass action as a way of forcing the authorities to act. Suggestions were made for establishment of ombudsmen offices and complaints desks at counties besides supporting citizens' organization for critical mass.

Overall, there were very limited interactions between citizens (right holders) and duty bearers. The most common modalities of citizen-state engagements were public barazas & rallies (54%), media (37%), GoK reports (7%) letters and circulars (1%) and others (1%). The biggest obstacles to quality state-citizen engagement were mentioned as resource limitations, corruption, antagonistic politics, poor leadership, weak capacity of citizens, and lack of skilled public servants. With variations in quantity and quality, all counties had CSOs that facilitate state-citizen interactions.

Likewise, majority of citizens did not feel sufficiently informed to effectively participate in devolved government processes. Noted capacity gaps included low literacy levels and poor resourcing of key state institutions. So as to address these challenges, suggestions were made towards allocation of more resources for civic education; transparent and competitive appointment of county officers; technical backstopping of county authorities; translation of the CoK 2010 into key local languages; as well as improving socio-economic welfare of the citizens to enhance power balance between authorities, citizens and CSOs.

It may be concluded therefore that while devolution is not a new concept in Kenya, there is very limited experience with actual operationalization of the same. Contextualised capacity development of county governments and other relevant institutions is thus a key success factor for devolution and citizens' participation. However, given the variations and diversities across various contexts, the question of 'how' to engage citizens shall be very key. The strategies and approaches including media, frequency and timing of citizen engagement should be suitable to the respective contexts of the citizens. Key considerations should include e.g. the educational levels, demographics, occupations, and information needs or interests of various groups.

Additionally, several power dynamics were noted, that often left participation of common citizens or less endowed institutions at the mercy of public power holders. These need to be addressed so that no citizen is disadvantaged on the basis of their political, economic or social status. Citizens (communities) must also in this regard play a central role in claiming their spaces for participation in devolved systems. However vibrancy of communities does not happen automatically, but rather require triggering, initiating and nurturing. There is thus a need for structured community sensitizing, mobilizing, and organizing - these ought to precede civic awareness efforts. Similarly, the cooperation between the private, public and CSO sectors will be imperative towards ensuring effective citizen participation, joint and mutual learning, leveraging of competencies as well as ensuring credibility of civic engagement.

Finally, given the constantly evolving political contexts in Kenya, the observations and findings from this study can only be regarded as work in progress. While there are still a wide array of areas that require further research, it was encouraging to see many existing efforts towards enhancing participation such as research studies, development of constitutional, institutional, legal and policy frameworks as well as community strengthening. These present a rich reservoir of experiences, knowledge, ideas and possible solutions that could be further built upon to enhance citizen participation and expansion of the democratic space in Kenya.

The following overall recommendations have been drawn from the study;

1. Given the low levels of citizen's understanding of, and participation in devolution, there is need for a structured and contextualized sensitization on citizens' participation to both duty bearers and citizens. This needs to be complemented with support towards community (self) organization as well as systematized capacity development of the citizens and their institutions on issues of devolution.

2. In light of the need for multi-stakeholder approaches to county development, the role of the private sector and the media should be clarified and promoted – greater collaboration between the private, public and civil society sectors as well as the media is essential.

3. There is an urgent need to develop and fully operationalize clear criteria, processes and procedures for resource mapping, allocation and utilization. Linked to this, counties shall need support to participatorily develop county or regional strategic plans to direct their development agenda. Given absence of previous experience on county governance, county leaders shall need to be offered contextualized and phased capacity development support on these and other areas.

4. The study identified a number of huddles or barriers to citizens' full participation including the sticky issues of insecurity, illiteracy, tribalism, clanism, and nepotism. The national and county governments will need to demonstrate a commitment to address these concerns in a strategic and sustainable manner.

5. Finally, although resources may be limited, ensuring citizens' participation is a priority. This should be facilitated by incrementally allocating resources towards the same, particularly for civic awareness, capacity development, monitoring, evaluation and oversight amongst others.

1.0   BACKGROUND AND INTRODUCTION

1.1   About World Bank's Citizens Voices Study

With the promulgation of the CoK 2010, Kenyans see themselves as sovereign citizens enjoying a rich and broadened Bill of Rights, but more specifically as free people shaping their destinies in a manner that resonates richly with their democratic will and social development needs. According to the 2011 Report of the Task Force on Devolved Government (TFDG), Kenyans perceive the main aim of devolution as bringing public services closer to the people. It is against this background that public participation in governance has been received with near euphoric optimism and, by that same token, acquired a high level of prominence.

Scholars however concur that devolution is not without its risks and does not necessarily lead to improved governance and economic performance. As an example, while both decentralization and devolution strive for efficiency, there exists very high and ambitious expectation regarding the pace, scope and magnitude of the anticipated political and administrative changes. This poses potential risks of disappointment and/or backlash if not well managed. Such risks could arise for instance from service delivery disruption, leakage of public resources, and general inability to meet the formidable expectations of citizens about what devolution will deliver (World Bank, 2004).

It is thus recognised that building strong governance systems backed up with genuine and effective citizen's participation in the new counties will be essential, both for realizing expectations and reducing risks in devolution. The World Bank is desirous of supporting the said governance strengthening of the counties by building on existing governance initiatives and supporting the implementation of the CoK 2010. This support will include working with civil society and the Government to outline priority steps to productively involve citizens in county governance.

The main aim of this assignment was to generate practical, innovative and sustainable ideas, informed by the Kenyan citizens, on how to enhance citizens' voices within the devolved Government systems to be established under the new constitutional dispensation. The study entailed a series of consultations with citizens in selected counties, to hear from them how they would like to engage with devolved government institutions and processes, before and after devolution formally takes place.

1.2   The Operational Context

Over the years, Kenya has progressively shifted from a centralized to a decentralized form of governance. Like many other countries, participatory development began with and was for a long time confined to community development projects (Wakwabubi and Shiverenje, 2003). Kenya attempted to institutionalize decentralized planning and implementation of its programmes as early as the 1960s through Sessional Papers, however these over-emphasized involvement of central government, operated with no legal backing and faced immense implementation challenges (Chitere and Ireri, 2004; KHRC/ SPAN, 2010).

A landmark event in the evolution of participatory development and law in Kenya was the enactment of the Physical Planning Act in 1996, which provided for community participation in the preparation and implementation of physical and development plans. However, due to limited community sensitization on their roles and centralized planning, rural communities were marginalized in their participation (Okello et al, 2008). The period 1999 to 2010 saw the introduction of devolved funds in an attempt to address existing spatial inequalities. These included amongst others the Local Authority Transfer Fund (LATF); the Road Maintenance Levy Fund (RMLF); the Rural Electrification Fund; and the Constituency Development Fund (CDF).

The CoK 2010 marked a critical turning point for Kenya regarding its decentralisation ambitions, and established a devolved system of government with one central government and forty seven County Governments. It set a framework for various reforms, gender equality and human rights, besides providing a strong legal foundation for the enhancement of participatory governance.

1.3   Process, Character and Methodology[1]

The study was organized as a collaborative learning process with involvement of citizens, county governments, various government institutions, the World Bank, its partners and a number of selected stakeholders. Further, the study was multi-site and multi-source, utilizing multiple techniques for the collection and analysis of data. Considering the multiplicity of stakeholders, and the evolving nature of the external context, the nature of the study has been 'explorative and descriptive' with emphasis on 'what has happened/ is happening' and 'what has emerged/is emerging' rather than just looking at what was thought to be the case.

With regard to methodology, the consultants reviewed all key secondary materials and later held consultations with close to one million Kenyans across eight counties. These included citizens, (local) government authorities, county government officers, the various institutions tasked with facilitating the devolution process, CSOs and other key stakeholders. Multiple techniques were utilized to collect data including workshops, interviews, Focus Groups Discussions (FGDs), Key Informant Interviews (KII) and a survey.

There were at least five FGDs held per county, each consisting where applicable, of youth; women; business people and traders; people with disability; landless and/or Internally Displaced Persons (IDPs); Faith Based Organisations (FBOs); and various Civil Society Organisations (CSOs). On its part, the survey was conducted using questionnaires amongst 400 citizens of whom 42% were female and 58% male. The respondents were drawn from Nairobi (14%), Kirinyaga (10%), Garissa (12%), Busia (15%), Homa Bay (16%), Marsabit (14%), Uasin Gishu (10%) and Kilifi (9%). The age ranges for the respondents were: 21-30 years old (67%), 31-40 years old (18%), 41-50 years old (11%) and above 51 years old (4%). With regard to occupations, 44% of the respondents were self-employed, 20% employed by others, 25% unemployed and 10% unspecified.

A random sampling technique was adopted for the survey. The information extracted was then analysed, triangulated and the findings compiled into this report. The study has been undertaken during the period of February and April 2013.

1.4   Limitations of the study

1. Every evaluation has its limitations and invariably time is often one of them, the field work for this study was carried out within tight time lines as the bulk of the primary data collection had to be finalised before the elections.
2. The timing of the field work also coincided with the period just before the 2013 Kenyan elections. It was thus difficult to get the attention of key people, besides having to compete for the citizen's attention with the politicians who were doing their campaigns.
3. Security was also a major concern. Two of the selected counties, Marsabit and Garissa had serious security threats as of the time of the study thereby impeding the consultant from accessing certain areas.

The consultant believes however that these limitations have not affected the findings of the report.

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[1] Please refer to annex 4.3 for detailed methodologies and approaches.

2.0   DETAILED FINDINGS AND ANALYSIS

2.1   Status of Citizens Participation in Devolved Government

Conceptual Framework

Participation in social science refers to the different mechanisms through which the public can express opinions, and ideally exert influence, regarding political, economic, management or other social decisions (Wikipedia). It is the process through which stakeholders input and share control over development initiatives, decisions and resources which affect them (Odhiambo and Taifa, 2009). Gardiner (1995), Okello, Oenga and Chege (2008) further define participation as a process whereby stakeholders influence policy formulation, programme designs, investment choices and management decisions affecting their communities. According to Yang and Callahan (2005), there are two broad dimensions of citizen participation namely, indirect involvement where elected officials, technocrats and administrators act on behalf of the citizens in a representative democracy, and direct involvement where citizens are involved in the decisions of the State e.g. elections.

There is a growing realization that participatory governance should entail wider principles and methods of engagement such as transformative partnerships; system-wide information exchanges; decentralized decision making; inter-institutional dialogue; as well as relationships based on reciprocity and trust (Reddel and Woolcock, 2003). As an example, DFID's strategy paper, 'Realizing Human Rights for Poor People' (DFID, 2000) argues that peoples' rights will become real only if citizens are engaged in the decisions and processes which affect their lives. Similarly the UNDP Human Development Report 2000 contends that the fulfilment of human rights requires democracy that is inclusive in all respects.

Article 10 (2) of CoK 2010 stipulates a number of governance values and principles, amongst them 'sharing and devolution of power'; 'democracy and participation of the people'; 'inclusiveness'; as well as 'transparency and accountability'. Similarly, article 232(1) (d) of the CoK 2010 calls for the involvement of all Kenyans in policy making processes at all levels and in all institutions of governance. However, despite the above constitutional and legal provisions, citizen participation in decision and policy making is often weak due to citizens' attitudes toward, and limited knowledge of government (Mary, McNeil et al, 2009). This is partly due to the fact that many citizens do not see tangible results from their participation hence "participation fatigue" (Cornwall, 2008).

2.1.1   Understanding of Participation and Potential to Participate in Devolved Government

Study Findings and Analysis

Awareness of Devolved Government Processes: 72% of the respondents to this study indicated that they were aware of the devolved government processes, with the remaining 28% respondents indicating that they had very little or no knowledge. The information on devolved government had mainly been accessed through the media, public barazas, political rallies, and various civic education forums. The counties with the highest percentage of respondents indicating they were adequately informed were Homa Bay (29%), while the least was Uasin Gishu at 16%.

It is interesting to note that the counties with the highest number of persons that felt they were adequately informed also had the highest number of those being least informed. This could be due to the fact that respondents from the respective counties were drawn from both the elites and those from informal settlements or IDP camps – this highlights the high levels of variations within counties. Overall, majority of respondents (51%) were only averagely informed, of these 62% were men and 38% females. Of those that were not informed at all, 59% were women and 41% men.

Fig 1: Extent by Which Citizens are Informed of Devolved Processes
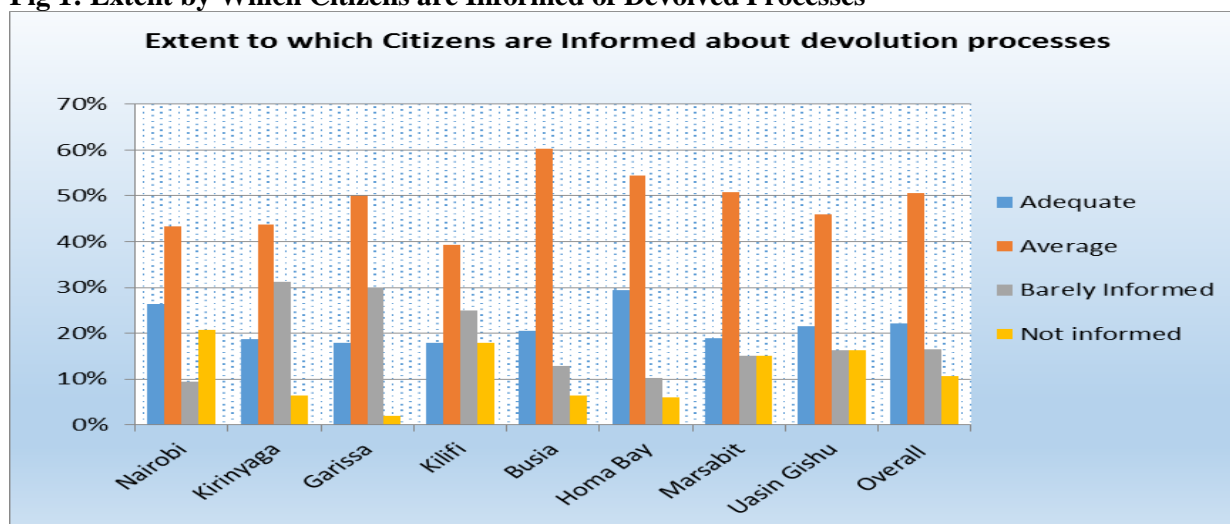
In spite of the high levels of awareness of the devolution, there exists very limited knowledge on what devolution entails e.g. its phasing, structures, systems, administrative arrangements, roles and responsibilities of various transition bodies and differences between various elective positions. These findings are in line with the outcomes of a separate study carried out in 2011in Bomet County by Smart Citizens, an NGO working on reforms in Kenya, which showed that while 76.4% of the respondents were aware of devolution; only 35% were knowledgeable about the related leadership and governance structures. These observations are also shared by the Kenya Alliance of Resident Associations (KARA, 2012), who asserts that devolution, in all its dimensions, remains a mysterious subject among most Kenyans.

Citizens Understanding of Meaning of Participation: Citizens understanding of what participation in devolved government entails was quite weak. In most cases, references were made to attending public meetings (mostly to give views); electing leaders and being part of various governance processes. Most of such explanations remained relatively generic with no reference for instance to the intent of participation (such as exerting influence, ensuring oversight, or to decision making) and nature of participation (planning/ budgeting, goal/ target setting, monitoring, provision of feedback etc.). Further, there was no reference to citizen's responsibilities e.g. as regards paying of taxes and maintaining law and order. There were notable variations in citizens understanding of participation, with CSOs practitioners, professionals and the business people being most knowledgeable, whilst ordinary citizens, IDPs and illiterate persons were the least informed.

Belief in Ability to Contribute to Devolved Government: Asked whether they believed they had useful contributions to make towards devolved government processes, 80% of the citizens who took part in the study responded to the affirmative - the rest believed they had either very limited useful value to make (14%) or none (6%). Community leaders, professionals, business people and CSO practitioners, youth and elites as well as those living in (formal areas of) urban set ups gave higher ratings as compared to the elderly, those who couldn't read and write as well as those living in rural set ups and informal settlements/ IDP camps.

Regarding potential to contribute to devolved systems, 79% of the respondents rated their prospective to participate in devolved systems, as either excellent or very good – this was justified on an apparent knowledge of the local contexts, challenges and opportunities. The rest rated their potential as average (16%) and poor (5%). Variations in responses between counties were in this case insignificant. However, citizens from rural areas rated their potentials to contribute much lower, and linked this to high illiteracy levels, limited exposure and lack of information.

65% of those who felt they were adequately or averagely equipped to meaningfully contribute were aged between 21 and 30 years. From a gender angle, 66% of those that felt they could meaningfully contribute were males compared to 34% for females. Both the youth and women felt that they had long been excluded from governance processes (based on age, social and economic status).

Extent of Participation in Devolved Processes: Asked if they had ever participated in devolved government processes, 49% of the respondents were affirmative, implying that over half of the citizens have thus far never engaged and/or participated in devolved structures[2]. Uasin Gishu County had the highest number of those that had participated in devolved processes at 70%, followed by Homa Bay (56%) and Busia (51%), while Marsabit, Kilifi and Kirinyaga Counties polled the lowest in this regard at 42%, 39% and 29% respectively.

The main reasons given for non-participation by those that had never engaged in any processes included assertions that only politicians and a few elites, particularly opinion leaders, CSOs and retirees were often invited to attend key processes on the basis of their perceived resourcefulness. Other reasons for limited participation were mentioned as lack of technical capacity to engage, low literacy levels, language barriers as well as limited awareness of when, where and how to engage.

Fig 2: Extent by Which Citizens Have ever Participated in Devolved Processes
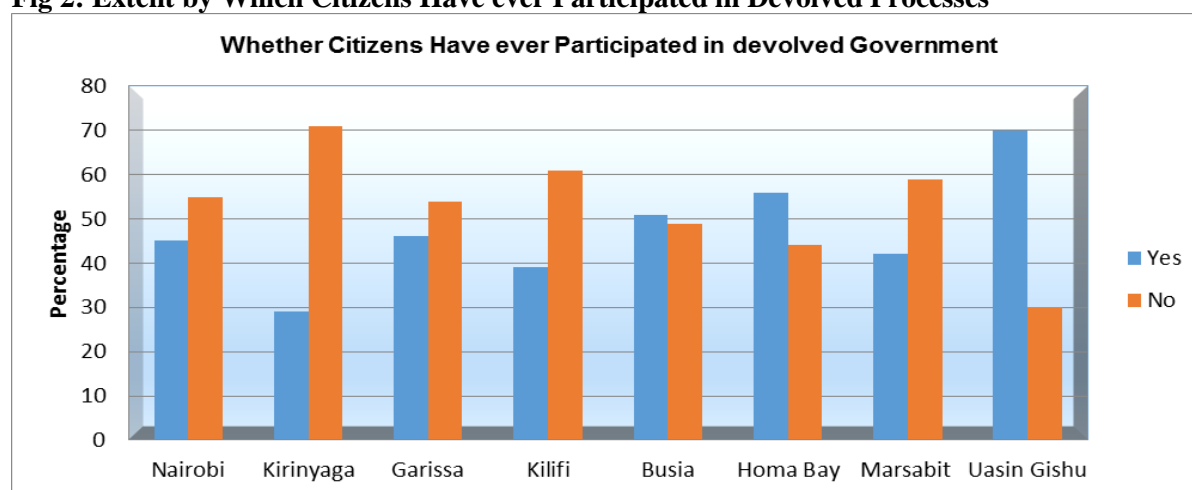
During various FGDs, participants indicated that there have been previous attempts to discourage, bar and/or intimidate certain groups away from active participation in governance issues. This marginalization was often perpetuated on the basis of culture (tradition and religion); age (young vs. elderly); as well as on the basis of economic might (access to and control over assets). Further, counties like Marsabit and Garissa expressed a deep sense of having been marginalized socially, psychologically, politically and economically by successive regimes in Kenya. This is besides the feeling of exclusion as a result of physical distance from the rest of the country. This implies that the extent of citizens participation has to date depended largely on the goodwill of the various leaders/ authorities/ duty bearers as opposed to being claimed as a right by the citizens.

Implication(s) and Specific Recommendation(s)

The lack of in-depth knowledge of devolution and limited participation in devolved government are likely to compromise the scope, consistency, quality and sustenance of citizen's voice and involvement in devolved government, besides jeopardizing their ability to understand and claim their rights. Such a situation is likely to encourage abuse of office by public officers, besides compromising the capacity of citizens, particularly from the rural areas, to effectively manage and have a sense of ownership towards local governance affairs.

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[2] Devolved structures in this context included local authorities and various devolved funds.

Intensified civic education is thus needed as a basis of increasing the chances of a successful implementation of devolution and subsequent county planning. The high levels of optimism of citizens about their ability and willingness to participate in the devolved structures presents a good platform to anchor efforts towards enhanced civic engagement with devolved structures. Civic education is primarily the responsibility of government[3]. Such efforts nevertheless need to be complemented by CSOs granted the enormity of the task, besides the latter's experience in mobilizing the international community to make constructive contributions to civic education. The media should also be encouraged to play a facilitative role in promoting civic awareness.

Civic education interventions could focus e.g. on the CoK 2010, devolution and public financial management. These could be done by amongst others (re)production and analysis of segments of CoK 2010 and related legislations in people-friendly ways and languages as well as promotion of the same in institutions of learning and entrenching the same in related curriculums.

### 2.1.2   Issues and Processes Citizens are currently engaged in

Finding(s) & Analysis

Nature and Status of Current Citizens' Engagement: Close to 70% of those who indicated having participated in devolved processes, had done so as participants in various civic education forums.

The organizers of such forums were mainly NGOs (37%), GoK and affiliated institutions (34%), private sector (18%) and others such as politicians and special interest groups (11%).

The GoK forums mentioned in this regard include chiefs barazas, political rallies and other open forums, seminars/ and workshops by the Committee of Experts (CoE), Independent Electoral and Boundaries Commission (IEBC), Constitution of Kenya Review Commission, Ministry of Planning and Vision 2030 etc.

Fig 3: Key Facilitators of Citizen Participation
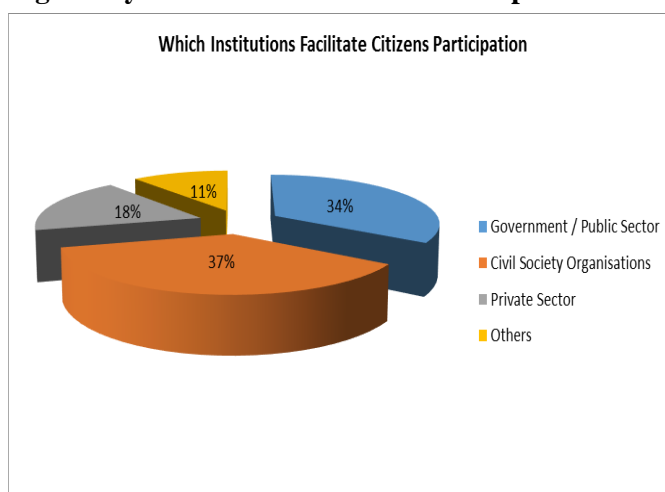
The common issues covered in these meetings included awareness raising and the referendum on the CoK 2010; devolved funds; newly created positions within the devolved structures as well as election procedures; resources allocation; and new boundary. It however emerged that most citizens also don't see it as their responsibility to engage in the relevant processes, and in many cases demanded to be compensated for participating, if called upon to do so. Most citizens expected CSOs and government to take a lead role in facilitating their participation in various processes.

Citizens Involvement with Devolved Funds: The LASDAP and CDF have been the main vehicles of community participation at the local level in Kenya. (Kibua and Oyugi, 2006). The CDF targets constituency level development projects, while the LASDAP provides opportunities for the local authorities to constructively engage with local communities on matters of planning, budgeting and development (Ministry of Local Government, 2009). However a major weakness in the CDF Act has been the lack of clear mechanisms for the community to participate in decision making.

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[3] Following the promulgation of the CoK 2010, the GoK, in a cabinet meeting of 28th October 2010took a policy decision to fund and facilitate civic education on the Constitution.

Discussions with citizens during this study points out to limited knowledge of and participation of citizens in various devolved funds, including the spaces and opportunities for engagement with the same. This finding is also confirmed by a study conducted in Turkana District by Oxfam GB which showed that there were extremely low levels of awareness of the LASDAP processes (18%), with 82% of the respondents being unaware of the same (TISA, 2011). Similarly, a study of CDF by the Institute of Economic Affairs (IEA) across Kenya showed that while 85% of the respondents were aware of its existence, only 21% were knowledgeable on its operations and regulations (IEA, 2006). On the same breath, a joint study by the Kenya Human Rights Commission (KHRC) and the Social and Public Accountability Network (SPAN) in 2010 found out that that citizen awareness of CDF was very high at 96% but involvement very low at only 39%.

Linkages and Support to Home Counties: It emerged especially from the key urban centres that two main factors were responsible for low participation, first, lack of strong identity with the town and preoccupation with meeting basic needs. Despite the fact that many of the respondents live and work in such towns, they still held strong affiliation to their 'home Counties', hence less focused to the development activities of the towns where they stay. This fact is exemplified by the County Professional Forums, formed for a large number of counties by professionals that draw their origins to those counties but work elsewhere. Such County Professional Forums have for instance been involved in attempts to develop Blue Prints for their respective counties.

Effectiveness of Current Citizen Participation: It appears that the information (knowledge) gained from the various forums attended by citizens is yet to be fully translated into attitude change (beliefs) and/or concrete actions (practices) as far as participation in devolved government pertains. This could also be linked to the nature of the trainings or civic awareness forums (duration, focus, methodologies etc.). It also appears that the issue of devolution linked to the CoK 2010 are still not understood by many hence difficulty to follow through various issues. Further, those that had participated in devolved structures in one way or another felt that the issues raised in these forums, e.g. concerns around corruption, lack of transparency and equity in resource use were not taken up or followed through by the responsible authorities.

Implication(s) and Specific Recommendation(s)

The quality, frequency and level of engagement between citizens and authorities was in many cases poor. This in part alienates citizens from the governance structures, thus paving way for corruption, inefficiencies and risks of conflicts. The implementation of devolved systems was in many cases characterized by a thin spread of financial and human resources, both in terms of quality and quantity, across many devolved funds, authorities or projects. There is thus a need for structured organization, sensitization and capacity development of citizens and their institutions to be able to engage with and hold the duty bearers to account. Efforts at ensuring citizens participation should as far as possible take into account gender dimensions such as considering women's roles in various societies and attuning the interventions to these contexts while looking into factors that promote gendered exclusion (including various roles played by men and women).

It is also necessary to reflect on how best to systematically monitor, measure and report on the effects of various civic awareness processes, particularly for purposes of learning, improvements and replication of best practices (particularly since most of the efforts towards civic education do not seem to have borne much fruit). There is also an urgent need to look at the competencies and capabilities of institutions offering civic awareness themselves, including the suitability of the adopted civic awareness strategies and approaches.

Other challenges mentioned across various counties as obstructing participation and cohesion, and which require immediate attention from the authorities concerned included insecurity, illiteracy, tribalism, clanism, and nepotism.

2.1.3 Citizen's Understanding of Collaborations Within and Between Counties

Finding(s) and Analysis

Current Status of Inter & Intra County Collaborations and Dependencies: With variations between counties, most citizens recognize existing linkages, inter dependencies and collaborations between and within their respective counties. However, many respondents harbored the unrealistic ambition that the counties shall within a short time have drastic social and economic development status, enough to be independent of other counties and even the National government. Such expectations are possibly linked to how the constitution was marketed to Kenyans during the 2009 referendum on the same. Such expectations need to be managed to avoid frustrations and backlash against devolution, as it's very unlikely that all these changes will happen in the short to medium term.

The major inter-county collaborations highlighted revolved around inter county trade; shared use of social amenities particularly educational and health facilities; common infrastructure more so roads; as well as shared natural resources such as water points, pasture and tourist sites. Appreciation for intra county dependencies was however much less across all the counties where the study was carried out. There is thus a need to sensitize people on the potentials and need for cooperation within various counties. There was also minimal recognition of the role of private sector within the devolved government and county development in general. Subsequently there was in this regard little appreciation amongst *ordinary* citizens of the need for close collaborations between the private, public and CSO sectors; partnerships that shall be critical to the general county development and wellbeing.

Potentials for Future Inter & Intra County Collaborations and Dependencies: 76% of the respondents had expectations for greater inter and intra county collaborations upon (complete) devolution. This was largely seen from the perspective of greater trade and employment opportunities expected to result from increased resource availability to the counties. It was however recognized that the extent of (increased) inter & intra county collaboration will be dependent on new County leadership's ability to be facilitative rather than create (additional) obstacles to thriving such as heavy tax burden, inhibitive policies, regulations and procedures e.g. for licencing.

Fig 4: Extent to Which Citizens See Potentials for Increased Inter/ Inter County Cooperation
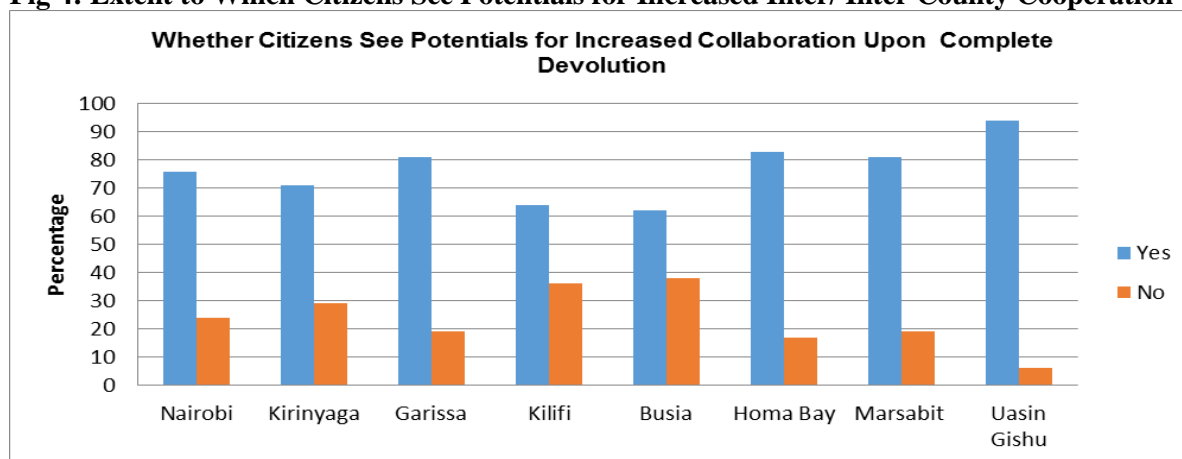
There were major regional variations regarding the areas of interest for (potential) cooperation amongst various (sets of) counties. As an example focus group discussants from Kirinyaga prioritized business relations; Marsabit and Garissa gave primacy to security considerations; while infrastructural development topped the list for Homabay & Busia. This outcome means that while there may be a need for a regional approach to certain issues that cut across counties, it will be important that those planning to support county development pay special attention to the diversities and variations amongst the different counties – a one size fits all approach would be imprudent.

All respondents seemed to share the belief that the full implementation of the CoK 2010 and various related reforms will be a major factor, not only regarding the extent of citizen's engagement but also County development and cooperation. However, respondents were not clear on how to ensure this desired full implementation of CoK 2010, but for reference to the need to elect good leaders and strengthen citizens' capacity to effectively engage with authorities.

Facilitation of Inter/ Intra County Collaborations and Cooperation: Respondents were of the view that the role of facilitating greater inter and intra county collaborations should be a shared responsibility between the government, CSOs and private sector rather than the citizens themselves.

Fig 5: Who should Facilitate County Collaborations?
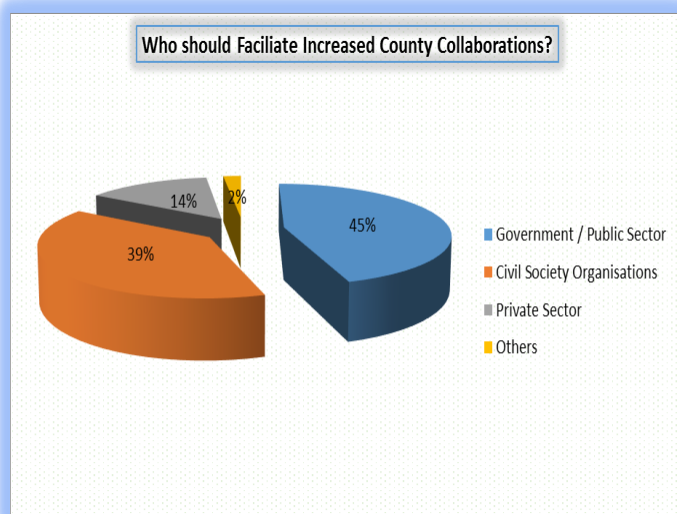
The high level of public passivity could be due to the apparent little knowledge of the devolved structures and unawareness about their possible roles /responsibilities in the devolved systems as well as when, where and how to participate. There were however a few unique cases e.g. in Busia where the youth and professionals indicated an interest to act as facilitators of various tasks/ processes, while opinion leaders preferred to be involved as resource persons. It is also noteworthy that while trade was amongst the prioritized areas for collaboration, again there was no mention of the private sector's role in facilitating such.

Most respondents, save for key informants (authorities, CSO practitioners) lacked specific ideas on how inter and intra county collaborations could be enhanced. The following suggestions were made by the authorities and CSOs: promotion of inter county dialogue for peaceful coexistence; have leaders reach out to each other; establishing inter-county MoUs including joint/ regional strategic plans; improvements of shared infrastructures and social amenities; and ensuring transparency in managing county affairs to build confidence. A number of GoK officials recognized the need to win back public trust; respond positively to citizens' right to information; and create awareness for or facilitate public participation; as well as the need for clear policy and regulatory guidance from the National Government on county collaborations.

Impediments to Inter/ Intra County Collaborations and Cooperation: The main impediments to optimal inter or intra county collaborations were mentioned as including resource limitations both human and capital; poor transport and communication infrastructure; insecurity in certain areas; restrictive regulatory frameworks particularly trade licensing; fear that (pooled) resources could be misappropriated; and possible interference by politicians/leaders seeking personal gains.

Limited appreciation of and interactions with corporate citizens (largely private sector) could significantly limit the pace of development of counties, since the inputs and cooperation of the public, private and CSO sectors is key. This is particularly because most development challenges are not only complex but also huge and thus need for a collaborative approach. These parties must not only just participate, but also hold each other to account. This perception is supported by the TFDG report (2011), which supposes that the principle of devolution ought to assume a broad institutional interpretation requiring public participation by non-state actors - the report in this regard emphasizes the role of the public-private partnerships.

Implication(s) and Specific Recommendation(s)

The apparent lack of deeper consciousness of the importance of dependencies between counties and with the National Government portents a danger for patriotism and nationalism as people may tend to retreat to their smaller conclaves (from county, to tribe, to clan, etc.). It is thus important that citizens are enabled to see the bigger picture and facilitated to become more conscious of the developmental swings between (county) dependencies, independence and inter-dependencies, and to realize that value adding inter-dependencies should be the optimal goal. Additionally, there is a need to develop and strictly enforce regulatory and policy frameworks to guide inter and intra county collaborations, based on the Inter-governmental Relations Act. The National Government should also develop minimum standards for governance, quality of life, development status etc. as well as best practices and national based values to be adopted or espoused by the counties.

In order to structure intra or inter county collaborations, county working groups comprising CSOs (including representatives of minorities and marginalized groups), private sector, various interest groups and County Executives or leaders could be established to hold regular consultative meetings on issues of strategic importance to the counties. Similarly, regional consultative organs (say inter county committees and county liaison offices) could be established to co-ordinate (respective member) counties on issues of mutual interest as well as to enhance inter-county cooperation and relations. There will also be a need to support interventions that promote national cohesion and facilitate healing and re-build trust between communities.

2.1.4 Mapping and Allocation of County Resources

Finding(s) and Analysis

Knowledge of Existing County Resources: Most citizens have a reasonable knowledge of available public or community based resources within their respective counties. According to the study respondents, these resources were being managed by government, community leaders and by the community based institutions/ groups. Most citizens however indicated that they were not aware of existing spaces or forums through which they could (in) directly participate in resource identification/ mapping, allocation and management processes. The information on resource mapping and/or allocation has not always been deliberately made public.

Resource Mapping Initiatives: a number of Counties have already initiated a process of county resource mapping, linked to the development of County Blue Prints/ Strategic Plans – this was for instance the case with Kirinyaga, Nairobi and Uasin Gishu Counties. Such processes were largely championed by County Professional Forums. Indeed, according to the Kenya Alliance of Resident Associations (KARA), attempts at developing County Blue Prints are currently being piloted in six counties viz. Embu, Garissa, Kakamega, Kericho, Kajiado and Nairobi with the support of 'the KARA–UNDP Amkeni Wakenya Initiative', (KARA, 2012). However most citizens were not aware of these processes, hence a concern that such Blue Prints are likely to fail if they are only driven by urban based professionals without the involvement of local communities.

Discussions with the Commission for Revenue Allocation (CRA) indicated that resource mapping at the national level had already been done and that the process of developing systems and structures for proper resource management at the county level had been commenced. Similarly the Transition Authority (TA) had also made efforts at mapping government resources within various counties. However, citizens indicated that they had largely not been informed or involved in the said mapping processes. The few political or opinion leaders who admitted having participated in the said forums, complained that their proposals had altogether been ignored. Separately, both the CRA and TA acknowledge the need to bolster their staffing and logistical capacity in order to adequately address stipulated tasks.

On their part, citizens expressed a strong preference that resource mapping be openly done with involvement of representatives of communities and key interest groups, and that they be adequately informed of all such mapping processes and their outcomes. However not much thought appear to have been given to the timing of, responsibilities for, modalities/ methodologies for such resource mapping exercises as well as how the information is to be disseminated and used. The need to inform and involve the public in such processes is key to facilitating vigilance by the citizenry on how available public resources are managed by the duty bearers for public good.

Resource Allocation Modalities: It was the preference of all citizens that resource allocation (once mapped) should be done transparently on the basis of amongst others the poverty index of different communities; ethnic/ clan configurations; demographics such as population density, gender and age; geographical balance; as well as conscious need to allocate slightly more resources to hitherto historically marginalized regions such as Marsabit and Garissa Counties. It was however only in very few instances that suggestions were made on the need to develop a transparent criterion for resource allocation and sharing within the counties, but even then respondents were not clear on what variables such a criterion should have. Further, the discussions around allocation of resources do not make reference for instance to the need for prioritization of county needs, as well as importance of strategic planning to guide resource use.

Potentials for (Resource Based) Conflict: Citizens appreciate the existing or potentials for resource based tensions. Examples were given by FGD discussants of the current 'scramble' for wetlands in Budalangi-Bunyala irrigation scheme by the public; challenges around access to fishing points in Lake Victoria; the Migingo island tension with Uganda; clashes around pasture and water points in Garissa and Marsabit; and perennial land clashes in Kilifi and Uasin Gishu. It was the view of these discussants that such conflicts could largely be addressed through equitable allocation of county resources; transparent utilization/ management of the same; and genuine consistent involvement and informing of communities of related processes, decisions and activities. It also emerged that there were lots of serious misunderstanding on responsibilities for county resource allocation and management.

Implication(s) and Specific Recommendation(s)

The discovery of oil in Kenya, has hastened the debate on revenue sharing, ownership and the future of Kenya, particularly how such resources would be shared between the County and National government, the dominant view being that besides local content considerations, largest share of such resources should be allocated to respective Counties from where the resources are drawn. There is thus a great need for urgent dialogue around how such key resources would be managed/ shared to avoid a 'resource curse' situation that is common in many oil and mineral rich states. Similarly, it is imperative that the right structures, legislation and mindset are applied to govern the extraction and use of such resources.

According to article 10 (2)(b) of the CoK 2010, the presumption of equality requires that everyone, regardless of tribal, gender, religious, generational and regional differences, should get an equal share in the distribution of public resources including, public infrastructures, employment opportunities. Clear policy and administrative frameworks should be developed to guide the counties in strictly enforcing this stipulation. This could be done with the support of the National government and transition bodies, particularly the CRA.

Counties shall also need to consider earmarking a percentage of their budgets to facilitate citizen participation initiatives including civic awareness, capacity development, monitoring, evaluation and oversight amongst others. It is important to aggressively craft such mechanisms (preventive and retributive) to deal with corruption and prevent *'devolution of corruption'* to the counties – citizens' involvement in this is central.

2.1.5   Citizens' Participation in (Devolved) Planning and Budgeting Processes

Finding(s) and Analysis

Extent of Citizen Participation in Planning and Budgeting: Almost all ordinary citizens said they have never been involved in planning /budgeting processes for devolved systems. Reasons cited for this included lack of information about these processes, limited budgeting & planning expertise, political patronage, and purported lack of openness in such processes. Authorities on their part were of the view that citizens were generally passive, and looked to the government and CSOs to initiate all processes of engaging with them and lacked the capacity to organize themselves for effective participation and resource utilization.

Similar concerns are expressed by Odhiambo and Taifa, (2009) who indicate that identified projects under the devolved systems were in a number of instances not the real priorities of the locals, and that in some instances councillors invite few people known to them as a way of arriving at resolutions favorable to their interests. Likewise, a 2010 Social accountability report by TISA, Ufadhili and Shelter Forum, indicated that communities were insufficiently prepared or organized to participate in planning meetings – this calls for deliberate efforts towards citizens organization, sensitization and strengthening of peoples institutions.

Impediments to Citizens Participation in Planning and Budgeting Processes: The following were mentioned by citizens as the key hindrances to their effective participation in planning and budgeting processes: illiteracy and limited knowledge of citizens vis a vis the perceived technical nature of such processes; inadequate awareness of related procedures, processes, timing and venue of meetings; as well as apparent absence of opportunities and spaces for participation. On the part of duty bearers key challenges were poor leadership particularly corruption, impunity, ethnicity and nepotism; and insufficiency of capacity to mobilize and enlist widespread participation.

Discussions with citizens also noted existence of regressive attitudinal and perceptional challenges for instance the mentality that these tasks were not their responsibility rather of the duty bearers. In some instances, citizens felt that they did not have sufficient time to attend meetings, (and so hope that 'others' will manage to attend) – this is largely an issue of poor prioritization[4]. Indeed it emerged as common knowledge that many people expect to be paid/ compensated for attending development meetings. Additionally, some citizens had the view that their inputs would not be taken in/ seriously and that they are likely to be used to 'rubber stamp' pre-determined decisions and actions, hence apathy towards participation in such planning and budgeting processes.

(How) Citizens Desire to Participate in Planning and Budgeting Processes: Although quite a number of citizens recognize the importance and relevance of their involvement in planning and budgeting activities, there appears to exist an unquestionable capacity limitation to effectively and directly engage in these processes. In this regard, only a handful of respondents indicated confidence in their ability to meaningfully engage in such processes. Those that expressed willingness to participate in these processes said they would do so by participating in relevant forums to provide views (rather than as active determinants or influencers of priorities).

In terms of the intensity and nature of involvement, 59% of the respondents, mainly youth, elites, professionals and CSO practitioners, desire to be involved throughout key processes and mainly as resource persons. On the other hand, 34% of the respondents, largely the business people and women, prefer to engage only occasionally, and mainly as participants. The remaining 7% barely want to be involved, and preferred instead to be represented by their elected leaders. While the

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[4] There were however genuine cases where the scheduling of meetings were incompatible with say the (gender) roles of some segments/ cohorts of the populace e.g. women, farmers etc. hence inability to attend.

youth expressed interest and indicated having enough time and knowledge to engage, women and most petty traders and farmers indicated having little time and experience to engage. This means that initiatives to engage citizens in planning and budgeting processes should be tailored to the unique circumstances of each group including literacy levels, main occupations, gender roles etc.

Figure 6: Extent by Which Citizens Would Like to be Engaged in Devolved Planning/ Budgeting
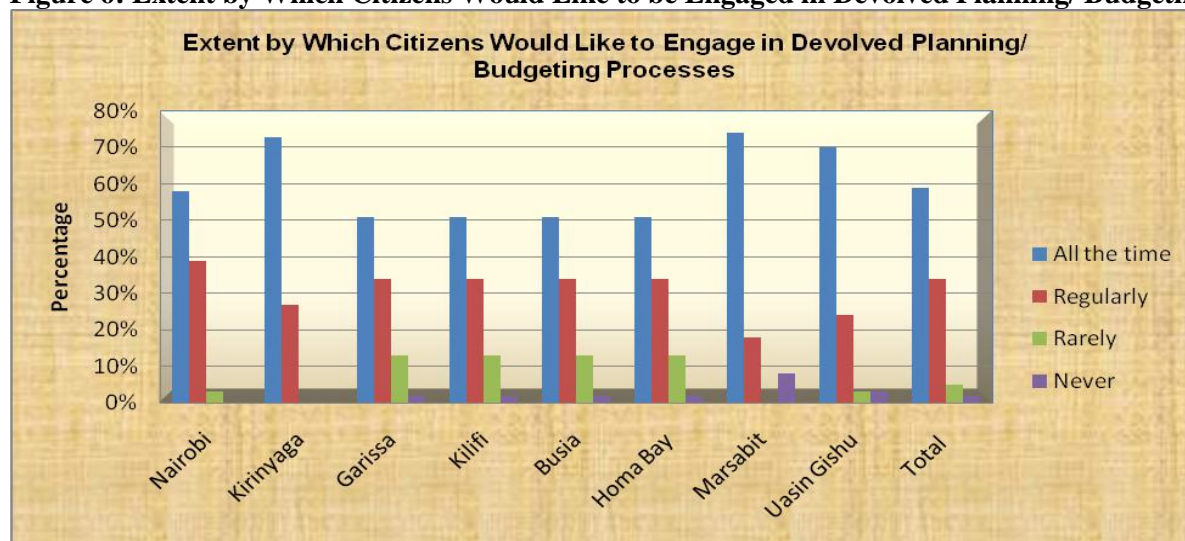
With regard to preferred forums for participating in planning and budgeting processes, the following were mentioned (the groups that expressed these preferences are included in brackets):
a)   seminars and media (youth, business people, CSO practitioners);
b)   budget / 'district' development planning committees (CSOs, professionals, other elites);
c)   open public e.g. barazas, rallies and village planning committees (ordinary citizens); and
d)   use CSOs[5] and various elected leaders as peoples representatives (ordinary citizens, women)

Public barazas were critiqued as currently being dominated by the provincial administration and not enabling a two way communication between the citizens and authorities. The barazas were also said to be ad hoc, although on paper/ per GoK chatters, these ought to be structured and regular.

Implication(s) and Specific Recommendation(s)

The limited levels of citizen participation in planning and budgeting processes, and access to related information compromises their ability to participate meaningfully in subsequent monitoring processes as they would then lack the knowledge of original plans, targets, benchmarks and agreed standards against which to compare actual performance. There is thus a need for awareness creation on how, with or through whom, when and where to engage with various devolved planning and budgeting processes, complemented with training of citizens in simple, contextualized project planning, management and procurement, thus building a cadre of future leaders at the local level.

Besides efforts directed at improving the knowledge base of citizens, there is need to deal with attitudinal issues especially those related to peoples appreciation of their responsibilities (and not just rights) under the new constitutional dispensation as well as belief in ability to engage and make meaningful contribution (self-esteem & confidence). Finally, there should be deliberate efforts to ensure enforcement of constitutional and legal requirements that participation in and sharing of planning and budget information with the public is mandatory. National government personnel could also support the county planning teams in the initial days of county set up to ensure county planning, although derived participatorily from the citizens and other stakeholders in the county, are also in line with the National vision.

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[5]CSOs were thought to be well informed, knowledgeable, impartial and less susceptible to being corrupted.

2.2 Citizen Participation in Monitoring and Reporting

2.2.1 Citizen's Current Involvement in Monitoring & Reporting

Conceptual Framework

Political corruption, nepotism or bribery with public funds is detrimental to the poor, as they cannot afford/access alternative private services hence the most reliant on government services (Besley and Burgess, 2002). The classic principal-agent model between government and citizens suggests that monitoring and sanctioning politicians for poor performance is essential for accountability (Besley, 2006). This is also premised on the notion that successful services for citizens emerge from institutional relationship in which actors are accountable to each other (World Bank, 2004).

One important responsibility of citizens is provision of local level oversight and feedback on quality of services as well as support to duty bearers in their different localities. The key guiding principles for designing and monitoring service delivery mechanisms include efficiency, effectiveness, inclusivity and participation in the service delivery cycle. A good Monitoring and Evaluation (M&E) system ought to include indicators for measuring results of interventions against set benchmarks, enable dissemination of such information to citizens, and allow for investigation and address of poor areas of performance, if any (TFDG, 2011).

Finding(s) and Analysis

Citizens' Current Involvement in Monitoring: The citizens' capacity to monitor and hold the government to account were very weak. 57% of the respondents indicated that they have never been involved in any form of (planning), monitoring and evaluation of their leaders' performance with regard to quality, scope, and timeliness of service delivery. These findings are similar to those of a study carried out by Smart Citizens in 2012, which showed that only 35% of the citizens in Bomet understood the nature and quality of services to be expected from the County government. Similarly, according to TISA (2010), there appears to exist slightly higher levels of participation in planning processes as compared to subsequent monitoring and evaluation activities.

It emerged further that most citizens rely on performance information from the mainstream and social media. They however had no means of verifying validity of such information. The low levels of knowledge of planning and service delivery information mentioned above imply that it shall be difficult for such citizens to be able to monitor and report on the quality of service provision and use of public resources. The situation also means that accountability and good governance is thus largely dependent on the duty bearers' goodwill since rigorous and structured external checks and balances, especially from citizens and their organisations is lacking.

Citizens Contentment with Service Delivery Standards: Asked about the level of contentment with public service delivery, 71% of the respondents indicated that they were not satisfied with the quality of service delivery by their leaders and duty bearers. These assessments were however not based on hard facts or structured evaluation criteria. Further, although majority of the citizens were disenchanted with the quality of service delivery, they mostly had no idea about how to express their displeasure about the same or what could be done to improve the same. The few suggestions made in this regard - such as need to reduce corruption, elect good leaders and ensure leaders operated within the constitution - were too general, and lacked operationalization modalities.

Citizens' Access to Performance Reports: On the most part, citizens indicated that they were neither aware of, nor received any formal reports on their MPs and Councilors' performance. 71% of the respondents however indicated that they informally received performance information through both the mainstream and social media, including the citizens score cards organized at the

national level by the Ministry of Planning at the district levels. There were however a few isolated cases in which different community groups and CSOs have been involved in social accountability initiatives e.g. Upendo Youth Group (Garissa), Ufadhili Trust, TISA and Shelter Forum.

There were also a few counties with District Information Centers, but in many cases these were ill equipped and contained outdated information. Further, it emerged that generation of performance data was in most cases not an inclusive affair as citizens complained of not being adequately consulted during assessments of leaders' performance, hence a feeling that the reports were not very objective. On the other hand some authorities felt that assessments by NSA such as by the National Taxpayers Association (NTA) and other CSOs did not give them adequate hearing hence one sided ratings. It was not always possible for citizens to interrogate, verify validate such performance information and / or reports.

Separately, it emerged that there are no defined responsibilities for generation, management and use of M&E data/ reports between citizens and duty bearers. While the government has adopted a performance based management system (rapid results initiative), this focuses largely on the GoK officers/ units and less on the elected leaders. The performance assessment data/ information/ reports from this initiative are also not widely disseminated/ publicized. Lastly, while service charters exist in most government offices, there are no subsequent mechanisms to openly assess commitment and adherence to these charters in which the public are also involved.

The above findings are echoed by a KHRC and SPAN study which asserts that "while Kenya boasts an elaborate monitoring system housed under the Ministry of Planning and National Development monitoring directorate, the latter is starved of resources and is barely functional. At devolved levels, citizen participation is weakest, with the average Kenyan having in the past not been able to question procedures and processes at the local level" (KHRC & SPAN 2010).

Lastly, a number of CSO practitioners and opinion leaders indicated having access to CDF reports and minutes of District Development Committee (DDC) meetings, but these are not accessible to most citizens. In Busia and Homa Bay Counties for instance, the local authority officials indicated that they annually hold LATF open forums to update citizens on the use of these funds, besides producing official reports on its activities and its financials.

Impediments to Effective Citizen's Engagement in Monitoring and Reporting: There appears to be no formal structured monitoring frameworks with clear tools, baselines, targets, indicators and standards for most of the devolved structures for which citizens are also involved. This together with the absence of planning information makes it difficult for citizens to monitor and evaluate the progress of various initiatives by the devolved structures.

Further, majority of the citizens lacked the competency, expertise or experience to undertake formal M&E processes, besides having a general disinterest on performance related issues. There were also complaints by citizens about deliberate attempts by leaders to exclude them from monitoring processes for instance by skewed invitations, non-announcement, short or no notices and regular postponement of relevant meetings, whenever these were held. From the perspective of the duty bearers, poor attendance of review meetings and demand for sitting allowances by citizens when invited for such forums are major challenges. The authorities also acknowledged their limitations to effectively mobilize citizens for relevant meetings due to resource constraints.

Separately a study on the harmonization of decentralized development in Kenya, established that existence of multiple funds have largely deterred citizen engagement in local governance as citizens have been confused by the existing overlaps of administrative boundaries between these. These overlaps also make it difficult to conduct monitoring and evaluation (KHRC and SPAN,

2010). The study proposes that for effective citizen participation to be realized there must be harmonization of the funds into a single basket under the County government.

Implication(s) and Specific Recommendation(s)

The absence of formal systems and frameworks for monitoring and evaluation; limited capacity of duty bearers to rigorously undertake monitoring processes; as well as the weak capacities of citizens to engage in the same significantly compromises the possibility to measure the quality of duty bearers' performance for accountability purposes. There is thus no structured and formal basis of holding leaders to account as far as their performance pertains. The absence of performance information also significantly compromises downward accountability.

To deal with the above situations, citizens suggested amongst others formation of local county pressure groups comprising professionals, private sector and legal practitioners to act as public watchdogs, who could compel elected leaders to work diligently and be accountable to the public or risk being voted out or recalled as per the stipulations of CoK 2010.

The absence of effective monitoring systems and practices fundamentally undermines performance and accountability in local governance in Kenya. Such lack of accountability mechanisms has significantly contributed to corruption and the politics of patronage and is perhaps amongst the greatest risks to devolution at the county level (TISA, 2010). There is thus a need for development and enforcement of effective policies that compel county officials to account to the citizenry, supported by mechanisms for engaging communities in doing (social) audits.

The complaints of rampant corruption by duty bearers at local levels calls for external monitoring mechanisms at the devolved levels, e.g. through the devolution of institutions like the Kenya Anti-Corruption Commission at the county levels. There is also need to create a culture of care amongst the middle class, currently perceived as largely disconnected from participatory processes, so as to be more vigilant on the actions of duty bearers, and blow the whistle where necessary, particularly where the poor are manipulated or exploited due to their low social and economic status.

Similarly, citizens and their organisations have to be sensitized, not only on their monitoring rights, but also their roles and responsibilities and be strengthened on how to undertake these effectively and consistently. This would seek to make citizens active in holding leaders to account and demand quality services i.e. adopt a civic driven change approach that uses civic power as a basis for improving service delivery. As an example, citizen oversight committees such as County Citizens' Forum or Ward Citizens Forums could be established and strengthened to compel performance.

With regard to participatory performance monitoring, efforts should be made to promote the use of social accountability[6] mechanisms such as independent budget analysis/ tracking, participatory public expenditure tracking surveys, social audits, citizen scorecards, and citizen report cards. county monitoring committees could be set up (in which citizens are also represented) to spearhead such processes. Technical assistance could be provided to County governments and affected communities to develop, pilot, and replicate effective practices for social accountability, and the sustenance of the same.

Care has however to be taken to ensure that (County) government - citizen engagement and monitoring frameworks and/ or platforms safeguard against elite capture of committees and/ or any other such platforms. This can be achieved through developing statutory and regulatory tools which guide/ regulate citizen engagement in monitoring and accountability matters at county levels.

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[6] The World Bank defines social accountability as "an approach toward building accountability that relies on civic engagement in which citizens and CSOs participate directly or indirectly in exacting accountability."

2.2.3 Citizens' Preference for Future Participation in Monitoring & Reporting

Findings and Analysis

Sharing of Monitoring Information: Majority of citizens expressed an interest to be involved in, and/ or informed about relevant administrative processes within the devolved structures so as not to lose track on the service delivery process. In this regard, the youth and professionals preferred that monitoring and reporting information be communicated to/ shared with them through (local) broadcast and print media as well as through SMS alerts. On the other hand, women and petty traders preferred SMS alerts and public barazas. Mobile phone alerts was preferred by majority across various age cohorts since several people have access to mobile phones.

Suggestions for Improving Citizens Monitoring: proposals were made towards holding open forums with leaders amongst others to discuss their performance (reports); establishment of county accountability committees with community representatives; and formation of operational help desks and toll free numbers where the citizens can report service delivery challenges/ concerns. Similarly, proposals were made for electing visionary and credible leaders as representatives of the people; compelling leaders to involve and report to the public on their actions; and involvement of all county stakeholders in (joint) project planning, monitoring and reporting.

CSOs as Watchdogs: Faith Based Organizations (FBOs) also hoped to use their existing structures and institutions such as the Catholic Justice and Peace Commissions (CJPC) and Supreme Council of Kenya Muslims (SUPKEM) to facilitate communities to hold their leaders accountable. Some of these institutions have built credible experience on accountability issues that could be useful to the new county structures. Such FBOs would work hand in hand with other NGOs focusing on governance and accountability issues.

Implication(s) and Specific Recommendation(s)

Given the weak M&E capacity and systems at the county level, there is a need to consider establishing independent oversight mechanisms at the county level in which citizens are represented to evaluate/ audit leaders' performance. These would be over and above the formal GoK audit units. Similarly, the County governments and service providers could hire more effective inspectors to contribute to higher quality public services.

County governments will need to recognize that CSOs are important in the delivery of social services and in social accountability. Relevant CSOs should be strengthened and supported to amongst others perform third-party monitoring through processes such as social audits, public expenditure tracking surveys (PETS) etc., to "follow the money"; and/ or undertake absenteeism surveys to monitor attendance of duty bearers. Besides mainstream CSOs, neighborhood associations / groups could be used as channels through which citizens could influence relevant decision-making processes. Such people's organizations have a potential to serve as the key sources of information about performance of various County government units, activities and or projects.

It may also be interesting for the National and County governments to look into the potential to use Information Communication Technologies (ICTs) to increase citizen participation in monitoring as well as to carry out campaigns to inform and educate the public on their rights, responsibilities and various governance issues.

Finally, it is critical for key stakeholders to agree in advance on mechanisms and periodicity of sharing monitoring information with the general public. Similarly, information on poor performance, impunity, corruption etc. should be made public e.g. though radio, newspapers, barazas, social media etc. The performance agreements between various stakeholders should also have clear modalities for handling poor performance and/ or corruption or any other malpractices.

2.3   Recourse Accountability Mechanisms

Conceptual Framework

Recourse accountability mechanisms, also known as complaints-handling systems, are the formal institutions and channels that citizens can use to hold duty bearers and policy makers accountable for service delivery by amongst others expressing dissatisfaction with service delivery and/ or to demand redress. These are based on the facts that active monitoring by citizens is an essential component of accountability especially when the formal checks on the private and public sectors are weak. Dena et al (2012) defines three broad categories of recourse accountability mechanisms viz. g*overnment agencies* set up by authorities to field complaints about service delivery; i*ndependent institutions* e.g. tribunals, ombudsmen, CSOs, and labor unions; and j*udicial system* (*courts)*. The grievance redress institutions and processes often overlap in practice.

In Kenya, Article 119(1) of the CoK 2010 and section 88(1) of the County Governments Act, 2012 gives citizens right to petition parliament and the County governments on any matters within their authority; whereas Article 104, (1) of the CoK 2010 and Article 27 of the County Governments Act, 2012 gives citizens the right to recall an MP or senator before the end of their tenure.

2.3.1   How Citizens Raise Concerns, Complain About Service Delivery Quality

Finding(s) and Analysis

Existing Recourse Accountability Practices: It emerged that citizens rarely exercise their client power i.e. complain to service providers about service problems. Most people were unaware of what to do when dissatisfied with services delivery quality. A number of citizens expressed apathy based on the previous experienced unresponsiveness of duty bearers to citizens' complaints or suggestions for service improvement. There were also expressions of deep sense of powerlessness by the poorer segments of society linked to their economic, political and social status.

While up to 73% of the respondents had ever had concerns about service delivery quality, only 45% were aware of avenues towards which they could channel such concerns. These included reports to the media (44%), complaints through phone calls (23%), used of e-mails and social media (14%) and others such as complaints to supervisors of specific officers, local leaders, relevant CSOs or voicing such concerns at public barazas or rallies (19%). However, most FGD participants indicated that their complaints were in most cases ignored by those they reported to.

Other recourse options adopted by citizens included the following:
a) Seeking p*ersonal audience* with leaders on a one-to-one basis to discuss various issues. These were however difficult to schedule as most leaders don't have physical offices;
b) Holding *street demonstrations or mass action*, where formal channels fail. This according to some respondents was 'the only language that the authorities understood'.
c) *Withholding payment of taxes* due to poor or lack of services e.g. the case of Karengata Residents Association who withheld property rates and went to court to restrain the City Council of Nairobi from collecting property rates from them until services were improved.

Impediments to Existence/ Use of Formal Recourse Accountability Mechanisms: Limited awareness by citizens of legal rights/remedies; low understanding of recourse procedures and processes; huge bureaucracies and lengthy timespans for processing complaints; high litigation costs; geographical inaccessibility; and limited trust on justice systems are key impediments to public access to redress and legal recourse or justice systems. This is despite the fact that public access to redress and legal recourse is a powerful tool for ensuring good governance, since it acts as a means to amongst others ensuring quality service delivery and accountability by leaders to citizens.

Additionally, absence of clear and trustworthy grievance handling mechanisms; clanism and tribalism where groups gang up to defend their own whenever they are castigated; as well as the fact that most citizens believed it would make no difference whether they filed a complaint or not, were also identified as key challenges to effective recourse accountability. There were also noted apprehensions borne out of historical mistrust of authorities, particularly the fear of victimization. Subsequently, most citizens at the grassroots were wary of holding their leaders accountable so that they are not victimized.

Implication(s) and Specific Recommendation(s)

Rule of law is a fundamental requirement to ensure public access to legal recourse. It emerged that due to distrust of the police and judicial systems, citizens in many cases opt to take the law into their hand (e.g. mob justice, mass action, violent demonstrations etc.), while many didn't believe that anything would change even if they complained due to existing impunity within the country.

A well informed and active public is important for increased demand towards transparency and accountability on the part of decision makers in government and industry. There needs to be enhanced collaboration between government and civil society organizations in public education to increase the reach of such programs and the expertise used to develop them.

There is equally a need to explore multiple approaches for increasing public access to redress and legal recourse besides legal frameworks or judicial systems such as establishing formal complaints and feedback mechanisms that are easy to access and use; promotion of alternative grievance mechanisms e.g. dedicated staff or an automated system that logs complaints and monitors resolutions within stipulated period. In all cases, grievance handling procedures would need to be transparent, independent and well publicized.

2.3.2   How Citizens Prefer to Raise Concerns, Complain About Service Delivery Quality

Findings and Analysis

Many of the citizens have high hopes that the new constitutional dispensation will bring about major changes as far as access to redress pertains. In terms of how respondents would like to seek redress, a number of citizens indicated that they were having an increasing trust on the courts given the judicial reforms that were being undertaken. However there are still concerns that court processes tend to be is lengthy, expensive, few and far away, hence out of reach to most common citizens. Still a number of respondents, particularly the youth and petty traders cited mass action and peaceful demonstrations or protests as a key option, besides the possibility to recall or vote out non-performing leaders.

There is also an emerging appreciation of the need (and strong desire) for communities to join together in order to have a greater voice i.e. the need for better (self) organising capacity to benefit from for critical mass. Most citizens expressed a wish for their community leaders e.g. elders, religious and opinion leaders to take a lead role in this.

Finally, some citizens expressed a need to establish offices of the Ombudsman within the counties as well as county or regional grievance handling committees who would work with County Boards to handle higher level concerns and complaints. In order for these to work however, citizens underscored the importance of ensuring that public officials act according to the law.

Comprehensive systems for public participation and recourse accountability are most effective when citizens and government officials (administrative, legislative, and judicial) have a thorough understanding of the laws, policies and their practice. In this regard, there should be deliberate efforts towards enhancing disclosure as well as demystification and dissemination of performance information including plans/ budgets, performance targets, benchmarks and standards to citizens. Such information should be availed to citizens in formats and media that are suitable for different community groups. It should be ensured in this regard that County authorities transparently and publicly share performance information.

The county authorities will also need to facilitate citizens' access to justice by establishing clear information and participation laws that provide adequate legal grounds for citizens seeking redress. Programs that build the capacity of government officials, judicial staff and citizens to effectively use complaint mechanisms and legal recourse will be useful in bolstering citizen involvement. Additionally, sponsored legal aid could help defer costs for those citizens who can't afford these.

Similarly, National and County governments will need to ensure that redress procedures are credible and that there exists adequate physical or virtual avenues where complaints can be received. There is equally a need for public education including provision of information on the functioning of the system, where to complain, and expected remedial actions. Feedback should also always be provided to citizens on the outcomes of their complaints.

The effectiveness of administrative processes and institutional arrangements for grievance redress significantly influences the extent to which these systems are used and have an impact. This is largely because if people are not convinced that they will get a response, they are unlikely to bother to lodge complaints. The county established redress systems shall thus need sufficient staff and adequate systems with clear benchmarks towards timely and effective responses as well as effective systems to monitor and track complaints. However, it is important to note that excessive time and money spent on redress procedures can increase the costs of service delivery.

2.4   Feedback Loops

Conceptual Framework

While the term 'feedback' is often used generically, it is helpful to break down the concept into different types of information or interactions. One framework for such breakdown identifies four feedback types: complaints, suggestions, monitoring and satisfaction. Successful feedback mechanisms should incorporate these feedback types at different stages of the project cycle so that citizens are involved in shaping the entire project from conception to completion. *'Suggestions'* are relevant in the earliest stages of project identification and preparation, while *'complaints'* become important in the implementation stages, and '*monitoring'* at the start of implementation and continuing until project completion. On the other hand, 's*atisfaction'* is most likely to be assessed when the project is approaching completion and also as part of ex post project evaluation. These feedback types should be viewed as being additive, broadening with each stage, rather than one type of feedback replacing another.

All forms of feedback should aim at enabling holding authorities and other duty bearers accountable for their actions; allowing representation of citizen interests in decision-making; increasing understanding of local preferences, opportunities and constraints; and improving involvement and ownership of various development initiatives.

2.4.1   Available Feedback Mechanisms to Citizens

Finding(s) and Analysis

Status of Feedback Provision by Government: Most of the respondents indicated that they do not directly receive any formal feedback, including on their participation on various political and administrative processes. They were equally unaware of whether there existed any formal systems for provision of feedback by duty bearers. It also emerged that the traditional communication channels that rely on face to face interactions are constrained by barriers of cost, time and distance resulting in infrequent, limited and indirect feedback to or by citizens. Similarly citizens indicated that in most cases, feedback mechanisms were regarded as mere data collection exercises, where no efforts were made to act on, or respond to feedback or inputs from citizens.

Mechanisms of Feedback Provision: Most of citizens were not aware of the formal mechanisms of feedback to and from government. GoK officers however alluded to the existence of suggestion boxes and notice boards for the public in strategic places for public use, besides occasional information provided in the media. Additionally, the authorities indicated that in their view, the public barazas also act as spaces for provision of feedback. However, the citizens said they did not believe that the suggestion boxes work and thus never use them, while the youth and women felt that they were never granted chances to speak at barazas (besides the fact that barazas only allow for one way rather than a two-way communication).

Impediments to Feedback Provision: There is an apparent mistrust of any information provided by government and politicians. Similarly, there appears to be a strong sense of hesitance to providing any feedback to the authorities and other duty bearers by ordinary citizens for fear of victimization. Citizens felt that the only (safe) way to provide feedback could be through elected community leaders, but even then they do not strongly believe that their suggestions would be taken seriously

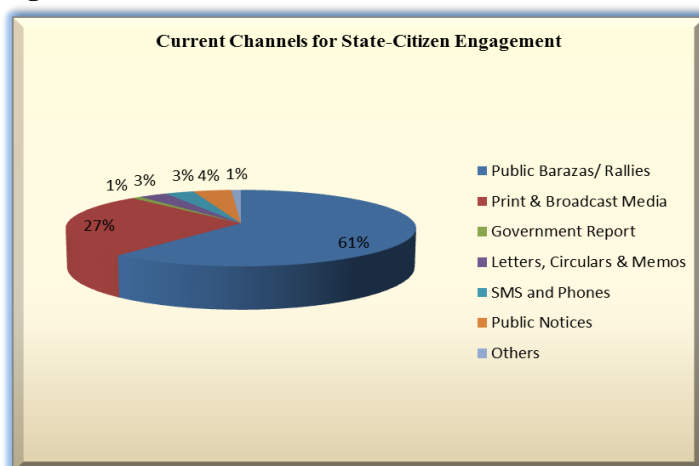**Implication(s) and Specific Recommendation(s)**

Lack of feedback mechanisms within government has contributed to a feeling that the government could be hiding something from the citizenry hence high levels of distrust, which further impedes citizens' participation in various government activities. Similarly, the purported inaction by government on feedback from citizens have also given an impression among the citizens that the government does not care about what they feel or think, hence reluctance to give feedback. This has subsequently in part resulted into unsustainable and / or poor quality project implementation.

2.4.2   How Citizens Prefer to Give/ Receive Feedback

Findings and Analysis

Preferred Feedback Channels: During various discussions and interviews, citizens expressed preference for receiving feedback through amongst others public barazas or rallies, print and broadcast media, social media & internet, government websites, government reports, letters and circulars, phones based SMS services and public notices. It was noted however that the adoption of any of these channels should consider the unique contexts of various groups e.g. ability to read and write, access to technology and tastes and preferences.

Fig 7: Preferred Feedback Channels

Current Channels for State-Citizen Engagement

- Public Barazas/ Rallies — 61%
- Print & Broadcast Media — 27%
- Government Report — 3%
- Letters, Circulars & Memos — 4%
- SMS and Phones — 1%
- Public Notices — 3%
- Others — 1%

The preference for the above channels across various demographics was as follows:
- Youth: Internet or social media, SMS, mainstream media (print and broadcast), government websites, blogs, and open debate forums where leaders are asked questions on various issues
- Elites/ professionals: Print media, and updates of various county committees/development fora
- Ordinary citizens: SMS, public barazas, local radio stations, public notice board, updates by elected representatives (including youth and women representatives).

Preferred Feedback Frequency: In terms of frequency, the youth, professionals, NGO practitioners and other elites had a preference for monthly to quarterly feedback, while others (traders, elderly, women etc.) preferred quarterly to biannual feedbacks. Specifically, 50% of the respondents preferred monthly feedback, 42% quarterly feedback, 3% biannual and the rest annual feedbacks.

Implication(s) and Specific Recommendation(s)

Given the expressed challenges of traditional feedback channels, it's imperative to look into possible use of ICT based feedback channels e.g. mobile phone based SMS and internet/ social media. However, it should be noted that while the use of ICT can reduce barriers related to cost, time and distance, accessibility can be uneven for citizens and can exacerbate inequities through underrepresenting certain demographics such as elderly, rural folk, poor households/ marginalised groups. The technology should thus be functional (e.g. usefulness of features and how platforms are moderated); easily usable and accessible in terms of cost and penetration. Further, consideration also need to be granted to users capabilities e.g. in terms of technology literacy.

Counties should also set up transparent feedback systems through which feedback can be received and acted upon. These may include various dialogue platforms/ spaces such as the use of relevant County committees and setting up SMS centres. Further the current use of suggestion boxes need to be taken more seriously /followed up and handled transparently by designated officers (with clear records on how matters have been addressed).

Other possibilities include undertaking citizens report cards; having public hearings; working with established citizen advisory boards; facilitating direct feedback i.e. in person, mail, electronically, telephone as well as establishing devolved government liaison or information desks (to receive/ provide feedback and provide general information to citizens). The timing in public consultation should be in the early stages of any process.

2.5 Interactions with Government

Conceptual Framework

Engaging citizens in governance processes enables duty bearers to tap useful ideas and information for decision making. To engage people effectively, government must invest adequate time and resources in building robust legal, policy and institutional frameworks to support such engagements. Experience has shown, however, that without leadership and commitment throughout the public administration, even the best policies will have little practical effect (OECD, 2011).

The CoK 2010, in amongst others, Articles 232 (d); 118 (1) (a) (b); 124(1) (b); 124 (4) (c) and 196 (1) (a) (b) provide for both indirect and direct engagement between government and citizens. Similarly Article 91 of the County government Act, 2013 compels the County government to establish structures for engagement with citizens such as: ICT based platforms; town hall meetings; notice boards for announcing appointments, procurement and other information of public interest; use of peoples' representatives e.g. including but not limited to members of the National Assembly and Senate; as well as establishment of citizen fora at county and decentralized units. Additionally, the CDF Act section 24 requires that non-state actors be incorporated in the planning processes.

2.5.1 Existing Forums for Supporting State-Citizen Engagement

Finding(s) and Analysis

Current Status of State-Citizen Engagement: All respondents from across the eight counties surveyed indicated that there has been limited interaction between the state and its citizens in the previous/ current regimes. Similarly there were raised concerns around accessibility of leaders in between election periods as leaders tended to 'disappear' as soon as they are elected, until the next election period. However, most of the participants concurred that there have been marginal improvements over time regarding such interactions, and were optimistic that these could improve further given the new constitutional and legal requirements/ stipulations.

When consulted, CSOs that engage in civic awareness campaigns indicated that they received inadequate support and cooperation from state officers. Similar findings as above were echoed in a report of REPACTED, a civic awareness project on devolved government in Nakuru County funded by UNDP's *Amkeni Wa Kenya* project. In this case, field officers particularly in Subukia encountered a lot of challenges with some administrative officials seeking cash hand-outs, favours or gifts in order to help in terms of offering the necessary assistance including security.
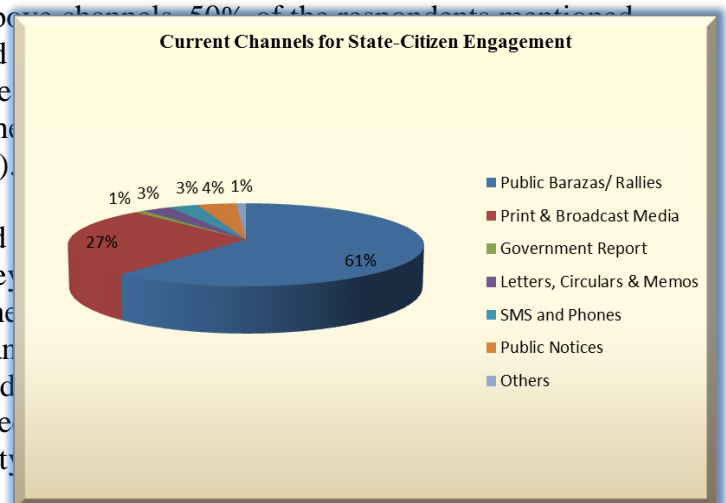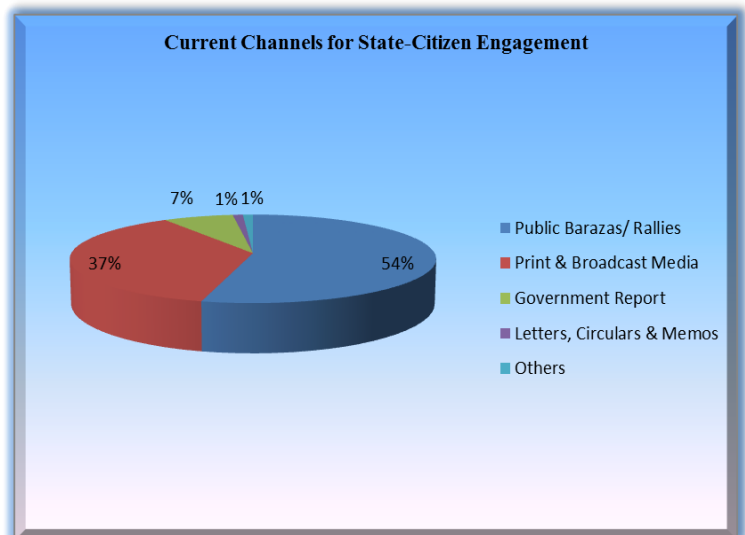
Existing Mechanisms for State-Citizen Engagement: The most common modality of citizen-state engagements was indicated as open/ public barazas and (political) rallies, while GoK officers also made reference to use of Memos and occasionally print and broadcast media. Such forums have been used amongst others to convey information on the CoK 2010, government policies etc.

A review of preferences across counties showed that more rural counties preferred barazas & rallies as compared to urban ones that opted mostly for media. GoK reports and circulars were the least preferred across board.

Fig 8: Existing channels for state-citizen engagement

Current Channels for State-Citizen Engagement

- Public Barazas/ Rallies — 54%
- Print & Broadcast Media — 37%
- Government Report — 7%
- Letters, Circulars & Memos — 1%
- Others — 1%

Current Channels for State-Citizen Engagement

- Public Barazas/ Rallies — 61%
- Print & Broadcast Media — 27%
- Government Report — 1%
- Letters, Circulars & Memos — 3%
- SMS and Phones — 3%
- Public Notices — 4%
- Others — 1%

Asked about who facilitates or organizes the above channels, 50% of the respondents mentioned government, 27% CSOs, 18% local leaders and other interest groups. Regarding how well these respondents regarded these as average, while th slightly above average (20%) and poorly (11%).

Most citizens felt that the most commonly used notice boards merely informed the public on key interactive engagement between citizens and the also complained that they were discriminated an was also felt by many that information provided biased. However, these channels were preferre advantage of proximity to the people, and abilit

Impediments to State- Citizen Engagement: The biggest obstacles to improving the quality of state-citizen engagement within the counties, according to respondents, are lack of resources, corruption, weak political leadership, divisive party politics, inability of citizens to meaningfully engage, and inability of public servants to effectively manage public affairs. The authorities, on the other hand,

attributed their inability to have quality engagements with citizens to a lack of resources and limited capacity. But even without additional resources, existing resources could be used more effectively through improved management and prioritization mechanisms.

Most of the respondents, especially the youth and elites were of the opinion that most of their inputs were often disregarded, manipulated or not taken seriously by duty bearers hence they shied away from subsequent engagements. Finally, citizens in far flung counties like Marsabit indicated that distance from government offices and thin staffing affects the quality of their engagement.

Implication(s) and Specific Recommendation(s)

It was noted that a key challenge facing state-citizen engagement is the failure and/or apathy of the middle class and local elites to engage in development processes as they for instance rarely attend chiefs' barazas or CDF committees. This calls for strategies for instilling a sense of nationalism and create incentives to encourage their participation. This can be done by according them priority spaces in county development with clear agenda, roles and time for their input; openly recognizing their inputs; and appointing Professional County officials with whom they can effectively engage.

Counties could also develop communication strategies to inform citizens about their programs, services, policies and initiatives; more genuinely listen and respond to citizens' voice or feedback. Similarly, devolved government officials should schedule more frequent consultations with citizens and visit communities more often. Other suggestions to enhancing state-citizen dialogue from the various FGDs included: sensitization of both state and the public on the importance of frequent, effective and continuous dialogue; and holding professionally facilitated public-private sector open days where all issues pertaining to governance are discussed. The dialogue platforms should be held at different levels (constituency, district, division and (sub)-location) to ensure greater reach.

2.5.2   Existence of Intermediaries that Support State-Citizen Engagement

Finding(s) and Analysis

Existence of Institutions that Support State-Citizen Engagement: Majority of the respondents are not aware of any institutions or platforms purposefully established to facilitate interactions between the government and citizens. However, 75% of the respondents acknowledged existence of various CSOs that amongst others deal with governance issues. The CSOs comprised NGOs (67%), CBOs (21%), FBOs (9%) and others (3%). Such CSOs often organize workshops and meetings in which government officials are invited to explain government policies to community members. The numbers, capacities and activities of such CSOs varied significantly across counties, e.g. Kirinyaga had much fewer CSOs compared e.g. to Nairobi, Marsabit and Garissa.

Fig 9: Existence of CSOs that Facilitate State-Citizen Engagement
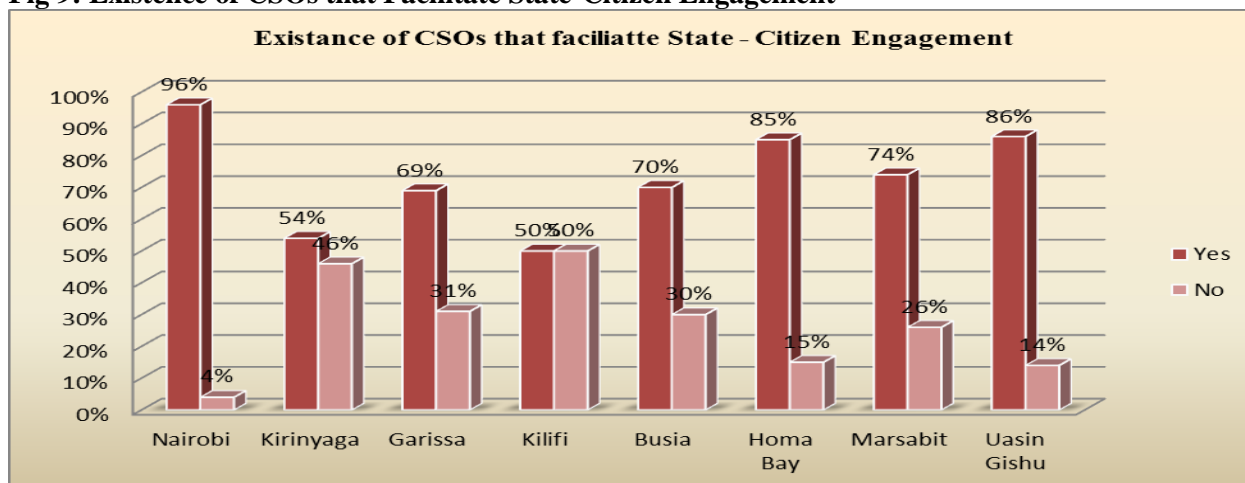
A number of citizens however complained that some of the NGOs had interests not linked to public welfare, besides a complaint that some of them did not provide ample space for state-citizen interactions. Additionally some of the forums organized by NGOs were largely reactive e.g. peace rallies often followed raids by certain communities, while civic education interventions were commonly held just before elections/ referendums. It was appreciated overall however that CSOs play a key role in civic awareness, many times better than authorities. CSOs in general complained that authorities were not always supportive, and in some cases skived meetings when invited.

On the other hand a number of GoK institutions were mentioned as also facilitating State-Citizen engagement amongst them, District Development Offices; GOK line ministries such Gender, Sports and Social Services, Local Government; Planning & Vision 2030; as well as the Regional/ Provincial Administration through chiefs and their assistants.

The relationship between CSOs and GoK varied across counties. In Kirinyaga for instance, there was limited engagement between CSOs and authorities with the latter feeling that NGO structures were weak, not always transparent and thinly grounded in communities, compared for instance to Garissa and Marsabit that had stronger cooperation, and much better trust (there was however a perception of greater government presence in Kirinyaga compared to Garissa and Marsabit).

Status of Peoples' Organisations/Self Organizing Capacity: Besides conventional NGOs, CBOs and FBOs, there also existed a few organized people's groups/ entities particularly neighborhood associations, professional associations, pressure groups through which citizens would use as entry points to formally engage with authorities and express their voice in planning and budgeting processes. Such institutions were very few, implying a weak self-organizing capacity of citizens. The above situation is captured by the following sentiments of one of the FGD participants: "*Kama tutakuwa tuna sukuma kila moja pande yake, basi haya yote bado yatakuwa ni ndoto tu. Hawa viongozi wetu bado watazidi kutudhulumu na hawata wajibika'* (if we don't unite, all these hopes will remain as dreams; these leaders will continue to exploit us and will never be accountable).

FGD with people with disabilities including the deaf in Nairobi County and Internally Displaced Persons in Uasin Gishu County indicated that they feel that issues concerning them were most often ignored or only given lip-service by decision makers in the planning and implementation. Further, it emerged that not enough information about devolution is being disseminated to people with disabilities such as the blind and the deaf in languages and formats that are more attuned to their circumstances.

Implication(s) and Specific Recommendation(s)

There is a growing recognition that CSOs play an important role in the delivery of social services and in social accountability. However, the general weak capacity of such CSOs in a number of counties, as well as the absence of organized peoples' organisations that can act to ensure a critical mass to push certain agenda or exert influence and ensure power balance around the county governments is likely to be a major bottleneck to effective citizens voice and good governance. To improve this situation, citizens made suggestions to devote more resources towards capacity development of citizens (economically, politically and socially) to enable them engage directly with the duty bearers, to complement the work of the CSOs

There is also a need to facilitate collaborative arrangements between the state, private sector and CSOs within various counties. Similarly to eliminate the risk of elite capture of civic spaces, it is imperative that informal forms of citizen participation and their unique opportunities for participation are protected by relevant policy frameworks and subsidiary legislations.

2.5.3   Citizens Preference for Interacting with Government upon Devolution

Findings and Analysis

Use of Peoples' Institutions: All citizens expressed a desire for citizens' representatives independent of the politicians and authorities to represent them in key forums to ensure that their views and interests are taken care of. Such representatives would then hold meetings with the citizens regularly to share relevant information or provide feedback. Specifically, Kenyans were unanimous in their uncompromising demand for citizen participation away from 'artificial' involvement in invited spaces that are merely opened up by the state sector to non-state actors for cosmetic endorsement of predetermined government policies. This finding is supported also by the TFDG report (2011), which indicated a desire of citizen to engage with authorities though autonomous spaces that offer greater scope for reconfiguring hitherto skewed power relations and the possibility of extending democratic practices beyond manipulation by authorities.

The following additional suggestions were made towards enabling greater citizens-government interactions:
a) Continued use of CSOs (largely trusted to be neutral) as intermediaries to amongst others invite authorities to civic education forums organized by the former. Linked to this, a need for enhanced partnerships and resource sharing between CSOs, private sector and government;
b) Facilitating self-organizing of citizens into various interest groups or community structures which could then be used to channel their views to government (and vice versa)
c) Facilitation of regularly scheduled open meetings with duty bearers e.g. through barazas and seminars – but make these more open, to enable two way communication – efforts will also be needed towards regaining community trust on duty bearers.
d) The youth were particular that the authorities should take advantage of their skills, energies and availability and amongst others use them as 'goodwill ambassadors' and community (civic) educators during and after the elections.
e) Establishment of online desks where citizens can air their views and/or channel grievances.

Preferred Channels, Media, Forums and Formats of Interacting: Respondents indicated a preference to interact with authorities during and after the transition period as follows:
a) Preferred channels: Mainstream media, both national and local (47%); Internet/social media/ SMS (19%); and face to face interactions (34%);
b) Favored forums: Barazas/rallies (62%); Public debates/ other county development committees or fora (25%) and Internet/ websites/ social media (13%);
c) Preferred frequency of interactions: On a need basis (42%), Monthly basis (31%); Quarterly (25%); Biannual to Annual (2%); and
d) Preferred media formats: Audio visual (43%); Audio (36%); and Print (19%), others (2%).

Implication(s) and Specific Recommendation(s)

There is a great need for development of various formations through which citizen-state dialogue and interactions may be facilitated. The composition of such formations are likely to be more effective when they draw upon civic commitments of ordinary citizens, county assembly members, technical county officers, CSO representatives, religious organisations and development partners. Citizen participation formations should be demographically representative and socially inclusive of all stakeholders in order to enhance coordination, joint learning and knowledge sharing among citizens as well as quality and coherence.

Similarly such formations should ensure autonomous spaces and open opportunities for stakeholder engagement in public processes and decision making; offer structured and known instances and opportunities for enforcing and realizing citizen's expressions; and exhibit direct and indirect effects of citizen inputs into various political and administrative processes.

2.6   Information

Conceptual Framework

Access to Information (ATI) is recognized as a fundamental human right without which the claim on and the exercise of democratic citizenry and upholding of democratic values of equality and justice remain a pipedream (TFDG, 2011). Indeed for devolution to be successful, citizens must be politically conscious, and have access to information. They must not only be aware of their rights and responsibilities but also know the channels via which they can exercise them (Omolo, 2010).

Kenya is amongst the growing number of nations that have adopted legislation towards providing for ATI as a right e.g. about public services and transparency. These are also enshrined in CoK 2010, more so Article 33 (1) to (3) on freedom of expression; Article 34(1) to (4) on freedom of the media; Article 35 (1) to (3) on ATI and Article 36 (1) to (3) on freedom of association. The County Government Act also makes various stipulations regarding access to information including section 96: (3) (legislation in ATI); article 35, 95 (1) (mechanisms for public communication and ATI); and section 98 and article 118, part X (civic education).

2.6.1   How Citizens Access Information

Findings and Analysis

Most members of the public are fairly clear on the (potential) role of ICT in the promotion of good governance in various counties. The role of communication is also understood as being critical in the analysis, interpretation, rationalization and demystification of various development agenda at both National and County levels. It emerged however that there doesn't exist a rigorous, structured, consistent and contextualised system of information provision by government, local authorities and other duty bearers to the public.

Government information was mainly passed to citizens through public rallies, barazas, local media, and address by chiefs during events like funerals. In a few cases CDF committees issued leaflets/ brochures on their activities. In places like Garissa, women indicated that they receive information provided through schools via their children. Respondents indicated that information when received from duty bearers was often unstructured, incomplete, unscheduled and late. Most respondents, more the youth and CSOs mentioned that they do not trust information from duty bearers and politicians, and had no possibility to verify the validity of the same.

Implication(s) and Specific Recommendation(s)

Inadequate access to free, accurate and timely public information, as is presently the case per the findings of this study, allows corruption to flourish, breeds unequal access to public resources. Such climates then breed corruption and human rights violations that can remain unchanged. Further, when people are not aware of the services and programs available to them, their rights and responsibilities, they are very unlikely to hold providers accountable for delivering those services. Governments and CSOs thus need to adopt information campaigns to inform citizens about their rights, their entitlements, as well as the content and the standards of services they should expect.

Counties will need to cater for the special needs of linguistic minorities and physically challenged persons besides ensuring that information is complete, relevant, easy to find and easy to understand for all citizens. The county governments shall also need to establish working relations with the media in enhancing citizens' participation. There is also in this regard a need for specific campaigns to inform people of their rights; the standards of performance they should expect from duty bearers; and how to file complaints, while taking into account the unique circumstances of the poor and excluded groups.

2.6.2　How Citizens Prefer to Receive Information

Findings and Analysis

Citizens Information Needs: Citizens expressed a strong desire to be informed of major developments within the country and counties. Amongst the key areas for which citizens expressed a desire to be informed about during FGDs included security; developments within health, agriculture and education sectors (e.g. bursary updates, FPE developments etc.); constitutional developments including related legislations, policies and directives; (functioning of the) devolved structures; spaces for citizens' participation; use of public resources and recourse mechanisms.

Other expressed information needs included social-economic development and political updates; information on trade /business; farming improvement techniques; status of provision of basic social services; general economic empowerment including business development support services (with relaxed conditions especially for women and youth). Similar findings are contained in the TFDG report (2011) which amongst others highlights that citizens want to know what is happening around them so as to manage their lives in a fairly predictable political-economic environment.

Preferred Information and Communication Channels: Citizens preference was that information be shared through national and local media houses; information desks at county or regional levels as well as use of various county officials to pass key information on a regular and structured manner. The youth however had a strong preference to receive information through social media, internet (websites, blogs etc.) and SMS or toll free telephone lines (although some feared that these may be tracked hence victimization); while business people, petty traders, farmers etc. preferred SMS updates and local radio stations.

Additional proposals included possibilities to set up a physical office through which people can pass their feedback or complaints; use of written memos or open letters; and establishment specific places and spaces (virtual or physical) at which government can pass key information to all in a fast and transparent manner. It was further suggested to avoid using the police and chiefs as avenues for passing or receiving sensitive information (feedback) as they are presently feared by citizens until such a time that this notion is eliminated.

Implication(s) and Specific Recommendation(s)

If citizens are to participate actively in governance, more than just via the ballot box, then they need proper access to information, meaningful consultation and opportunities to take an active part in policy making amongst other administrative processes. County governments should in this regard publish and widely disseminate all information of public significance; strengthen mechanisms of communication such as establishment of desk offices, development of calendars of activities; give sufficient notice of meetings and explore alternative methods of information dissemination such as SMS, social media and use of local radio stations. Efforts are also needed to put more government information online or open up online consultations. Recourse mechanisms against withholding of public information should be established, publicized and enforced.

Key avenues in this regard should include amongst others public participation in procurement (oversight) bodies; scheduled revenue and expenditure reporting; development reporting; and scheduled face-to-face sessions with county officials and leaders. These platforms could be complemented by less formal citizen formations like neighborhood associations, town hall meetings, information bulletins, suggestion boxes, web and phone based platforms.

2.7   Capacity

Conceptual Framework

In order to meaningfully engage with authorities, citizens not only need an awareness of their rights, roles and responsibilities, but also knowledge and skills on how to execute the same. Capacity (strengthening) in this regard needs to consist of developing knowledge, skills and operational capacity so that citizens may achieve their ambitions (Okello et al, 2008). In Kenya, before the introduction of CDF Fund managers, there were high levels of wastage and misappropriation of resources largely due to poor capacity of the committees to manage the colossal funds disbursed to them. Similarly, a number of CDF and LASDAP projects tended to deteriorate over time, due to communities' lack the capacity to manage the same upon handing over (Omolo, 2009; IEA, 2006). It is apparent however that most devolved structures barely receive or set aside funds to train community members on project management.

2.7.1   Information and Capacity Support Needs

Findings and Analysis

Citizens' Capacity Concerns: Majority of citizens indicated that they didn't feel sufficiently informed to effectively participate in devolved government processes. Major capacity gaps noted included ignorance/ low literacy levels by majority of citizens on the new constitution and devolved government system as well as high poverty levels that made leaders and ordinary citizens to be easily compromised in decision making. There were however different levels/ types of capacity needs across different groups (public, CSO sectors and citizens). As an example, while the youth in Garissa expressed confidence about being fairly conversant with the constitution, the women there felt completely uninformed.

Authorities Capacity Concerns: Key bodies tasked with facilitating the transition process viz. CIC, CRA and TA voiced concerns around their existing staffing challenge, more so staff numbers and quality (training of new staff). Subsequently, some of these structures were at the moment unable to effectively undertake audit and monitoring tasks. It was mentioned that training of Governors, their deputies, MPs, and Senators would only start once devolved governments were set up.

Further, while transition legal framework & road maps and work plans existed, there appeared to exist a number of implementation challenges: discussions around county strategies, structures and assets were also not yet completed; inadequacy of oversight mechanisms e.g. audit; insufficiency of resources (technical, financial and logistical) to mobilize and sensitize citizens; weak and/ or inappropriate systems of information dissemination; unreliable databases and (computerized) systems of data management; general resistance to change in favor of the status quo by some officers; as well as unnecessary politicization of issues by the political class.

Proposals for Improved Capacity: In order to address the above gaps, the following have been suggested: allocation of more resources for civic education by the state and CSOs; transparent and competitive appointment of county officers; technical backstopping of authorities/ state agents during the transition period; translation of the new constitution into key local languages for common citizens to understand; and improving socio-economic welfare of the citizens to enhance power balance between authorities, citizens and CSOs.

On their part, citizens expressed a desire for the following information and capacity support needs:
a) Information on annual plans and budgetary allocations of GoK and Counties and corresponding progress reports on completed and/or on-going projects, devolution schedules, new constitution/ new bills (raised by elites, professionals, CSO practitioners, business community);

b) Data on existing support opportunities e.g. bursaries, health insurance, relief support, HIV/ AIDS & orphans support programs (expressed by the poorer segments of the general public);

c) Information on business opportunities, value addition possibilities and access to markets and market information (largely expressed by farmers and business people); and

d) Technical training support, leadership development and access to employment opportunities and, (largely expressed by the youth). The youth also proposed resource centers so that they can easily access required information pertaining to their administrative locations.

Implication(s) and Specific Recommendation(s)

There is a need to conduct county, CSO and community profiling and/ or needs assessments to inform capacity development. This could include amongst others analysis of general capabilities; assessment of attitudes, value systems and literacy levels; as well as social and economic indicators). Initial and follow up capacity development initiatives would then be organized around specific (prioritized) areas per the needs assessments. Sample areas that were mentioned included capacity/skills to engage with authorities, leadership/ governance skills, planning & budgeting, project implementation and monitoring and attitudinal and behavior change.

Economic wellbeing also emerged as a key factor that affects participation. As an example, women and youth in various counties indicated that they tend to be discriminated or not taken seriously on the basis of their economic status and thus require economic empowerment to be taken seriously. To this end, efforts towards economic empowerment need to go hand in hand with those linked to political empowerment. The same applies to basic education on literacy and numeracy skills, since illiteracy emerged as amongst the biggest impediments to citizens' participation.

There is a strong need to support people to start believing in themselves, their competencies, inherent potentials and possibilities to engage and meaningfully contribute i.e. confidence and esteem building. However, it is also important to make citizens understand their responsibilities towards participation and for instance stop demanding to be paid to attend trainings/ sensitization meetings as is presently the case.

3.0 RECOMMENDATIONS, LESSONS LEARNT AND CONCLUSIONS

3.1 Overall Recommendations and Lessons Learnt

A number of recommendations, lessons and best practices have been provided within the body of this report, directly addressing the noted points of attention under each sub section of the report. This section therefore only presents the general recommendations, and summarizes some insightful lessons or best practices drawn from the consultations, including the secondary data reviews. These include the following:

1. *Deepen civic education and engagement, but review approaches*: The strength of a democracy lies in having informed and active citizens. Given the low levels of citizen's knowledge and understanding of devolution (notwithstanding the enormous resources spent by both State and CSOs on 'civic education' ahead of the 2013 elections), a structured, contextualized, well-coordinated and long term citizen's centered approach should be adopted for the civic education across various generations and demographics. These should include sensitization and awareness raising on citizen participation. Civic education on devolution should however be distinguished from electoral and political campaign processes. Further, although civic education is in this regard a primary responsibility and obligation of government[7], it should be supported by CSOs, private sector as well as the media to ensure greater reach and effectiveness.

   It also emerged that the after-effects of the past regimes (centralized system) are still 'fresh' in the memories of most Kenyans, and strongly influence their perceptions. Many citizens do not believe that their concerns can be taken seriously by duty bearers, while the elderly, illiterate, rural or marginalized persons didn't believe they had useful contributions to make. Efforts towards regaining trust and building esteem or confidence should therefore be explored, as part of or prior to civic awareness interventions. These efforts require deliberate resource allocation by the various entities involved – National and County governments, CSOs, media etc.

2. *Capacity development for people and their organizations:* The competencies, capabilities and capacities of people and their organisations are critical for ensuring effective participation and influencing of key decisions and processes as well as ensuring power balance between authorities, private sector and citizens. It will thus be imperative to support (self) organisation of citizens into relevant systems through which they may engage with authorities. Subsequent capacity development of these systems need to be contextualized, systematized and phased.

   It was clear that there exists variations, multiple realities, issues, forces and actors at play, in so far as desired and actual participation pertains, as well as the potential, willingness and preferences for engaging across counties, regions and demographics. In order to better relate to these complexities and diversities, efforts towards civic engagement and capacity development of citizens, authorities and CSOs have to be contextualized to the unique needs of the various groups (avoid a 'one size fits it all' approach).

3. *Manage expectations, address misconceptions*: It will be important to manage the currently extremely high hopes and expectations about (immediate) outcomes of devolution, more so regarding changes in development status, equity and quality of life of citizens; accountability of government; as well as (the often) misplaced expectations regarding the citizens' power and role in the devolved systems. This is to avoid potential disillusionment with and/ or backlash to devolution where such expectations are not realized within the short to medium term.

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[7] Following the promulgation of the CoK 2010, the GoK, in a cabinet meeting of 28th October 2010 took a policy decision to fund and facilitate civic education on the Constitution. This however requires neutrality by the government.

4. *Resources mapping, allocation and planning*: There is an urgent need to develop and fully operationalize clear criteria, processes, procedures, policy and legal frameworks for resource mapping, allocation and utilization that ensure involvement of citizens, both private and corporate. These processes could be done with the support of the GoK and/ or development partners, but must provide sufficient space for active citizens' participation in the same. Linked to this, Counties could be supported, where applicable to develop and operationalize County strategic plans to set ambitions and milestones; direct their work, improve efficiency and effectiveness and ensure synchronicity with National development agenda of Kenya.

5. *Break barriers to participation and manage exclusion:* A number of devolved processes that exist at the moment were driven by elites, with minimal involvement of ordinary citizens. Such exclusion are also often gendered, with women and youth being the most disadvantaged on the basis of their economic and social status. To manage such exclusion, it's necessary to set aside resources for capacity development of such groups, while considering their unique circumstances (roles, literacy, cultural biases etc.), as well as the issues that create or reinforce such (gendered) imbalances.

    Citizens also mentioned insecurity, illiteracy, corruption, impunity, tribalism, clanism, nepotism, as well as poor social facilities or infrastructure as key barriers to cohesion and their effective participation. There is thus a need for a demonstrated commitment by government to effectively address these concerns through both preventive and retributive means. Similarly, efforts to deepen participation shall need to ensure involvement of all segments of the society including (traditionally) minority and marginalized groups, people with disabilities and other special interest groups.

6. *Strengthen capacity of county authorities:* Given absence of previous experiences in management of Counties, there is a need for phased capacity strengthening support for all County authorities on various subject matters e.g. strategy, policy, M&E, systems, relations management etc. The curricular should be contextualized as far as possible to the unique county needs. Initial training activities could be undertaken in selected counties, with plans for more in-depth training and technical assistance or work-place based support.

    Linked to this, citizens shall need to be sensitized on the importance of inter and intra county collaborations; the roles of the National government in Kenya's development; as well as the importance of (regional) coordination and collaborations. The message must be clear that no county can be an island on its own. Support could also be granted towards setting up regional strategies and blue prints.

7. *Development of local indicators, roles and responsibilities for M&E:* The process of regular monitoring and oversight of the public sector by citizens, the media, and civil society, should be promoted and could take the form of (a) participatory monitoring using citizen feedback surveys of government performance, social audits, media investigations, etc.; (b) independent budget and policy analysis; and (c) formal oversight mechanisms e.g. through various vigilance committees, establishment of county complaints desk.

8. *Establish clear and well-structured communication and feedback channels*: It will be critical to establish working communication channels that can support effective interactions between state and citizens. Further, duty bearers must give timely and comprehensive feedback on actions taken regarding various inputs and/ or complaints raised by citizens. This is important in addressing the prevailing apathy by citizens towards provision of information and feedback (and general participation) arising from historical indifference of authorities to citizens' inputs/ participation.

9. *Enforcement and vigilance*: Citizens' participation is necessary condition, but by itself not sufficient to guarantee democratic and responsible governance. Deliberate efforts to ensure enforcement of constitutional, policy and legal requirements are needed to ensure mandatory participation in, and sharing of information about devolved government to the public.

10. *Tap on existing goodwill:* Kenyans appeared quite eager to engage and be involved in devolution; this positive energy needs to be tapped to develop local communities and counties.

3.2   Conclusions

Given the existing low levels of citizens' knowledge on devolution and the meagre experiences and by duty bearers on the same, capacity development of both citizens as right holders and duty bearers will be key to the success of devolution, as well as citizens' participation within the same. Such capacity strengthening efforts thus need to focus both on the technical dimensions of empowerment e.g. strategic management, policy development, organisational management, and relations building as well as the more emotional ones such as esteem or confidence building as well as attitudinal change. Specifically, efforts at community sensitizing, mobilizing, revitalising or (re)-organizing ought to precede civic awareness interventions.

It also has emerged from the study that several power dynamics are at play as far as citizens' participation pertains, in a relatively unlevelled 'playing field'. Across all counties, opportunities for participation appeared tilted in favour of the elites who command or wield greater economic, social and political power. It is important for those supporting citizens participation in devolved structures to understand such power dynamics and facilitate such processes in a way that no voices are muffled on the basis of political, economic or social handicaps. In this regard, special attention will need to be paid to marginalised, excluded, minority and rural groups.

Further, granted the extreme variations and diversities across various county contexts, the question of 'how' to engage citizens will be very key. The strategies, methodologies and approaches used for enhancing citizen participation in different contexts is thus extremely important to ensure the suitability of the same. Additionally, given that capacity development is largely an endogenous process, efforts at community strengthening and facilitating citizen participation needs to be 'bottomed-up' in an inclusive and open manner.

On the same breath, it is clear that bringing together citizens from different social groups, interests, and generations shall be key to ensuring credibility and effectiveness of civic engagement and action. This may however only succeed where, or if concerns, challenges, causes etc. are perceived as common or unifying and are sufficiently compelling to mobilise joint action. The study further concludes that cooperation between the private, public and CSO sectors are imperative to ensuring effective citizen participation, mutual learning, and leveraging of competencies. These sectors must cultivate inter-dependent relations amongst themselves; similar relationships are also necessary between various counties and with the National government.

Finally, it emerged that thus far a lot of resources have been dedicated by the GoK towards development of institutional and legal frameworks post promulgation of CoK 2010. However the existence of such frameworks by themselves is neither a guarantee of citizen participation or civic engagement, reason why attention must now equally shift towards citizen capacity development as a basis of assuring effective citizen engagement in the various devolved processes.

4.0   ANNEXES

4.1   Acknowledgements and Disclaimer

This study report is the outcome of a collaborative study process between the World Bank, Citizens from the eight counties where the study was carried out and various other key stakeholders that would not have been successful without the committed involvement of the various co-creators. The study was commissioned by The World Bank, who also financed the same. The study report has been written by Mr. Tom O. Olila of Strategic Connections, Nairobi.

Special gratitude goes to The World Bank, its partners, various authorities and citizens who contributed to this study particularly for unreservedly offering crucial primary and secondary information without which this study would have not been possible. While it is not possible to mention by name everyone who contributed to this assignment, the authors would like to extend many thanks to all those who contributed either directly or indirectly towards the study and preparation of this report, without their contributions, this task would have been much more onerous if not impossible.

The author is deeply indebted to The World Bank for entrusting this important process to him, and particularly for accepting the commissioning this study as part of its learning processes. Many thanks to all the World Bank staff and management for the useful inputs towards this study as well as the all the moral, administrative and professional support offered during the study. Special thanks also go out to Chris Finch, Nyambura Githagui, Deborah Livingstone and Shamis Musingo for all the technical, logistical and administrative support granted during the study process.

Without qualifying the findings, the author wishes to draw attention to the fact that the study criteria used in this study may include certain inherent limitations since for example the status may change with time. Therefore, the findings in this report are based on the current consultations and at the dates the study was undertaken. The author wishes to reiterate however that he believes the evidence obtained was sufficient and appropriate to provide a basis for the recommendations and conclusions.

Finally, it must be stressed that opinions expressed in this report are purely of the author and are based on observations and/ or findings during the study. It therefore goes without saying that the author, and not the World Bank or its partners, take full responsibility for any errors or omissions that may be found in the report.

4.2 Detailed Approaches and Methodologies

4.2.1 Study Character and Guiding Principles

The study was organized as a collaborative learning process with active involvement of all key concerned stakeholders – citizens, the World Bank and selected partners/ other stakeholders. This means that although the character of the study was 'external', it was carried out with the active participation of key parties involved for purposes of discerning common meaning of study outcomes, shared learning and ownership.

The study exercise was in this regard multi-site and multi-source, utilizing multiple techniques for the collection of data/information and analysis of the same. A combination of quantitative and qualitative techniques were applied including direct observation, interviews, case reviews, focused group discussions, data collection through questionnaires, analysis of records, workshops, appreciative enquiry et cetera.

The consultation process was furthermore formative i.e. did not stop at 'fact finding' but rather presents recommendations to inform future investment, technical support and dialogue between the World Bank and its key partners/ other stakeholders on devolution and social accountability. Active participation of all stakeholders involved was essential in order to guarantee shared ownership, commitment towards the outcomes of the study and application of the lessons learned.

In view of the scope, magnitude and speed of the devolution process, the study may be classified as complicated or complex, and dynamic hence the consultations were facilitated in an 'explorative and descriptive' manner with emphasis therefore on 'what had happened/ was happening' and 'what had emerged/was emerging' rather than just what was planned. This approach provides space for unplanned and unexpected findings and lessons which could be relevant for both the follow up, learning and accountability.

The study was organized as a multi-stakeholder process and thus recognized diverse multi stakeholders' perceptions as far as citizens' participation on devolved government institutions and processes pertain. Furthermore the study was conducted as a learning process to generate learning which can be used to inform the thinking and practices of World Bank and other stakeholders with regard to citizens' participation in devolved government structures and processes. This is based on the fundamental assumption that lasting behavioural change is more likely to follow from reinterpretation of past experience rather than the acquisition of 'fresh knowledge' which may have been generated by outsiders.

A Civic Driven Change (CDC) approach was also adopted. CDC challenges the conventional thinking on development and societal change which focuses on the (often 'vertical') relationships between the state, markets and 'civil society', and in which change is often initiated from the outside and top-down. CDC thus focuses on people, and civic groups, in which change processes are directly initiated, lead and owned by people themselves i.e. co-creation.

4.2.2 Detailed Approaches, Methodologies and Process

4.2.2.1 Detailed Approach and Key Steps

The following key steps and approached have been adopted during the consultations.

Entry/ Follow up Meetings and/or Discussions: The consultant held various entry meetings and discussions with the World Bank to amongst others clarify, concretize and have a common appreciation of the various aspects of the ToRs including the objectives, scope, methodology, approaches, steps, strategies, roles, responsibilities as well as expected outcomes/ deliverables for this assignment. In line with the general ToR, these meetings were also used to further focus the study questions and identify key indicators and operational criteria.

Secondary Data Review: The consultant undertook a detailed literature review in order to further appreciate the background and context against which the assignment was being contracted as well as a more elaborate appreciation of amongst others the constitutional and legal frameworks for devolution, existing policy environment and current status as well as prospects, challenges and the future of the same. The literature review also aimed at learning from experiences of other countries that have implemented devolved structures such as India, Ethiopia, South Africa, Nigeria et cetera.

The reviewed secondary materials included (relevant sections of) the CoK 2010, the Final Report of the Taskforce on Devolved Government, The Transition to Devolved Government Act 2012, various relevant Acts of Parliament/ legislations, reports of relevant researches as well as other relevant publications on devolution. Relevant World Bank materials were also reviewed.

Selection of Counties/ Respondents: The eight counties in which the consultations would be held were then selected using various considerations. These included amongst others representation of the Kenya's traditional eight regions; a mix of both urban and rural counties; giving special attention to special interest groups such as persons with disability, minority communities; as well as balancing elements related to age, gender, religious and political affiliations etc. amongst the respondents. Specific consideration was also given to relevant institutions such as commissions/ entities dealing with devolution, existing devolved structures, as well as community based institutions/ structures.

Stratified random sampling technique was adopted where questionnaires are used for data collection as this is known to improve the representativeness of the sample by reducing sampling errors. On the other hand, purposive sampling technique was used to identify focus groups with the assistance of various partners from the selected counties.

For purposes of plural investigation, the exercise was conducted with a broad range of representation within the community to enable realize diverse perspectives. The sample size aimed at balancing between obtaining a statistically valid representation against available time, other resources (money, labour, equipment etc.) as well as ease of access/ related logistics.

Independent Verification of Information (Triangulation): In view of the 'independent' character of the study, the empirical evidence collected through the primary and secondary sources was compared independently with experiences from third parties and with best practices described in existing literature. Such triangulation have not only advanced the learning experience but also added more layers of perspectives, explanations and nuances. The descriptions have adopted a more comparative and analytical nature.

Data Analysis/ Aggregation: Data aggregation and analysis was dependent on the various sources. Qualitative data from interviews, key informant interviews (KII) and focused group discussions were typed, coded and analysed by emerging or pre identified themes in line with the objectives of the consultations and other information needs (as stated in the ToRs). Answers from open questions were in this regard listed to decipher any similarities or emerging patterns with a view to clustering these around emerging themes or issues. The frequency of occurrence of concepts, words and phrases was then interpreted to suggest importance or significance attached to the phrase used by the respondents.

The data from KII, FGDs and Interviews were much bulkier than those from the open ended questions in the questionnaires. There was thus data reduction and ordering, in accordance to the data sources and data types before these could be reviewed to identify similarities, emerging themes, sub topics, frequencies et cetera as part of the analysis and interpretation. Similarly efforts were made to identify patterns, trends, associations and or causal relationships in the themes.

With regard to quantitative data, descriptive statistics were generated through the use of SPSS and MS Excel spread sheets. Frequencies were then run to detect and correct any data entry errors. Thereafter, crosstabs and frequencies were run to generate frequency tables, graphs and other descriptive statistics used in the report.

Report Writing and Debriefing: The data and information generated from the primary (and secondary) data sources has been used to write this report. Additional 'reports' have been developed during this process i.e. the consultations were interspaced with regular reporting moments to the World Bank.

At the end of data collection and analysis process, the consultant presented a first draft report to the World Bank as a basis of generating feedback/ inputs for the final study report. The inputs from the World Bank on this first draft were the incorporated into the revised version of the report.

Validation/Joint Learning: The outcomes of the consultations/ preliminary findings have been shared with representatives from the participating counties as a basis of validating the same. This was accomplished through validation workshops with (clusters of) counties. The workshops were held within or around (neighboring) counties for logistical and administrative ease.

A joint learning session was organized at the end of the study process to amongst others share/ discuss findings and further distil and reflect on lessons learned and way forward. This forum was attended by the World Bank staff, GoK and other relevant partners, potential organisations to take forward the findings, relevant experts etc. The joint learning workshop also provided space for stakeholders to share and reflect on outcomes and recommendations of the consultations vis a vis their general experiences and/ or practice. Outcomes of the joint learning have been incorporated in the final report.

4.2.2.2 Methodology

In view of the guiding principles for the consultations, participatory research methodologies were used as these contribute significantly to learning and ownership. The system of facilitation and documentation endeavoured to ensure a participative *process* (facilitation) while guaranteeing timely and constructive *products* (reports). Key to this methodological approach was to approach the process from the bottom up, while stressing the importance of the citizens' views, perceptions and experiences.

Besides secondary data review, primary data, both quantitative and qualitative, was obtained using various approaches/ methodologies that entailed direct interaction with the selected citizens, their organisations as well as key informants/ resource persons. These included amongst others appreciative enquiry, storytelling, focus group discussions, questionnaires, workshops/meetings, direct observation, case studies and interviews, amongst others. Some of these are elaborated thus:

Interviews and focus group discussions: Depending on the number of people involved, focus group discussions (FGDs) were facilitated or interviews held. With focus group discussions rich information was obtained in a limited timeframe that helped deepen insights from the desk studies/ secondary data reviews. Furthermore, because of the interaction amongst participants, new information emerged, that possibly would not have come up during individual interviews.

For these FGDs *appreciative inquiry* and *storytelling* methods were applied as participative approaches. These methods were preferred in this context since identification of positive cases/ experiences of engagement with devolved structures and or processes, where applicable, could enhance an open attitude of respondents. This also enabled create an understanding why specific opportunities/ interactions occurred or not, and provided good entry points for participants to be creative and open in offering suggestions on why, how, where and when they would prefer to engage with devolved government structures and processes. Story telling additionally allowed the identification of key qualitative experiences including the process - how this was enabled.

An important methodological implication of the exploratory and descriptive nature of the consultation process is that the questions for each group were contextualized and related to the perspectives of the counties and or stakeholders involved.

Story telling: To be adequate, the storytelling exercises contained four elements: (a) a 'good story'; (b) a rigorous reflection on that story; (c) an extrapolation of usable knowledge; and (d) use of the learning to improve practice. The stories needed to be presented in a factual and neutral manner, be based on direct observable behaviour, and supported by empirical evidence. The second step, reflection, was aimed at 'making sense' of what has happened and changed. The third step was focused on how the story and the reflection contributed to learning for the World Bank.

In all cases, efforts were made to go beyond single loop learning in order to achieve double and triple loop learning; in other words to move from first order issues, to second and third. Interpreting the issues furthermore implied going beyond personal achievement or blame, and drawing on useful constructs of effective group engagement.

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