

**EFFECTIVENESS OF PUBLIC PARTICIPATION IN BUDGETING FOR
DEVELOPMENT PROJECTS IN UASIN GISHU COUNTY, KENYA**

BY

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**A RESEARCH THESIS SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF MASTER OF ARTS DEGREE IN
PUBLIC POLICY AND ADMINISTRATION**

MOI UNIVERSITY

2021

DECLARATION

I, the undersigned, declare that this thesis is my original work and that it has not been presented in any other university or institution of higher learning for the award of any master's degree. No part of this thesis may be reproduced without the prior written permission of the author or Moi University.

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DEDICATION

This thesis is dedicated to my beloved parents for paying my school fees, to my brother and my sisters for their moral support in the quest for academic excellence.

ACKNOWLEDGEMENTS

I am grateful to God for enabling me through production of this thesis. I would like to extend my sincere thanks to the following for their assistance and tolerance without which this thesis would not have been success. First, I humbly thank my supervisors Prof Ken Olouch and Mr. Dulo Nyaoro, for their guidance, professional advice, reading and supervising my work which kept me on track when writing this thesis. Special thanks to Mr. Wenani Kilongi for reading and criticizing my work which enabled me to be on track to produce this thesis.

I wish to acknowledge all my lecturers including: Prof Ken Olouch, Mr. Wenani Kilongi, Dr. James Chelang'a, Mr. Dulo Nyaoro, Mr. Kilongi A. Wenani, Esther Arusei, Dr. Priscah Tanui, Prof Peter Ndege, Dr. Juma Thomas Otieno, Dr H. Ododa, Ambassador, Dr P Kurgat and Dr T. Onduru. Secondly, many thanks to Moi University in general, especially the School of Arts and Social Sciences, particularly, the Department of History, Political Science and Public Administration for the enabling Academic environment. I greatly benefited from the inexhaustible reservoir of knowledge, I acknowledge them from advice, comments and encouragement from my lecturers.

Special, thanks to my parents for their encouragement, understanding and financial support as I did this thesis. Finally, I thank my colleagues who assisted me in many other special ways to complete this thesis. May God bless them.

ABSTRACT

Public participation is the basic principle of democracy and it has become one of the important conditions which are essential for the implementations of programmes and projects. Over the years, Kenya has progressively shifted from centralized to a decentralized form of governance. Despite the support of devolution and participatory development process, people-centric development projects have not been institutionalised in the grassroots level. The study sought to investigate public participation in budgeting for development projects in Uasin Gishu County, Kenya. The study was guided by four specific objectives as follows: To establish effectiveness of current legal framework in entrenching public participation, to assess the impact of citizen awareness on public participation on effective devolved governance in the county, to find out influence of accountability on public participation on development projects and to examine the effect of access to county information on public participation in Uasin Gishu Sub counties. The study was based on deliberative democracy theory by Benard Manin and Joshua Cohen that claims that political decisions should be the product of fair and reasonable discussion and debate among citizens. The methodology consisted of descriptive survey research design. The study utilized mixed research method in the collection, presentation and analysis of both quantitative and qualitative data. The target population were the residents of Uasin Gishu sub County as well as ward administrators and senior County officials responsible for public participation and budget execution both in the County Government. A sample of 240 participants was selected across Uasin Gishu Sub Counties using purposive sampling. The sample size was derived from Yamane's formula. This study used questionnaires and interviews as methods of data collection. This permitted both descriptive and inferential analysis. Data presentation, analysis and discussion of findings were organized thematically according to the four objectives of the study. The study that information accessibility has helped people actively participate in development projects and access of information, citizens initiate more projects. The sampled respondents strongly agreed that there has been more accountability on the projects initiated as a result of citizen participation in the development projects implemented by the County Government. The majority of the respondents were in agreement that effective communication channel has helped to foster a good working relationship between citizens and county government. The study concludes that Uasin Gishu County government provided information to its citizens, however channels used were not convenient due to poor timing and improper use of channels. Awareness levels among the Uasin Gishu residents was low as majority residents had no role to play, had not received training on public participation. The overall study concludes that as a result of citizen participation, accountability has promoted responsive county, more people can now actively participate in forums on development projects. There is more access to county information as the information is made public for all the stakeholders to scrutinize. The study recommends that county government should promote sharing of information through use of accessible channels of communication. The Uasin Gishu County government should develop an ICT-Resource centre where citizens can go and easily access information on various issues on public participation.

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ACRONYMS AND ABBREVIATIONS

CBO	Community Based Organization
CSOs	Civil Society Organizations
CGA	County Government Act, 2012
CIDP	County Integrated Development Plan
DFRD	District Focus for Rural Development
DFID	Department for International Development
PFM	Public Finance Management
KIPPRA	Kenya Institute for Public Policy Analysis
LASDAP	Local Authority Service Delivery Action Plan
MCA	Member of County Assembly
M\$E	Monitoring and Evaluation
NGO	Non-Governmental Organization
PFM	Public Finance and Management Act, 2012
SPSS	Statistical Package for Social Science
UN	United Nations
UNDP	United Nation Development Programme
WBCSD	World Business Council for Sustainable Development.

CHAPTER ONE

INTRODUCTION

1.1 Background of Study

According to the United Nations Centre for Regional Development- Africa office book titled 'Social Development Issues in Africa' (2001:88), participation in the development process became part of Kenya government policy in the 1980s. This followed disappointments that characterized the centralized rural development policies of the 1970s and 80s that failed to solve most development problems within the rural sector. To enlarge the rural development planning base and to facilitate local involvement, decentralization measures were introduced. In Kenya, this effort culminated in the District Focus for Rural Development (DFRD) strategy introduced in 1983. The central objective behind this strategy was to encourage local initiatives in problem identification, resource mobilization and project design and implementation (Government of Kenya 1983). Under the DFRD structure, rural areas became units for decentralized administration conveyance.

Public participation has been a concern in many countries across the world since 1990's especially with the fall of Berlin wall which ended the ideological rivalries between the Union of Soviet Socialist Republics and United States of America thus opening democratic processes in many countries of the world. Many Governments were required by the constitution of Kenya to reform to enable public to have a space in the decision-making processes right from the sub- national levels of governance to the top. This was to

allow local people to plan and implement their own development initiatives (Smoke, 1994). Public participation is therefore considered crucial to good governance because it is characterized by transparency, accountability and responsiveness of institution (Doorgaspersad, 2009).

The rationale behind public participation is that involving citizens in decision-making process promotes openness and accountability of political decision makers. As a result, governments are likely to be responsive to the citizens' demands hence, more responsive in-service delivery to people (Tandon and Mohinikak, 2007).

However, the promises of citizen participation and adequate service provision by most governments across the world have not been fulfilled because devolving power and resources to the sub-national governments have neither increased citizen involvement in the process of resource allocation nor accountability of it. Crook (2003) believes that devolution in Africa does not automatically improve the local governance responsiveness. Local communities are therefore required to be involved in the policy planning, organization, coordination and implementation in order to increase oversight in provision of service delivery to the people. The current model of service delivery and disbursement of resources to decentralized governments seem to benefit only a few elites.

Due to lack of proper public participation strategy in policy making and service delivery design in many countries, there has been a problem responding to the individual's relevant needs at the grassroots level Brabham (2009). Centralization of power and resources at the Centre of governance is not something new. Since the colonial era many countries across the world preferred centralized system of governance where all authority

was concentrated at the Centre. This system of governance is due to dictatorial leadership.

Chitere(2004)says that devolution refers to moving decision making and resources away from the Centre to the periphery. It is the sharing of responsibilities both for decision making as well as for decentralization and use of resources between the central and sub-national governments. Oloo, (2006) notes that devolution in Kenya is seen as a way to institutionalize citizen participation in development projects, opportunities for political participation and to enhance communities' sense of ownership. One of the landmark provisions of the Constitution as set out in article 6:1—3 is the devolved system of governance, both national and the forty-Seven county governments are assigned clear mandates as detailed in the constitution. The county administration in the devolved units are under the Executive and the Legislative arms of governments.

The destinations of devolved government according to article 174 of the constitution advance to give powers of self- governance to the people and enhance the participation of the people in the exercise of the powers of the state and in decisions affecting them, to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya, protect and promote interests and privileges of minorities and minimized groups, guarantee impartial sharing of national and local resources all throughout Kenya, encourage the decentralization of state organs, their functions and services, from the capital of Kenya lastly to enhance checks and balances and the separation of powers.

Public participation is a dynamic procedure by which recipients or gatherings impact the bearing and project development with the purpose of upgrading their prosperity as far as pay, self-awareness and confidence. Members of community should claim the process of decision making and outline exercises that will in this manner empower them accomplish the desired objective.

As per Bhatnagar and Williams (1992) participation is a procedure by which individuals, impact choices that influence them "Participation implies effect on development choices, not just inclusion in usage or (in sharing) advantages of an advancement action, despite the fact that those sorts of associations are vital and are regularly energized by open doors for impact".

The Kenyan Constitution makes national involvement a focal piece of Kenya's administration framework. Involvement of the general population is perceived in Article 10 of the Constitution of Kenya (2010) as one of the national standards of administration. Additionally, as per article 174(c) devolution purpose is to give powers of self governance to the people and enhance participation of the people in the exercise of powers of the state and in decisions affecting them. It is required that systems for involvement by occupants be incorporated into the national enactment identifying with urban zones and governance of cities and administration according to article 184 (1) (c).

The county government Act 2012 Kenya CGA (104), states that each county prepares an Integrated Development Plan, county sectoral plan, county spatial plans and Cities and Urban areas plans including annual and operational work plans(CGA 2012 s. 107-111).The budget is the principle instrument the government uses to choose how to collect

and plan for funds in a given year. Under the Kenyan constitution, subjects have a privilege to request that legislature allocate funds for specific things, to know whether the administration is truly spending that cash and to be given data about how the cash is being shared.

The procedure of planning is a basic piece of the advancement procedure. It is the principal basic phase of the spending procedure (PFM: Article 35 and 126). Article 126 gives that each region ought to set up an advancement design as per Article 220(2) of the Constitution of Kenya for endorsement by the County Assembly.

The county designs comprise of among others, the County Integrated Development Plan (CIDP) which is a 5-year plan that advises the counties yearly on spending plan. The CIDP mirrors the key midterm needs of the County governments. The CIDP contains particular objectives and destinations, execution design, arrangements for checking and assessment and clear instruments. It contains data on ventures, advancement activities, maps, measurements, and framework for resource mobilization.

According to the Ministry of Devolution and Planning, community participation helps to; strengthen democracy and governance, improve transparency and accountability, upgrades confidence of the public and support of the basic leadership forms, enhances process quality and results in better choices, ease social clashes by dealing with the interests of various partners and building accord and finally enhances process legitimacy.

As the primary management tool of government, the annual budget is a logical place to focus efforts on to improve development outcomes. The budget intersects with all aspects

of governance reform—fiscal policy, administrative reform, anticorruption efforts, service delivery, and social policy, among others. The budget, therefore, provides a tangible focal point for discussions of community priorities and government effectiveness. Applied budgeting efforts have consequently blossomed internationally. Great innovation is being applied to influence budget allocations to respond better to community needs. Consultative budgeting initiatives can directly contribute to improved governance outcomes by opening a key planning and management tool to public participation and oversight.

The Uasin Gishu County government is one of the counties that have successfully passed legislation in relation to public participation (Uasin Gishu County Public Participation Act, 2015. No 11 of 2015). This has given the county government a big step in its efforts to encourage public participation. For the past 3 years, Uasin Gishu County and other counties in general have struggled to meet strict constitutional deadlines hence usually gives notifications which in most cases appear as small adverts on the back page of a selected national newspapers. On most occasions, the County government invites the public for participation in the budgeting process with minimum success and usually local residents' turnout in these public forums is always very poor.

Public participation promoted good governance, I was privileged to attend and be part of the public during the Ainaibkoi sub county sectorial hearings on the Uasin Gishu County budget on 23rd of September 2019 at County Hall in the central business district of Eldoret town noted that there were fewer than 100 people who attended the forum and many citizens were expected to attend public participation. I also noted that most of the participants except for the select few who represented civil society organizations did not

understand what was happening and few women attended the public participation in Uasin Gishu County Hall. The county officials distributed the budget to members of the public to read and provide a quick feedback before the event came to an end.

The Uasin Gishu County Executive Committee member for Finance and Economic Planning in his speech recognized the importance of community participation and saluted the residents who participated in 2018-2019 public forums. He wanted to make public involvement a continuous process to be undertaken by the ward administrators in respective sub counties. This assertion proved that community participation is a big challenge for the county administration and that they were looking at other workable frameworks and options.

According to Budd (1999:8-11), public participation and consultation is an opportunity to solicit the "hidden" knowledge of the wider community and their key concerns. The benefits of participation are often considered to be: Improved governance: including increased democratic legitimacy for institutions because of close links with citizens, improved reputations for public bodies, increased opportunities for active citizenship, and greater accountability of public bodies because of more effective information dissemination and better dialogue.

The greater social cohesion including bringing diverse and sometimes hostile communities together, bringing 'hard to reach' and 'disadvantaged' groups into discussions, building relationships within and between different communities and social groups ('bonding' and 'bridging' social capital), strengthening and creating new networks that enable different interests to work together as a result of building more positive

relationships based on a better knowledge of each other, and increased equality of access to policy and decision-making processes (Oppermann, Martin, and Kye-Sung Chon (1997):178-191)

The improved quality of services, projects and programmes, including ensuring public service investment is based more on people's expressed needs, reducing management and maintenance costs by reducing vandalism and misuse as a result of engendering a sense of ownership, enabling faster and easier decisions (e.g. on new developments or protective designations) by reducing conflict between different parties and increasing trust through better communications, and enabling people to share in the responsibility for improving their own quality of life (e.g. health and well-being, or the local environment) (Walsh, Kieron (1991):503-514).

Greater capacity building and learning including raising awareness and increasing understanding of public institutions and the way they work, enabling citizens to better access the services they need, and to understand the boundaries and limitations of different public bodies, building confidence and optimism among citizens who then go on to other civic activities or learning, supporting the voluntary and community sectors by recognizing their vital role in building the capacity of community and specific interest groups (especially disadvantaged and excluded groups), and increasing the skills among the staff running participation and those taking part (especially interpersonal skills)(King, C. S., Feltey, K. M., & Susel, B. O. N. (1998): 317-326).

Public participation can also improve policy implementation by increasing the legitimacy of the decision-making process and, in so doing, reducing conflict. Multiple studies have

demonstrated that whether or not the public accepts a decision hinges on whether or not the public sees the decision-making process as fair (Bulkeley and Mol 2003; Newig 2007; Murphy 2004; Tyler 1990). Engaging the public in decision-making can help overcome deficits in democracy, such as distrust of political leaders, declining faith in public agencies, and low voter turnout (Dalton 2008; Newig 2007; Nye et al. 1997; Welp et al. 2009). Providing opportunities for citizens to participate in government policymaking processes allows diverse stakeholders to contribute to decision-making, leading to more meaningful and effective policies.

Access to information is the cornerstone of good governance, meaningful participation and transparency. A democracy thrives when the citizens are knowledgeable on the operations of their government. Access to information in government domains enables citizens to make informed decision on issues relating to their development and participate fully in public participation.

Even though the desire is encouraging, the gaps in its implementation that makes very few locals and residents to participate in key decisions and processes such as County budgeting process calls for investigation. This study therefore focused on the current guidelines and frameworks used by the county administration to promote community participation in the budgeting processes in Uasin Gishu County.

1.2 Statement of the Problem

Enhanced public participation is expected to contribute to effective governance by guarding against abuse of office by public servants and political leaders; controlling against excessive discretion being vested in civil servants in public procedures; providing

checks and balances against unnecessary political interference in service delivery. Based on the positive expectations of public participation, it anticipated that devolved governance in Kenya would increase accountability and improve service delivery to counties. However, this has not been the case in many counties.

Nine years after the establishment of county governments in Kenya, service delivery in most of the counties has not improved significantly, county governments are characterized by low public participation, and this is contrary to what was expected of the devolved governments. The artery of healthy liberal democracy is the participation of citizens in decision making and project development. Lack of public participation is a missed opportunity for Kenyans to hold their leaders and influence the outcomes.

This study seeks to assess why public participation is low in Uasin Gishu County why are citizens only involved as giving opinions rather than actively participating in governance; why has the devolved system in the County not been able to significantly improve service delivery and enhance accountability contrary to previous expectations, active citizen participation underpins a democratic and inclusive society. It is for this reason that this study sought to determine the factors affecting public participation in effective devolved governance in Uasin Gishu County, Kenya.

1.2 Purpose of the Study

The purpose of this study was to examine the effectiveness of public participation in budgeting for development projects in Uasin Gishu County with a view of improving public participation to citizens. In particular, this study examined the effectiveness of

current legal framework in community participation, impact of citizen awareness on public participation on effective devolved governance in the county, the influence of accountability on public participation on development projects and effect of access to county information on public participation.

1. 4 Objectives of the Study

The study was guided by one broad objective and four specific objectives in order to understand the relationship between public participation and development projects in Uasin Gishu county, Kenya. The broad objective of the study set out the effectiveness of public participation in budgeting for development projects in Uasin Gishu County, Kenya.

1.4.1 Broad Objective

Broadly the study set out to establish the effectiveness of public participation in budgeting for development projects in Uasin Gishu County, Kenya while specific objectives are as follows.

1.4.2 Specific Objectives

The specific objectives were as follows:

- i. To evaluate effectiveness of current legal framework for public participation in budgeting for development projects in Uasin Gishu County.
- ii. To assess the impact of citizen awareness on public participation on effective devolved governance in Uasin Gishu County.
- iii. To analyse the effect of public participation on accountability on development projects in Uasin Gishu County.

- iv. To examine the effect of access to county information on public participation on development projects in Uasin Gishu County.

1.5 Research Questions

The study was informed by the following research questions:

- i. To what extent is current legal framework for effective public participation in Uasin Gishu County?
- ii. How is the impact of citizen awareness on public participation effective on devolved governance in the Uasin Gishu County projects?
- iii. What is the influence of public participation on accountability on development projects in Uasin Gishu County?
- iv. To what extent is the effect of access to county information on public participation on development projects in Uasin Gishu County?

1.6 Justification of the Study

Participation of people in governance is recognized in Article 10 of the Constitution of Kenya as part of our governance principle and national values. Further, Article 174(c) provides that devolution aim is to: –enhance the participation of people in the exercise of the powers of the State and in making decisions affecting them. The mechanisms for participation by residents need to be included in the national legislation relating to urban areas and cities governance and management as per article 184 (1) (c).

Accordingly, the promulgation of constitution of Kenya 2010 in the article 1(2) avers that its sovereignty and power belong to the citizens of republic of Kenya and may enjoy it through their elected representatives. This study reveals that although the constitution of

Kenya's provisions on public participation explicitly gives power to the people to make decisions. This study pointed out the challenges and suggested solutions on the best way forward. This study is therefore useful to policy makers, political scientists, administrators and researchers, who are interested in knowing how Kenya's devolved governance system adopted public participation in development projects and how the strategy was practically made a reality on how county services are delivered to the members of public. The study was important in making policies as a guideline on how to include the public while planning to implement public projects in Uasin Gishu County. Lastly this study was used by researchers to form basis for new knowledge generation by identifying knowledge gaps in different counties.

Public policy makers also accept the necessity of citizens' participation in order to make government delivery of services more effective, efficient and sustainable and identify the loopholes, if any, in the present system and thereby assist them to formulate proper policies in future. Through devolution, people have the opportunity to determine the direction of their development needs and implement them. They also agree that easy access to right information, possession of knowledge on rights and responsibilities and channels which they can exercise them, makes the local population politically mature to impose standards and demand for accountability and performance from local leaders.

This work was equally important to devolution promotion policy makers, it makes a strong argument that high levels of citizens' awareness and citizens' participation in the local levels can have a significant bearing on the overall performance of devolved government. This profound argument challenges the dominant focus on fiscal and physical allocation, power sharing, electoral reforms and constitutionalism.

This study is therefore relevant in showcasing public participation as credible strategy to better development project implementation especially in raising awareness of the people's rights. This may help the citizens to understand their constitutional entitlements thus making them agitate for their democratic rights from their government as society, the more we know about the issue of public participation and how to remedy it, the more the likely we are able to deal with public projects effectively and in so doing reap from the benefits of improved realization of project goals.

As discussed above, the justification for this study was viewed in three dimensions namely Philosophical, academic and practice. Philosophical its justified that political participation is indispensable for a realization of a just society, on academic dimension the study would add to the current knowledge on the available literature on public development projects. On practice dimension, it may provide information to formulate policies on public participation and county project implementation.

1.7 Scope and Limitations of the Study

The study focused on the people's participation in county budgeting processes. Participation in this context referred to how the public influenced the programme/development project direction and execution with the view to enchanting their well-being. The study was carried out in six Sub Counties of Uasin Gishu namely Kesses, Turbo, Ainabkoi, Kapseret, Soy and Moiben. The target population were the residents of Uasin Gishu County as well as ward administrators and senior County officials responsible for planning and budget execution both in the County Government.

There are several limitations of the study, these include language barrier from the residents' encountered difficulty in reading and answering questionnaires the other issues was unreturned questionnaires, high expectations from the respondents and uncooperative respondents proved somehow difficult during the study. The respondents should be assured that the research is for academic writing and would not jeopardize their positions in any way. Follow ups should be made to facilitate the response rate. The limitations of the study were taken care of by ensuring respondents were trained well on how to answered questionnaires, uncooperative respondents were assured confidentiality in any information given by them should remained anonymous. Other than these chosen areas/ scope of study, it was worth noting that there are other prerequisite factors especially within the broad social accountability which dictate the success of public participation thus the findings of this study are likely to reveal other unanticipated information capable of enriching and influencing positively the process of devolution government.

1.8 Operational Definitions of Terms

Participation: Ability of people to be involved in county development activities which in this study include public awareness, access to information, clarity of stakeholder's roles and responsibilities and conflict management. It is an engagement of the people and the government that build cooperation and trust in their interactive relationships in policy making and implementation.

Public Participation: refers to the process by which citizens, as individuals, groups or communities (also known as stakeholders), take part in the conduct of public affairs, interact with the state and other non-state actors to influence decisions, policies, programs, legislation and provide oversight in service delivery, development and other matters concerning their governance and public interest, either directly or through freely chosen representatives.

Public: The general public can be treated as one coherent whole only distinguished by different interests. De Vries (2007) offers that the public does not exist as such but that there are profit organizations, not for profit organizations, religious organizations, the media and political party groups all which are groups within the public sector and the public in general.

Community: Community refers to any gathering of individuals who have something in like manner, yet in its sociological sense, it concentrates on a littler gathering than a general public. It is a gathering of individuals living inside a particular geographic territory where their requirements are met through reliance connections.

Community Participation: Community participation is a dynamic procedure in which the customer, or the individuals who will profit, impact the heading and execution of development of project. It is aimed at enhancing the welfare of the general population regarding pay, self-improvement, freedom and different esteems.

County Government: Units of devolved governance. As outlined in article 185 of the Kenyan Constitution, they are in charge of county legislation. As per article 183, they perform executive functions. The functions are also presented in the 4th Schedule in the Constitution of Kenya.

County Public Official: Any person appointed by the county government and holding or acting in any county public office whether paid, unpaid or on contractual or permanent terms.

Devolution: The relocation of power away from a central location

Deliberation: Citizens exchange arguments and consider different claims that are designed to secure the public good

Decentralization: The relocation of administrative functions away from central location.

CHAPTER TWO

LITERATURE REVIEW

2.1 Overview

Literature is discussed thematically in this section which is relevant to the study of effectiveness of public participation in development projects with reference to Uasin Gishu County. It provides information with regard to what people's participation entails. It presented a review of literature dealing with the theoretical arguments relating to people's participation within the context of the budgeting for development projects. It also examined the legal framework on public participation, Civic awareness and public participation, Access to information as an integral component of citizen participation, Accountability on public participation.

2.1 Constitutional and Legal Framework on Public Participation

The constitution of Kenya under article 1 (1),(2),(3) and (4) states that all sovereign power belongs to the people of Kenya and shall be exercised only in accordance with the constitution. It also provides that; the people may exercise their sovereign power either directly or indirectly through their democratically elected representatives; the sovereign power of the people under the (Constitution of Kenya) COK is delegated to a number of different organs which include; parliament and legislative assemblies in the county governments, national and county governments' executive structures and, judiciary and tribunals.

One of the landmark provisions of the COK is the devolved system of governance which created a two-tier system of governance (national and county) whereby both are assigned

clear mandates as detailed in the 4th schedule of the constitution. Kenya, in a shift from the centralized system of governance that had been in place for close to five decades since attaining independence in 1963, adopted the Constitution of Kenya 2010, effectively establishing a two-tier devolved system of governance comprising of the national government and forty-seven county governments. Both levels of government are distinct but interdependent and work on a mutual ground on the basis of consultation and cooperation. Both the Executive and the Legislative arms of county governments are responsible for county revenues and the delivery of public service in the devolved units (Government of Kenya, 2010).

Participation of the public is espoused in Article 10 of the Constitution of Kenya as one of the national values and principles of governance. Further Article 174(c) provides that the object of devolution is to: “*enhance the participation of people in the exercise of the powers of the State and in making decisions affecting them.*” Article 184 (1) (c) also requires that mechanisms for participation by residents be included in the national legislation relating to urban areas and cities governance and management. The rationale of public participation is based on the foundation that the people of Kenya have sovereign power which they have delegated to state actors at the national and county levels. The sovereignty must be respected and institutionalized in all processes of governance (Government of Kenya, 2010).

The County Government Act, 2012 (CGA) at the preamble articulates what is meant by *the public* stating that, when used in relation to public participation it means: the residents of a particular county; the rate payers of a particular city or municipality; any resident civic organization or non-governmental, private sector or labor organization with an

interest in the governance of a particular county, city or municipality; and non-resident persons who because of their temporary presence in a particular county, city or municipality make use of services or facilities provided by the county, city or municipality.

The Act in Part 2 Section 6 states that in exercising its powers or performing any of its functions, a county government shall ensure efficiency, effectiveness, inclusivity and participation of the people. Section 87 of the Act provides for the principles of citizen participation in county governance. These principles include: - timely access to information, data, documents, and other information relevant or related to policy formulation and implementation; reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards; protection and promotion of the interest and rights of minorities, marginalized groups and communities; legal standing to interested or affected persons, organizations, and where pertinent, communities, to appeal from or, review decisions, or redress grievances, with particular emphasis on persons and traditionally marginalized communities, including women, the youth, and disadvantaged communities; reasonable balance in the roles and obligations of county governments and non-state actors in decision-making processes to promote shared responsibility and partnership, and to provide complementary authority and oversight; promotion of public-private partnerships(PPPs), such as joint committees, technical teams, and citizen commissions, to encourage direct dialogue and concerted action on sustainable development; and recognition and promotion of the reciprocal roles of non-state actors' participation and

governmental facilitation and oversight.

2.1.1 Constitution of Kenya 2010

The Constitution of Kenya 2010 lays the basis for the development of a policy framework on public participation. The envisaged public participation policy will therefore have to focus relatively more on what the constitution refers to as the “direct” exercise of the people’s sovereignty. This is the kind of participation where people “who are, for whatever reason, excluded from the normal social and political, even economic life of the nation are far less likely to be able to participate actively – certainly at the national” and county level (Gill, 2012).

Article 1 of the constitution vests sovereign power in the people of Kenya and is exercised at both the national and county levels. The importance of public participation is captured in Article 10 (2) (a) of the constitution which states that the national values and principles of governance include patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people.

The Government in Article 69 is obligated to encourage public participation in the management, protection and conservation of the environment. Article 232 (1) (d) & (f); Public Service values principles require involvement of the people in the process of policy making; transparency and provision to the public of timely and accurate information.

The Fourth Schedule under Part 2 (14) stipulates that functions and powers of the County are to ensure and coordinate the participation of communities and locations in governance

at the local level. Counties are also to assist communities to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level. The constitution has gone further to provide for instances where the voice and endorsement of the public is a compulsory requirement. In Articles 91, 94, 118 and 119 citizens have a right to participate in a political movement of their choice, while parliament is required to give the public an avenue to participate in legislation and presenting petitions to public authorities.

The objects and principles of devolved government under Article 174 give powers of self-governance to the people and enhance their participation in the exercise of the powers of the state in making decisions that affect them while recognizing the powers of the communities to manage their own affairs and to further their own development.

County Assemblies are required to conduct their business in an open manner and hold its sittings and those of its committees in public and facilitate public participation in the legislative and other business of the assembly and its committees (Article 169). The involvement of citizens in policy making and implementation is important to strengthen and deepen democratic governance. It is through active public participation that evidence-based policy making and responsive service delivery can take place.

The national legislation contemplated in Article 184 (1) to provide for the governance and management of urban areas and cities and to in particular provide for participation by residents in the governance of urban areas and cities. Article 201: provides for principles of public finance management that includes publication participation in finance matters. Article 221 (5): The Budget and Appropriations Committee to seek public input when

reviewing budget estimates and the recommendations shall be taken into account when the committee presents its report to the House.

2.1.2 The County Government Act, 2012

The enactment of the County Government Act places an obligation on the County Governments to create an enabling environment for citizens' involvement in running the affairs of the Counties. Chapter VIII of the Act is devoted to citizen participation therefore giving a demonstrative emphasis of the importance of this right in the eyes of the law.

Section 87 provides for citizen participation at the county level based on the following principles: Timely access to information, data, documents and information relevant to policy formulation and implementation, Reasonable access to the process of formulating and implementing policies, laws and regulations, Protection and promotion of the interest and rights of minorities, marginalized groups and communities, Avenues for legal redress to interested or affected persons or organisations, Shared responsibilities and partnership between county governments and non-state actors in decision making ,Promotion of public private partnerships .

Section 88 provides that citizens have a right to petition the county government on matters under the responsibility of the county government Article 89: county government authorities are under obligation to respond expeditiously to petitions and challenges from citizens. Article 90: counties to conduct referendum on local issues Article 91 of the Act goes further to demand particular minimum structures for Participation are set up by the county Governments. It provides the following structures to be established and used to

reach out to the public as an invitation to engage: County hall meetings, Notice boards, vacancy announcements, job appointments, Tenders and procurement awards, Development project sites.

2.2 Civic awareness and public participation

Civic awareness forms one of the most important components of citizen participation. According to Omolo (2010) in her paper on Policy Proposals on Citizen Participation in Devolved Governance in Kenya, citizen awareness is one of the driving forces in participating in public governance. Citizens cannot participate in governance if they are not aware of the opportunities to participate and how there was non-attendance of meetings by the local elites hence there was notable low quality of discussions. Similarly, a national baseline survey by the Kenya Institute for Public Policy Research and Analysis (KIPPRA, 2006) on Decentralized Funds in Kenya based on a sample of 7 districts established a similar trend as above. It found that only 29.8 percent were aware of LATF and participation in analysis, agenda setting, decision making and attendance of meetings was below 5 percent in all the sample units. Recent studies of deliberative civic engagement and citizen participation linking the policy and public involvement to public participation found that the meaning of all three concepts are legally interpreted the same as they all involve participation. In this context, we have to note three general conceptions of citizen participation as follows: The first refers to civic participation in political, social, administrative activities; the second refers to citizens' participation used as citizens' actions and interests showing that Civic Engagement and Citizen Participation in Local Governance.

The necessity of citizen participation and active involvement in civil society concentrate a two-level process of “community engagement” (Scerri & James 2010: 219-236). The relationship between civic engagement and citizen participation has become recently a key political research. What is less known is the connection between the citizen participation and engagement and the local governance in civil society research. This reflects an overall political interest regarding the mechanisms and instruments of activism in civil society research. Harriger argues that the level of deliberative dialogue and the development of democratic dispositions may influence the democratic system and the role of civic identity and community attachment (Olimid, 2014: 73-84).

Good public participation practices can help governments be more accountable and responsive to their communities, and can also improve the public’s perception of governmental performance and the value the public receives from their government. Transparency is a core value of governmental budgeting. Developing a transparent budget process will improve the government’s credibility and trust within the community. The young people are heavily structured in favour of highly educated and well-off citizens and that young people as a group have increasingly been marginalized from electoral politics” (Sloam, 2014: 205; Olimid, 2014: 53-54).

Political changes have shifted civic participatory norms and values which in turn have engaged citizen’s civic community engagement. Social-based participation norms are involving discussions of “social capital formation” and “informal measures of participation” particularly exploring the social activities, while norms of political participation provide other distinctive patterns of “labour market participation” (Platt, 2011: 670-671). The civic engagement repertoire and the norms of citizenship configure a

multilevel analysis ranging from political system's effectiveness and legitimacy (Olimid, 2014: 58-59). Citizens' attachment in a functioning polity and society are regularly called upon to the "individual-level characteristics" (Olimid, 2014: 58). Drawing on the models of participation, Cornwall, Robins and Von Lieres argue that the instruments and mechanisms aimed "to enhance citizen engagement" and to contextualize "the normative dimensions of global narratives of participation and accountability" reflect the "empirical realities of civil society" (Crick, 2008: 1-2).

Secondly, the same authors argue that "the understandings trajectories of citizenship experience" and "the experience of civic engagement" draw attention to the diverse mechanisms of the social and political project while focusing on the "particular subject-positions and the forms of identification" of the "instantiations of citizenship" (Von Lieres, 2011: 1-2). Political activities, secondly, the concept refers to human rationality as much more different as it is presented to be in the rational choice theory. It is considered that an extended newly range of topics is designed to provide "an alternative social and economic development paradigm to the dominant neoclassical/rational choice/human capital perspective. In this direction, the same authors argue that "local capitalism and civic engagement variables" are associated with positive and encouraging socioeconomic and cultural outcomes. This implies different levels of civic engagement and citizen participation. At the same time, the nature of the civic engagement both determines the conceptual framework of social engagement and the political activities by expanding "the knowledge in several areas - political culture, political cognition, voting behaviour and political participation) (Dalton, 2008; (3:27). At the same time, Dalton admits that the often-cited definitions of civic engagement and citizen participation are in-between the

“rapid expansion of the empirical knowledge more precisely the progress in collecting data to understand the role of the individual within the political process” and the four areas of political behaviour including all political, societal, sociological psychological factors such as: “the citizen politics” and its attributes: “modernization democratization”, “political culture” and “cultural change”, “process of voting choice”, process of voting choice”, “citizen participation in politics motivations at individual level” .

In order to focus on the need for such a framework, or more precisely, a new analysis, Cornwall identifies citizens’ participation and engagement in political and social activities. Rather, the idea of “citizen involvement in public decision making” is to demonstrate on the one hand the traditional civic engagement and the conceptual confusion surrounding the notion of “citizen participation”, and, on the other hand, the apparent decline of the notion of “public involvement”. In this direction, Yang and Callahan address the citizen involvement efforts and the bureaucratic responsiveness by “testing a framework that assumes the decision to involve citizens in administrative processes” and “reflecting administrative responsiveness to salient community stakeholders, normative values associated with citizen involvement, and administrative practicality” (Yang and Callahan, 2007). Cornwall refers to “citizen participation” by noting the “remedial efforts” to involve “inactive citizens or clients” in government activity and strategies by including “autonomous citizen activities in the larger society, such as locality or community development, social planning, and social action”.

2.3 Access to Information and Public Participation

The right to access information is crucial to public participation and to the well-functioning of a democracy. It is a right under the Constitution (Article 35 (1)), which is operationalized through the Access to Information Act, 2016. The Constitution guarantees citizens access to information held by the state and relevant private entities. Other legislation also provides for access to information which is vital for the achievement of meaningful and effective public participation. Access to information empowers and enables citizens to hold the duty bearers to account. Governments have obligation to disclose information to the people through appropriate media and format, in particular areas with high illiteracy levels.

Access to information and citizenship competencies enables citizens to make more informed political choices, contribute to public initiatives, and advocate for policy improvements on issues. Adequate, timely, and appropriate information about how politics is conducted and policies determined is a necessary precursor to effective political action, especially in developing democracies where lack of access to information has been a chronic barrier to effective citizen participation. Access to information is the cornerstone of good governance, meaningful participation and transparency. A democracy thrives when the citizens are knowledgeable on the operations of their government. Access to information in government domains enables citizens to make informed decision on issues relating to their development and participate fully in public life. The low levels of awareness were due to the limited one-week period within which notice is given of meetings and therefore the citizens were not able to access information on time to enable them acquire knowledge on the process and how to effectively take part

in the process (Omolo, 2009).

Similarly, a study by Transparency International and media reports show that use of proper channels for communicating the information is also important in facilitating active citizen participation. The information has to be communicated through channels that reach majority of the intended residents. The low levels of citizen participation in Uasin Gishu County during the County draft budget 2014/2015 was due to lack of proper communication of information to the citizens. Even though the government used both print and broadcast media, a section of Eldoret town residents have accused the county assembly of providing information to the public using wrong channels claiming they always get information late hence the low turnout in the public forums (Khisra, 2015; TI, 2015). Advertising information through channels such as the social media, government website may only reach tech-savvy citizens especially those in town. However, majority of the residents in rural areas may be left out. Majority of such residents do not have access to the internet. Additionally, televisions and newspapers may not be accessible by all and therefore vernacular radio stations become an effective tool in such settings. Other factors that may enhance citizen participation in devolved governance include; committed local leadership and external pressure from the civil society organizations, the central government and development partners.

The importance of accessing information by citizens has been recognized by the Constitution and Article 35 provides that: Every citizen has the right of access to: Information held by the state and, Information held by another person and required for the exercise or protection of any right or fundamental freedoms. From the foregoing

literature it's quite clear that citizens can only participate in governance if they are aware of the available opportunities on how to participate otherwise known as civic awareness. According to Omolo (2010) in her paper on Policy Proposals on Citizen Participation in Devolved Governance in Kenya, for citizens to actively take part in matters of public governance, they must be politically conscious and have access to information. This means that they must not only be aware of their rights and responsibilities but also know the channels through which they can exercise them (Omolo, 2010). Therefore, access to information becomes a cornerstone in the success of citizen participation.

2.4 Accountability on Public Participation

Accountability is about power and relationships, a process in which communities communicate their interests, their input is absorbed, decisions are taken and implemented, and decision makers are held accountable. According to Galadima (1998) accountability is a process of organizing and managing legitimate power structures, entrusted by the people, to provide law and order, protect fundamental human rights, ensure rule of law and due process of law and provide for the basic needs and welfare of the people and the pursuit of their happiness. The key principles of good accountability as applied in the public interests include strong commitment to integrity, ethical values, and the rule of law; and openness and comprehensive stakeholder engagement. Good governance is an issue for all individuals, agencies and organizations (state, private sector and civil society) that hold power in making decisions affecting access to rights. Accountability is good when it ensures that political, social and economic priorities of the communities who aspire for development change are based on a broader consensus in society, and that the voices of all are heard in decision-making over allocation of resources.

Ever since participation entered mainstream development discourse, critics have attacked it as form of political control. If development is indeed an -anti-politics machine (Ferguson, 2012), the claim is that participation provides a remarkably efficient means of greasing its wheels. But do participatory practices and discourse necessarily represent the de-politicization of development? On de-politicization ‘critique, he argued that participation may indeed be a form of subjection ‘, and its consequences are not predetermined and its subjects are never completely controlled. Second, participatory development ability opens up new spaces for political action, arguing that celebrations of individual liberation and critiques of subjection to the system both over-simplify participation’s power effects. To re-politicize participation, empowerment must be re-imagined as an open-end and ongoing process of engagement with political struggles at a range of spatial scales.

Unfortunately, policies are too often biased against rural areas in developing countries, and the institutions responsible for delivering important rural services (such as the ministries of agriculture, municipal governments, universities, banks, and court systems) are either deficient or missing. As a result, rural community development projects normally take place in a hostile environment (Ostergaard *et al.*, 2003). Problems of political interference render local authorities dysfunctional. Most of the time, politicians are of the view that because they are appointed by the people, they are legitimate representatives of the people and are therefore free to make decisions on behalf of the people. As a result, the politicians’ interests end up at the frontline, regardless of the needs of the people they represent (Mdunyelwa, 2009).

Efforts to implement sustainable development have taken place in an environment of mainstream economic planning and market-based investment, in a manner that will not disrupt overall growth. As such, implementation has not moved beyond slow incremental steps to transformative action. The WBCSD argued that there is a lack of leadership and each sector waits on the others, limiting real progress toward sustainable development. They noted that politicians tend not to run for office on promises of making the price of goods reflect their real (higher) costs for the sake of sustainable development; consumers tend not to demand to pay such higher costs; business tends not to lobby lawmakers for higher prices (Holliday, Schmidheiny and Watts, 2002:18). Some developing countries argue that lack of financial and technological resources, and unfair terms of trade have plagued their implementation of sustainable development. Many poor people and poor countries do not have adequate access to technology, lacking the resources, infrastructure, quality of governance, and business environment necessary to stimulate sustainable development (Economic Commission for Africa, 2002). While national governments have developed sustainable development strategies and plans, and local governments have been involved in initiatives, these actions have not led to fundamental changes. Downie & Brown (2010, pp. 37-38) reported that few countries have lived up to their Rio commitments, stating that National Agenda 21 efforts led to—increased academic debate, heightened public awareness and minor adjustments in the system of national accounts and taxation rules, but they have not fundamentally altered the way we manage and measure our national economy.

The interest in better accountability in USA is part of a larger initiative dating back to Federal legislation as the Government Performance and Results Act in 1993 that pushed

Federal agencies to set goals and strategies and to track outcomes (Plantz, Greenway, & Hendricks, 1997). More recently, foundations and funding agencies want to determine that their spending generates significant results (Phillips, 2003). Likewise, the growing professional management practices and tighter budgets in local government agencies further intensified the pressures for better measures and accountability, including using trend data to monitor or evaluate effectiveness (Moynihan, 2008). At the same time, community development organizations internationally have addressed the United Nations' Millennium Development Goals, including priorities such as poverty reduction, expanded access to education, and environmental sustainability (United Nations).

An organization or government may have good governance if they are accountable and transparent to their people. Accountability improves public participation and increases awareness of knowledge and capacities to improve ability to negotiate as equals with authorities and other stakeholders to promote common objectives, and increase responsiveness to conflicts within the public. Accountability and transparency enhance public participation in public sector agencies, public participation in management and public hearings (Cummins 2007). It improves various dimensions of efficiency including; greater attention to the priorities of communities, increased transparency on budgets and public resources. Participation is another characteristic for good governance whereby the people are allowed to be part of the decision-making process. An organization or Local Government Authority (LGA) observing good governance principles ought to be effective and efficient in its participatory decision-making processes and implementation to produce results that meet the needs of society while making the best use of the resources at their disposal (ACDP, 2002).

According to the United Nations Development Programme (UNDP, 1997) good governance is the process of decision-making and the process by which decisions are implemented. Good governance has eight major characteristics: it is participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law (see Figure 2). It assures that corruption is minimized, the views of minorities are taken into account and that the voices of the most vulnerable in society are heard in decision-making. It is responsive to the present and future needs of society (UNESCAP, 2005; UNDP, 1997).

An often overlooked but important component to community development is monitoring and evaluation. An M&E system can provide a regular flow of information on the performance of policies (World Bank, 2011). Monitoring is the periodic oversight of the implementation of an activity which seeks to establish the extent to which input deliveries, work schedules, other required actions and targeted outputs are proceeding according to plan, so that timely action can be taken to correct deficiencies detected. "Monitoring" is also useful for the systematic checking on a condition or set of conditions, such as following the situation of projects. Monitoring can also be said to be a management function which uses a methodical collection of data to determine whether the material and financial resources are sufficient, whether the people in charge have the necessary technical and personal qualifications, whether activities conform to work plans, and whether the work plan has been achieved and had produced the original objectives. Crawford & Bryce (2003) argue that monitoring is an ongoing process of data capture and analysis for primarily project control with an internally driven emphasis on efficiency of project.

Evaluation is the episodic (not continuous as the case with monitoring usually mid- term and at end of the project) assessment of an on-going or completed project to determine its actual impact against the planned impact (strategic goal or objectives for which it was implemented) efficiency, sustainability, effectiveness (McCoy *et al.*, 2005). At least two types of accomplishments can be measured: outputs – the direct and short-term results of a project or plan such as the number of people trained, the number of affordable houses built, or the number of jobs created; and outcomes – the long-term results of a project or plan. Ongoing project evaluation is viewed as a valuable tool to promote sustainability. In addition to achieving alignment of the project ‘s characteristics with the needs of its stake holders (Johnson et al., 2004; Weiss *et al.*, 2002) argued that project evaluation can help in the development of strategies for sustainability, to follow up their implementation, and to evaluate their effectiveness. Similarly, evaluation can be useful in identifying problems in the project and in facilitating flexibility.

To mobilize resources required to sustain the project beyond its initial grant, it is not enough that the project attains its objectives. The project must be able to document its success and disseminate the evidence among stakeholders (Mancini & Marek, 2004; Shediak-Rizkallah & Bone, 1998). Some studies show that advertisement of the project’s effectiveness not only to its stakeholders but also to the general public serves as a meaningful predictor of the sustainability of the project (Pentz, 2000) in that it enhances community support. Unfortunately, the majority of the programs studied evince an absence or paucity of community participation in the evaluation and monitoring stages. In general, about 65 percent programs do not include community participation in the monitoring and evaluation phase. In the remainder of the cases, participation is weak or

indirect. Additionally, implementation issues can also affect the long-term sustainability of interventions.

2.5 Empirical Literature

Kihonge and Kaseya (2014) study's findings provide evidence that civic education plays a major role on the effectiveness of public participation in the County Governments. When local residents are enlightened on their rights of participations, they tend to participate more and demand for their rights. They propose a number of strategies to enhance public participation. These include offering incentives, early notification of public participation forums, use of variety of methods, allocating more funds for civic education and formulation of policy to guide public participation among others.

A study by Mutwiri (2016) establishes that the level of community awareness determines the level of public participation in county integrated development planning process. He says that behavioural factors like the quality of policies guiding citizen's participation process through aspects such as public attitude toward local government, allocation of resources, level of coordination and engagement and the perceived community 's value in the participation process determines the level public participation in the county development planning process. He notes that economic factors like the perceived economic benefits from the county development project, estimated time for revenue generation, level of individual income, and awareness on the other economic generating opportunities determines the level public participation. He concludes by recommending initiation of strong measures that could promote public awareness and the county governments need to improve their public relation strategies.

Harwin's (2012) the initiated development projects recommends that the decision making process should be open, the residents should be involved in various implementation steps, there should be regular meetings with the public to deliberate on the issues affecting the county projects to foster transparency and confidence building, furthermore there was need to trim the overwhelming influential powers the politicians had in development projects.

According to a research by Enaifoghe(2018), community training programs give unequivocal direction to standard subjects about popularity-based foundations, qualities, and methodology. The discoveries of the examination found that municipal training programs do add to the improvement of a vote based political culture among members. These projects have been found to be altogether incremental.

Masango (2002) favours capacity building to improve the public's understanding of governance processes and to ensure that they participate effectively in governance processes. According to Cuthill and Fien (2005), capacity building for communities involves —working with communities.This, to them, involves—support, and enhances the existing ability, energy and knowledge of citizens. Arnstein (1969) argues that the ability of citizens to influence decisions depends on the—nature of specialized help they have in articulating their needs; and the degree to which the group has been sorted out to press those needs. Cuthill and Fien (2005) place the responsibility for capacitating citizens with local government. Their argument is that the position of local government in relation to citizens makes them the right institution to capacitate citizens to ensure that they participate meaningfully in local government processes (Cuthill&Fien, 2005).

Masango (2002) stresses the importance of public awareness of matters related to local government in promoting public participation in policy-making. Glover (2003) emphasized that information sharing in the policy process is a requirement to ensure-effective and inclusive public participation. She stressed that this is merely one movement amongst other important ones. She reiterates the importance of the nature and ways in which information is provided.

According to Kugonza and Mukobi (2011) public participation is affected by access to data which empowers residents to verbalize their voice, successfully screen, consider government responsible and go into educated exchange about choices which influence their lives. As indicated by them, access to data engages all citizens including the powerless and marginalized individuals to assert their more extensive rights and qualifications. They educate citizens to go for their rights by the officials from the local authorities. As indicated by the discoveries, most of the respondents couldn't help contradicting the view that all the data on government ventures is accessible and available to the citizens. Dissemination of information was not effectively and timely done by both the general public and the government. They concluded that between information accessibility and participation in lower local government projects there is a positive relationship.

Kakonge (1996) pointed out that public participation is affected by lack of communication between the government and the people. He said that projects are formulated without the dissemination by the government of information among local people; from transparency to accountability through citizen engagement. The increased visibility of social movements and citizens' demands for well-functioning governance

over the last decade has been accompanied by an increase in transparency and accountability initiatives (TAIs) in many countries. Driven by combinations of grassroots organizations, transnational advocacy networks, and international donors, these initiatives seek to harness information and citizen participation to strengthen accountability from public officials. They include citizen monitoring and oversight of public sector performance, access to and dissemination of information, public complaint and grievance redress mechanisms, and citizen participation in public decision making. TAIs are supported by the growing number, influence, and range of “social intermediaries” (such as nongovernmental organizations, community-based organizations, and the media), and they are backed by the availability of new modes of communication (mobile phones, internet, and social media). This Report highlights the three key conditions needed for effective information initiatives: transparency, publicity, and accountability (Naurin 2006). However, making information available, making it accessible, and ensuring that it leads to consequences:

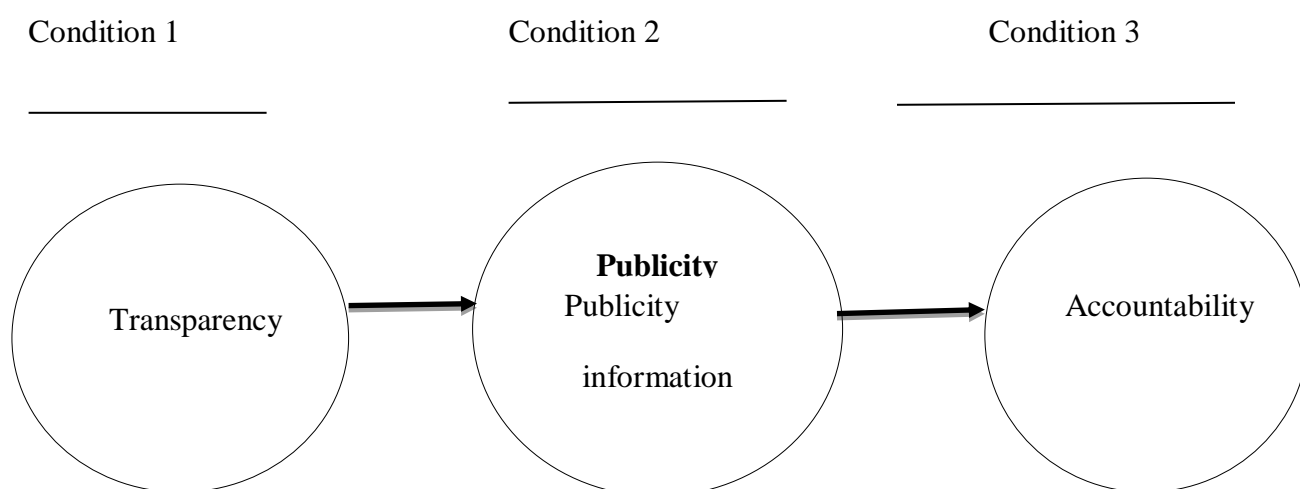


Figure 1.1 Three conditions for effectiveness of information initiatives

Source: (WDR 2017 team, based on Naurin 2006)

2.6 Theoretical Framework

Participation theoretical perspectives represent a move from the top-down strategies that dominated early development initiatives to more locally sensitive methodologies. The value of participatory development grew out from the evidence that the poor have suffered in most circumstances as a result of poor development plans. Through this perspective, everyone needs to be involved in development plans, implementation and intended benefits. This study adopted Deliberative democracy theoretical perspective.

2.6.1 Deliberative Democracy Theory

Deliberative democracy, school of thought in political theory by Benard Manin (1987) and Joshua Cohen (2007) claim that political decisions should be the product of fair and reasonable discussion and debate among citizens. Deliberative democracy is defined as reasoned, inclusive, equal and other-regarding debate aimed at making decisions collectively. Deliberation enables citizens to exchange arguments and consider different claims that are designed to secure the public good. Through this conversation, citizens can come to an agreement about what procedure, action, or policy will best produce the public good. Deliberation is a necessary precondition for the legitimacy of democratic political decisions. Rather than thinking of political decisions as the aggregate of citizens' preferences, deliberative democracy claims that citizens should arrive at political decisions through reason and the collection of competing arguments and viewpoints. In other words, citizens' preferences should be shaped by deliberation in advance of decision making, rather than by self-interest. With respect to individual and collective citizen decision making, deliberative democracy shifts the emphasis from the outcome of

the decision to the quality of the process.

Deliberation in democratic processes generates outcomes that secure the public or common good through reason rather than through political power. Deliberative democracy is based not on a competition between conflicting interests but on an exchange of information and justifications supporting varying perspectives on the public good. Ultimately, citizens should be swayed by the force of the better argument rather than by private concerns, biases, or views that are not publicly justifiable to their fellow deliberators.

2.6.2 Early Influences

Two of the early influences on deliberative democratic theory are the philosophers John Rawls and Jürgen Habermas. Rawls advocated the use of reason in securing the framework for a just political society. For Rawls, reason curtails self-interest to justify the structure of a political society that is fair for all participants in that society and secures equal rights for all members of that society. These conditions secure the possibility for fair citizen participation in the future. Habermas claimed that fair procedures and clear communication can produce legitimate and consensual decisions by citizens. These fair procedures governing the deliberative process are what legitimate the outcomes.

2.6.3 Tenets of Deliberative Theory

Deliberative theorists tend to argue that publicity is a necessary feature of legitimate democratic processes. First, issues within a democracy should be public and should be publicly debated. Second, processes within democratic institutions must be public and subject to public scrutiny. Finally, in addition to being provided with information,

citizens need to ensure the use of a public form of reason to ground political decisions, rather than rely on transcendent sources of authority available only to a segment of the citizenry, such as revealed religion. The public nature of the reason used to ground political decisions generates outcomes that are fair and reasonable but subject to revision if warranted by new information or further deliberation.

Some deliberative theorists claim that the deliberative process of exchanging arguments for contrasting viewpoints can and should produce a consensus. Others think that disagreement will remain after the deliberative process is completed but that deliberation can produce legitimate outcomes without consensus. Even when the exchange of reason, arguments, and viewpoints does not seem to produce a clear outcome, many deliberative theorists suggest that the dissent produced, and the continuing debate, enhances the democratic process (Hunold, 2001).

Because the deliberative process requires that citizens understand, formulate, and exchange arguments for their views, norms of clear communication and rules of argumentation are important to formulate. Citizens must be able to present their claims in understandable and meaningful ways to their fellow deliberators. These claims must also be supported by argumentation and reason that makes these views publicly justifiable to differently situated deliberators (Forst, 2001).

Most theories of deliberative democracy hold that the maximum inclusion of citizens and viewpoints generates the most legitimate and reasonable political outcomes. In addition to improving the level of discussion and accounting for the most arguments, more-inclusive deliberative processes are fairer because more people have their views

considered. Whether or not a citizen's view is present in the outcome, it has at least been figured into the debate by fellow citizen deliberative.

Merits of deliberative democracy theory are; greater likelihood of a good decision (because citizens do a more adequate job of canvassing the facts and values that ought to guide the decision), deeper understanding of the idea of rational deliberation about what to do and greater likelihood of mutual understanding and consensus among citizens.

Criticisms levelled against deliberative democracy. If only certain modes of expression, forms of argument, and cultural styles are publicly acceptable, then the voices of certain citizens will be excluded. This exclusion will diminish the quality and legitimacy of the outcomes of deliberative processes.

Further, deliberation assumes the capacity of citizens to be reasonable, cooperate, unify, and shape their views based on rational debate and the views of others. Some argue that this may be more than human beings are capable of, either because of human nature or because of already existing social inequalities and biases. Social conditions, such as already existing structural inequalities, pluralism, social complexity, the increasing scope of political concerns, and the impracticality of affected citizens having forums in which to deliberate are also reasons why some are sceptical of the viability of a deliberative form of democracy (Smith, 2009).

Deliberative democratic theory is relevant to analysis in that Decision-making in deliberative democracy can involve voting, negotiation, or workable agreements that entail agreement on a course of action, but not on the reasons for it. All of these benefit

from deliberation, which can involve clarification of the sources of disagreement, and understanding the reasons of others. Rather than consensus, deliberation should recognize pluralism and strive for metaconsensus, which involves mutual recognition of the legitimacy of the different values, preferences, judgments, and discourses held by other participants.

This theory is relevant to my study because it seeks to increase the effectiveness and democratic quality of policy making by involving citizens in policy, enables participants to discuss the issues and options and to develop their thinking together before coming to a view, taking into account the values that inform people's opinions.

2.7 Conceptual Framework

The conceptual framework shows relationship between dependent and independent variables. It further shows any other factor that may have any effect on the two variables. It further shows any other factor that may have any effect on two variables. Figure 2.1 below shows the conceptual framework which consists of dependent and independent variables. Independent variable is legal framework, level of awareness of governance, and accountability on public participation that determines levels of public participation while dependent variable is level of people's participation, performance of county funded projects and benefits of the projects to the people. The conceptual framework in this particular study showed the effectiveness of public participation depends primarily on factors such level of awareness of governance, legal framework in public participation. Intervening variable is government policies and incentives to the people and public administrators.

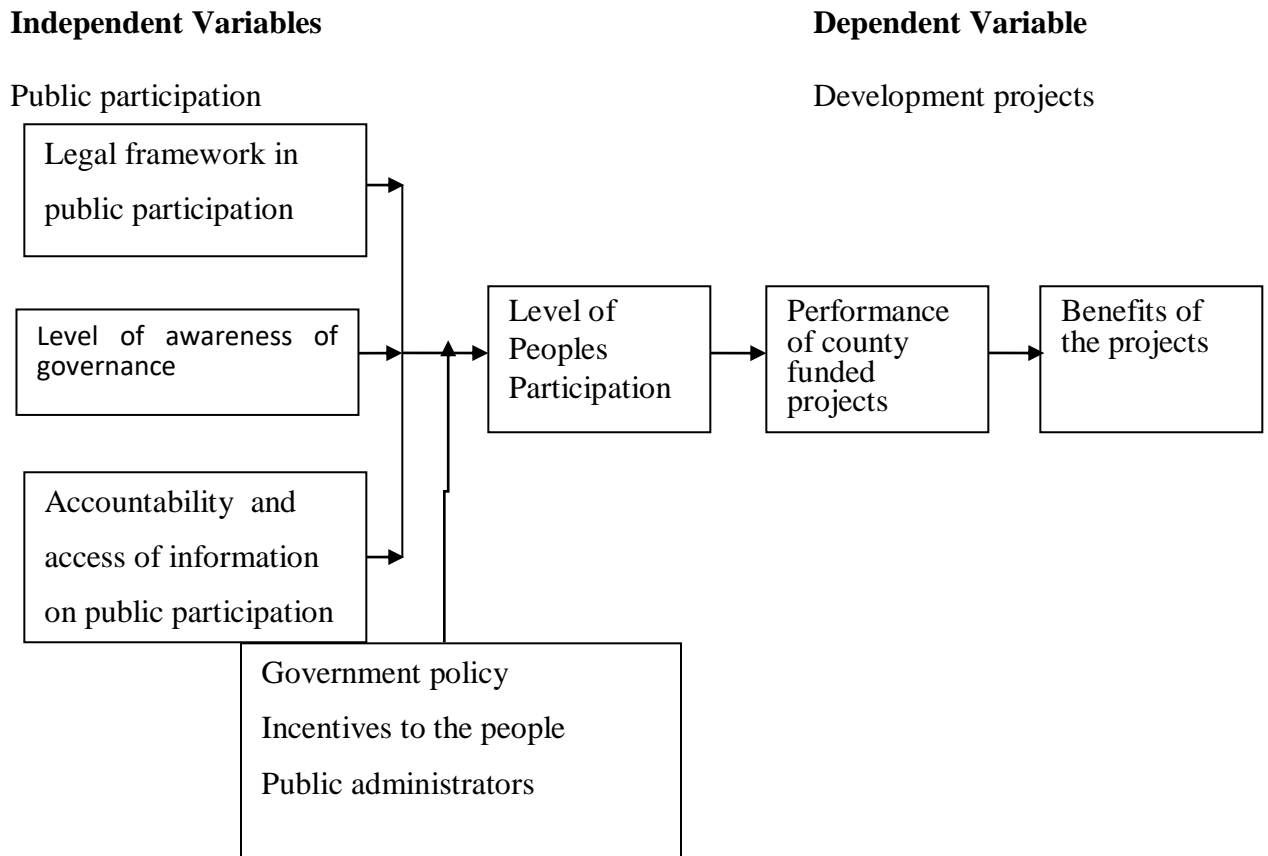


Figure 2.1: Conceptual Framework showing relationship between variables.

Government policies guided people during public participation. Public administrators provided information to the citizens on public participation, they responsive to the needs of the people and overseeing and implementing various development projects. Incentives given during public participation, this may include transport refund and lunch allowances motivated citizens to attend public participation and contribute more in decision making.

Deliberative democratic theory influence on Public participation: Deliberation have become conventional in the policy process (Smith 2009; Fung and Warren 2011; Baiocchi and Ganuza 2017). What we call “participatory-deliberative processes” (PDPs) seek to increase the effectiveness and quality of policy making by involving citizens in policy (Fung and Wright 2003; Fung 2006; Hoppe 2010). Deliberative democrats believe that deliberation yields rational collective outcomes. Moreover, as Michels & L. de Graaf (year) state, individual has an equal voice and the opportunity to persuade other participants, deliberation also allows minority and individual voices to be heard.

There is a gap where citizens speak of mounting disillusionment with government, based on concerns about corruption, lack of responsiveness to the needs of the poor and the absence of a sense of connection with elected representatives and bureaucrats (Narayan et al. 2000). The low level of awareness is the main reason for low participation in the project, the low levels of citizen participation in Uasin Gishu County during the County draft budget .2014/2015 was due to lack of proper communication of information to the citizens. Even though the government used both print and broadcast media, a section of Eldoret town residents have accused the county assembly of providing information to the public using wrong channels claiming they always get information late hence the low turnout in the public forums (Khisa, 2015; TI, 2015). Advertising information through channels such as the social media, government website may only reach techy-savvy citizens especially those in town. However, majority of the residents in rural areas may be left out. Majority of such residents do not have access to the internet. Additionally, televisions and newspapers may not be accessible by all and therefore vernacular radio stations become an effective tool in such settings.

Access to Information and citizenship competencies Information enables citizens to make more informed political choices, contribute to public initiatives, and advocate for policy improvements on issues. Adequate, timely, and appropriate information about how politics is conducted and policies determined is a necessary precursor to effective political action, especially in developing democracies where lack of access to information has been a chronic barrier to effective citizen participation.

Access to information is the cornerstone of good governance, meaningful participation and transparency. A democracy thrives when the citizens are knowledgeable on the operations of their government. Access to information in government domains enables citizens to make informed decision on issues relating to their development and participate fully in public participation.

The research gaps for this study UasinGishu County lack proceduresto hostpublic viewsand lack of Proper channels for feedback and the Countygovernment agencies and officialsshare information in bulkydocuments that are not flexible to read.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter includes the research design, Study Site, Target Population, Population Sample, target population, sampling procedure, methods and tools of data collection, reliability and validity, data collection procedures and data analysis.

3.2 Research Design

According to Yin (1994: 19) as quoted in Taole 2008, a research design is a plan that guides the investigator in the process of collecting, analysing and interpreting observations. It is a logical model of proof that allows the researcher to draw inferences concerning causal relations among the variables under investigation (Taole, 2008). The research design covers sampling techniques as well as the data collection methods that will be in this research. This study was conducted using descriptive survey design. Descriptive survey research sought to obtain information that describes the existing phenomena by asking individuals, county officials about their knowledge, perceptions, attitudes, behaviour or values (Mugenda & Mugenda, 2003).

Descriptive survey design suits in this study because it provided in depth information on qualitative or quantitative data or both (mixed approach), allowing for triangulation approach to data collection, triangulation was done using two approaches data triangulation and methodological triangulation by use of interviews, questionnaires and documents for example policy sources, Sessional paper and legislative works, the population was a little bit large and it was difficult to observe the characteristics of every individual. This study

also helped in collecting data on the people's participation in the budgeting for development projects Uasin Gishu County and answering other research questions to meet objectives as explained by Kothari (2004) it seeks to explain state affairs as they exist in the study.

3.3 Study Site

The study was conducted in Uasin Gishu County ,it is one of the 47 counties of Kenya,located in former Rift valley province. Uasin Gishu County is one of the major Counties in Kenya hosting major towns including; Eldoret Town, administrative and financial headquarters of Uasin Gishu County. Uasin Gishu County is composed of 6 sub counties namely; Turbo, Moiben, Kesses, Ainabkoi, Soy and Kapseret. The county has 30 wards represented by 30 elected representatives who make up the Uasin Gishu County Assembly.

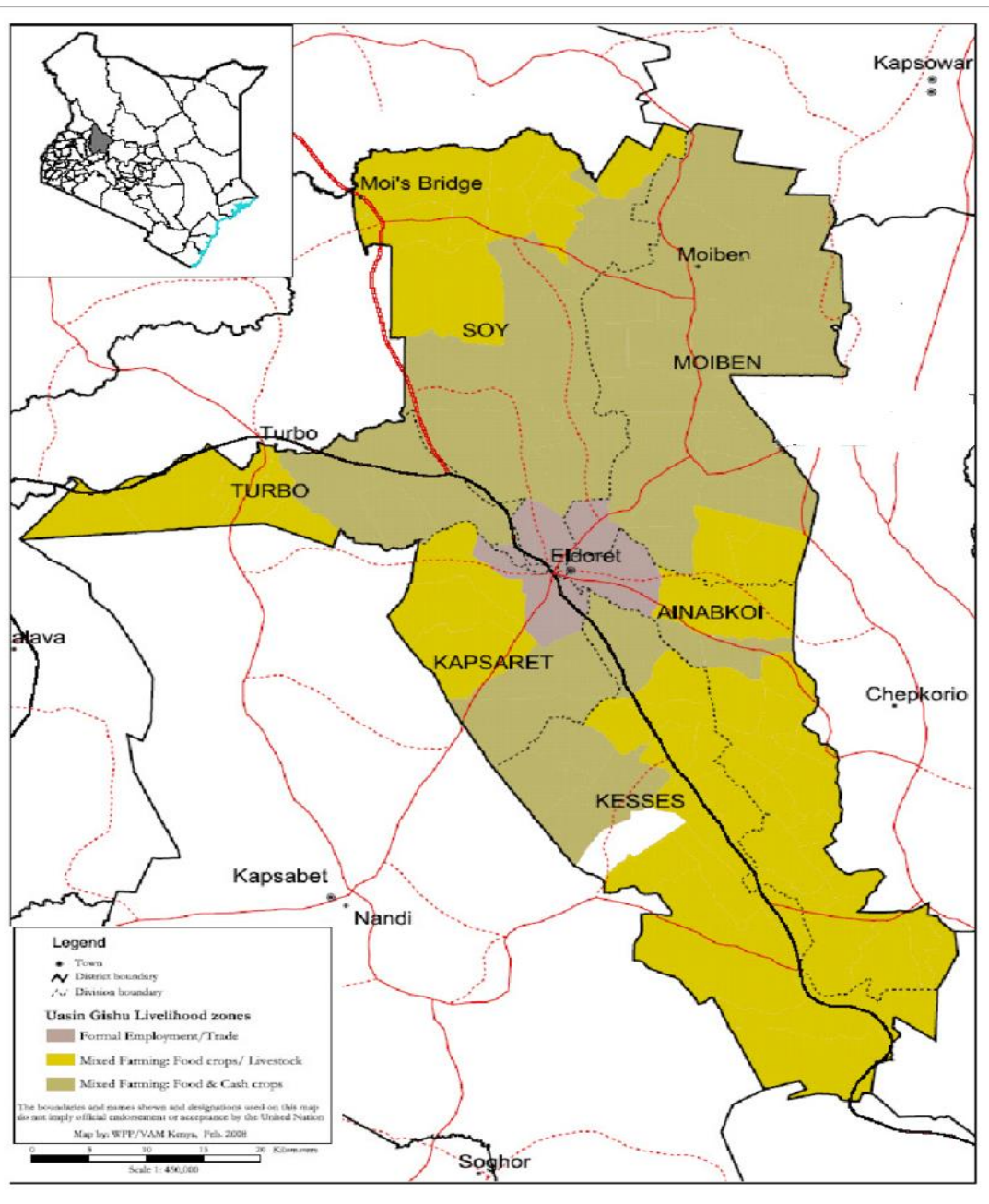


Figure 3.1 Map of Uasin Gishu County



Figure 3.2: The map of Uasin Gisu County sub-county wards

Uasin Gishu County is situated in the mid-west of the Rift Valley covering an area of 3,345.2.

square kilometres and lies between longitude 34 degrees 50' east and 35 degrees 37' west and latitude 0 degrees 03' South and 0 degrees 55' North. The county is sub-divided into

six sub-counties namely; Soy, Turbo, Moiben, Ainabkoi, Kapseret and Kesses. It borders six counties namely Elgeyo-Marakwet County to the East, Trans Nzoia to the North, Kericho to the South, Baringo to the South East, Nandi to the South West and Bungoma to the West (KNBS,2019).

The county has an estimated population of 894,179 with urban population contributing about 31% of the entire population. The population density is 267 persons per sq.km. The County has potential labour force of 550,000 (56%) of the entire population. Hence 44% of the population is dependent. Uasin Gishu County is a highland plateau with altitudes falling gently from 2,700 metres above sea level to about 1,500 metres above sea level.

The site was selected because the county has passed a legislation referred to as the Uasin Gishu County Public Participation Act, No 11 of 2015; yet meaningful public participation has not been realized. The number of residents attending public forums and meetings as envisioned by the constitution were very low. In addition, poor delivery of services was a big challenge. The focus will be in three the sub counties in Uasin Gishu County, namely Kesses, Kapseret and Ainabkoi. The three sub counties were selected purposively. This was mainly because the sub counties have experienced different health, education, road and water development projects initiated by the Uasin Gishu County Government within the last 4 years. This design helped in assessing the level of effectiveness of the people's participation in the budgeting for development projects in Uasin Gishu County and answering other research questions.

The study used both primary and secondary methods to collect data. Primary sources of data included Key Informant Interviews to identify information dissemination frameworks

in the target counties. Key informants included ward administrators, senior county officials and civil society representatives from the target county.

Secondary data included a review of the Constitution and legal framework put in place by the Government of Kenya (GoK) to facilitate effective public participation and information dissemination framework at both levels of government (National and County). It also included a review of several documents developed by the county governments. Among these were Bills, Acts and policies. Some of these included: Public Participation Acts or Bills, County Planning Bills and Policies, County Monitoring and Evaluation Bills and Policies; and County Public Communication Bills and Policies.

3.4 Target Population

Population refers to the entire group of people, events, or things of interest that the researcher wishes to investigate (Sekaran and Buogie, 2010:262).The target population were the entire population, or group, that a researcher was interested in researching and analysing. A sampling frame was then drawn from this target population.The target population was Residents of Uasin Gishu County,Members of County Assembly and Ward Administrators.

Uasin Gishu threesub counties has a population of 188,515 according to the IEBC (2017) as per the three sub- counties Ainapkoi,Kesses and Kapseret with the target population size of 600.

3.5 Sample size

The sample size was determined using Yamane's formula (1967:886).According to the

formula, n , is the sample size, N is the target population size and e is the acceptable sampling error of 5 percent (0.05). A 95% confidence are assumed for the equation.

$$\frac{n=N}{1+N+(e)^2}$$

At confident level of 95% and 0.05% margin of area the researcher computed a sample size of 240 as shown below:

$$\frac{n = 600}{1+600(0.05^2)}$$

$$n=240$$

According to Bruixand Llovet(2003:507) population was all the people within a given geographic area, or all the members of a given social class. Uasin Gishu County has 6 sub-counties and 30 wards. The target population in this study are the residents of Uasin Gishu County as well as ward administrators and senior County officials responsible for planning and budget execution in the County Government.

3.6 Sampling Procedure

This is how the respondents were chosen to avoid sampling bias errors, purposive sampling was used in this study, it's a type of non-probability sampling where a researcher selected a sample based on their knowledge about the study and population. The goal was to focus on particular characteristics of a population that are of interest, which best enabled the researcher to answer the research questions. Purposive sampling was also used in this study because the target population is homogeneous and easy to generalize by Palinkas, Horwitz and Green T. (2015). The study used this technique to enable researcher to meet ward administrators, county officials and residents of Uasin Gishu County.

3.6.1 Sample size

The researcher used Yamane's formula to get sample size. The researcher identified a total of 240 participants drawn from all the Wards in the 3 Sub- Counties. The researcher anticipated that this number is a good representative and sufficient to make generalizations on the topic under study. Sampling in qualitative research is not linked to obtaining a sample on the basis of whose characteristics and generalizations to the general population can be made. Based on the aims of the research, the diverse characteristics in the respondents and the logical considerations, this study was carried out in three Sub Counties namely Kesses and Ainabkoi and Kapsaret.

Uasin Gishu County has 6 sub-counties and 30 wards. From this population, the researcher purposefully selected 3 sub counties namely: Kesses, Kapsaret and Ainabkoi. This was mainly because the researcher wanted to concentrate on development projects within these sub counties e.g. health, education, road and water development projects initiated by the Uasin Gishu County Government within the last 4 years and these counties are also cosmopolitan.

3.6.2 Key Informants

Ward administrators and Members of County Assembly are public participation practitioners in Uasin Gishu sub County, both are concerned in facilitating public participation, developing policies, projects and plans to guide public participation and ensure effective service delivery to the citizens. A total of two key informants were purposively selected and orally interviewed.

3.7 Data Collection Procedures

The researcher conducted face to face interviews with key informants which yielded qualitative data while the data from residents was captured using structured questionnaires giving quantitative results. This type of interview offers a flexible way of collecting the data, and was very helpful in giving clarity to concepts and problems (Stake 2005:166). The fundamental aspect of this method was that the respondents are individuals who are members of the community and are directly or indirectly involved in the public participation processes. The structured questionnaires were also used because it was easy to administer and it can be used to collect data simultaneously from a large group of respondents.

3.8 Data Collection Method

The multi-strategy approach called 'triangulation' was used to collect data because it allows the use of more than one method or source to collect data in a study of a social phenomenon so that findings may be cross-checked (Taole, 2008). The method which was applied in this study are, closed ended questionnaires and face-to-face interviews were used as instruments for data collection. Interviews have advantages of flexibility in terms of adopting and altering the questions as the researcher will proceed with interviews.

As Sekaran and Bougie (2010:186), questionnaires have the advantage of obtaining data efficiently in terms of researcher's time, energy, and costs. According to Matthews and Ross (2010:181) there are of method which can be used to collect data from research participants and respondents. They include: face to face interviews and structured questionnaires. The research methods that were used in this study consist of questionnaires and face-to-face interviews. The main reason for using this method was that the participants

were based in an area where the researcher could easily access them. This study utilized the qualitative interview as described by (Turner, 2010). Their model of qualitative interviewing emphasizes the relativism of culture, the active participation of the interviewer, and the importance of giving the interviewee a voice. It was anticipated that individual perception was used. It shall focus on people participation in budgeting for development projects.

3.8.1 Questionnaires

Questionnaires was used in various ways, a questionnaire was used as the basis for an interview; therefore, there was some kind of interaction between the respondent or participant and the researcher. This can be face to face, over the phone or via email. If the questionnaire was used as an interview, then the interviewer must read the questions and responses in the same way for all the respondents and not offer additional help, prompt or comments to the respondent because this may affect the way the respondent hears and replies to the questions. Effectively the interaction between the interviewer and the respondent was limited to the questions and answers (Matthews and Ross 2010:203). For the purpose of this study open-ended questionnaire and closed ended questionnaire were used to collect data from the Citizens, Ward administrators and Members of county assembly to highlight the effectiveness of public participation in budgeting for the development projects as a mechanism for empowering the community and improvement of service delivery. This targeted data collection from large group of respondents, ensured there was uniformity in the questions asked and allowed respondents to give considered responses. The questionnaires were structured on the basis of Likert scale.

3.8.2 Interview

Finn, Walton and White (2000:29) define interview as a popular form of data collection and, when properly conducted, can provide a rich source of material. For the purpose of conducting this study within the chosen Sub-Counties, an interview was conducted with local community members who were the residents, Ward/Sub County Committees and Members of County Assembly, Ward administrators in Uasin Gishu sub counties. Interviews were used as an instrument to gather data. It was believed that the information that received was of great importance to the development of this research as some of the respondents/participants had the information about participation in budgeting for development projects.

According to Taylor and Blake (2015) key informant face to face interviews were the most commonly used in qualitative technique. They allowed the researcher to produce data which was varied and rich in an informal setting. It allowed a more thorough examination of the experiences, feelings and opinions than that of closed-ended interviews could ever hope to capture for the purpose of this study, open-ended interview was deemed the most appropriate type of interview to be utilized especially on the key informants.

3.9 Pilot Testing

Pilot testing of instruments was done in facilities outside the sample locations before the actual data collection to test for clarity of the instruments. The instrument was pretested to 10 residents of Kesses Sub County. According to De Vaus (1993:54), the goal of a pilot study was to refine the procedures of a research project. The primary goal of a pilot study was not to collect research data, but to check out research procedures so that adjustments

can be made before the actual data are collected, a secondary goal is to determine if planned statistical analyses work problems that show up in the pilot study were fixed by changing data collection procedures.

The pilot testing enabled the researcher to identify possible faults in the instruments and to rephrase some questions, this allowed the researcher to test various possibilities that stimulated new ideas and avenues which were later used to resolve some ambiguities within the main study design. The pilot study also helped the researcher to establish whether all the intended questions were captured and to know how long data collection will take. The questions found to be irrelevant were left out during the actual study while vague questions were rephrased for clarity.

The deficiencies in the data collection instruments revealed by pre-testing were addressed during actual data collection. This resulted to the collection of complete, enough and relevant data. Comments from respondents in the pilot study were considered and incorporated in the actual study so as to improve the study's research methodology. Interviewer effect was checked and the researcher went through the questions to ensure uniformity in the mode and how to administer the questionnaires to respondents to help in testing for reliability and validity of instruments.

3.9.1 Validity of Instruments

Validity of research instruments refers to the degree to the accuracy of which research tool purports to measure, according to Kothari (2004). The researcher needed to make sure that the data-collecting instrument is valid. According to Birley and Moreland (2014) validity has to do with the research technique. It should be valid, sound, cogent, well-grounded, and

justifiable or logically correct. Validity ensured that data sets, which have been collected, or items which have been used, are relevant to the study. For the research to be valid, it must be demonstrated that if it were to be carried out on a similar group.

To test for validity of instruments contents, validity was used. The questionnaire was given to 2 sets of experts. The questionnaires were given to an expert in questionnaire development and to the Kesses Sub County administrator should asses for both content and validity. The results from the pre-test should be compared and all necessary corrections made before the main stage of data collection.

3.8.2 Reliability of Instrument

Reliability of a research instruments to yield consistent results every time they are administered to same objects of experimentation and whether another researcher could use design and obtain similar findings. There are chances are that they may be different, this is because the judgment of individual researchers may come into effect. The reliability of a measure indicates the extent to which it is without bias and, hence, ensures consistent measurement across time and across the various items in instrument. From the data collection from pilot testing, test-retest method was used to test for reliability. From the results, the instrument was found to give consistent results, meaning that if used purposive sample it yielded consistent results.

3.9 Data Analysis Method

Data analysis involves data editing, coding, classification and tabulation of collected in that they are amenable to analysis Kothari (2004 p 30). Editing is the examination of collected

raw data, detecting errors and omissions and to correct these when possible and scrutiny of the completed questionnaires. Coding is assigning of numerals or other symbols to answers so that responses can be put into a limited number of categories or classes while classification is reducing large volumes of raw data into homogeneous groups to give them meaningful association. The data was analysed both qualitatively and quantitatively because the mixed methodology was used, face to face interviews and responses are to be analysed qualitatively using thematic and content. Close- ended questions were analysed quantitatively by use of descriptive statistics. Qualitative data was analysed by use of descriptive statisticse.g pie charts and graphs while Quantitative data was analysed by use of frequency tables and Likert scale. Data was analysed guided by conceptual frame work.

3.10 Ethical Considerations

The study participants were brief on the purpose of the study and were made aware that their participation was purely voluntary. The researcher carefully avoided instances which caused physical or psychological harm to the study participants and therefore did not ask questions which embarrassed them or not relevant to the study, the researcher did not use language that seems to threaten or make research participants uncooperative or otherwise. The respondents were informed on the sensitivity of some questions that were asked. The respondents were made aware that information given were treated with confidentiality and remains anonymous. The participants were assured informed consent for their voluntary participation and where one was to indicate unwillingness was excused.

CHAPTER FOUR

LEGAL, INSTITUTIONAL AND POLICY FRAMEWORK FOR PUBLIC

PARTICIPATION IN COUNTY BUDGETING

4.0 Introduction

This chapter entails the presentation of data analysis of the respondents in relation to the first objective, effectiveness of legal framework in public participation in budgeting for development projects in Uasin Gishu County.

4.1 Demographic Information on Participation in Development Projects

In Kenya, as in other parts of the world, participation in development project's, is seen as key to empowerment, both as individuals and as a group. It is crucial that every gender, age and education level is informed and actively involved in public participation for development projects thus this project on the said demographic involvement in various development programs and projects, and the effect of these forms of participation on gender roles and relations within the family, local community and government. The role of demographic factors is to provide data regarding research participants and is necessary for the determination of whether the individuals in this particular study are a representative sample of the target population for generalization.

Table 4.1 Demographic Information Participation in Development Projects

Characteristic	Description	Frequency	Percentage
Gender	Male	102	56.7
	Female	78	43.3
Age	Below 29	28	15.6
	30-39	50	27.8
	40-49	69	38.3
	Above 50	33	18.3
Education	Primary	13	7.2
	Secondary	32	17.8
	College	73	40.6
	University	62	34.4

Source: The researcher's field data, (2019)

As portrayed in Table 4.1 above 102(56.67%) of the respondents who participated in the development projects were male while 78(43.33%) were female. The result shows that more men were more involved in public participation of project development in Uasin Gishu County. These research findings are similar to those by Gradle, (2002) who asserted that rural society is predominantly patriarchal in which female participation in development activities is traditionally looked down upon. The common religious sentiment is also against women's spontaneous participation in development program. They are victims of exclusion in any development agenda. It was also urged that socially accepted gender roles and the position of females in many African societies have a strong impact on the development of projects in communities.

Development of gender units within the county governments to encourage participation in policy making processes. Using and developing participatory process methodologies and tools including PRA methodologies that facilitate gender disaggregated information and gender perspectives at different levels of policy formulations processes.

The level of education of the respondents was recorded as follows; 62(34.44%) were university graduates, 73(40.56%) had a diploma, 32(17.22%) attained education up to the O level and 13(7.22%) were primary school leavers. The table above indicates that a majority of the respondents 73(40.56%) had attained a diploma level in education whereas a minority 13(7.22%) were primary school leavers. This implies that most of the participants had knowhow on legal framework and tend to be aware of, and to change, explicit and implicit biases in policies, programming, curriculum, pedagogy and practices that do not model the rule of law and can even run counter to developing a culture of lawfulness.

On the age of the respondents, 15.6% were below the age of 29 years, 27.8% were between the age of 30 and 39 years, 38.3% were in between the age of 40 and 49 years and 18.3% were above 50 years of age. This implies that most of the respondents were in the age bracket of between 30 and 39 years while the minority 15.6% was below the age of 29 years.

The age played critical role in public participation, its worth noting that the researcher was confident that the respondents would provide reliable and adequate information since they were well educated and thus knowledge enough.

“Most participants are normally above 40 years. Youth are very rare to be seen in this forums. Though we try the bodaboda riders but normally have their representative here in Eldoret town when we have the forums”(KI-4).

4.2 Data Presentation, Analysis and Discussion of Findings on Effectiveness of Legal Framework in Public Participation

The first specific objective of the study was to establish the effectiveness of current legal framework in public participation in Uasin Gishu County. The responses in the findings were elicited on a 5-point Likert scale which was transformed into the continuum scale which allowed the respondents to express how much they strongly agree, agree, were undecided, disagree or strongly disagree with a particular statement.

4.2.4 Every Person is Subject to the Law.

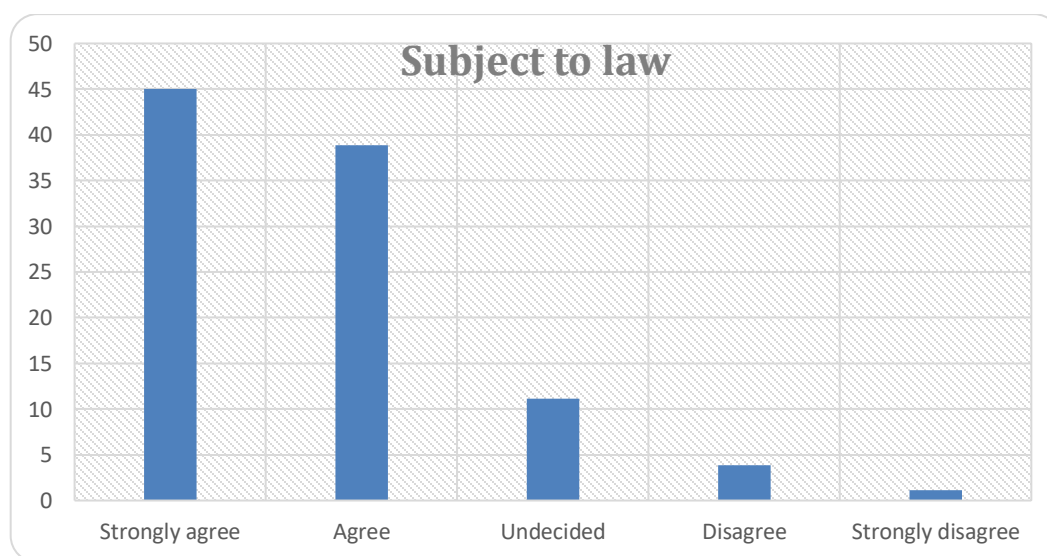


Figure 4.6: Every person is subject to the law

These shows that every person is subjected to the law elicited responses as recorded below; 81(45%) strongly agreed, 70(38.89%) agreed, 20(11.11%) were undecided, 7(3.89%) disagreed and 2(1.11%) strongly disagreed. From the foregoing a majority of the respondent 81(45%) strongly agreed that every person is subject to the law whereas a

minority 2(1.11%) strongly disagreed.

On the discussion on the statement that every person is subject to the law the findings was in agreement that just as a Sovereign must have subjects or a State its citizens, each legal system must have persons who are subject to its laws. If a person, or a group of persons, has 'legal personality', it means that he is subject to the laws of a particular legal system. (Gert, Bernard.2003). The rules of each legal system will lay down the types of persons whom it considers should possess 'legal personality'. The English legal system recognizes not only human beings but also some 'artificial persons' as having 'legal personality'.

But the Rule of Law is not just about government. It requires also that citizens should respect and comply with legal norms, even when they disagree with them. When their interests' conflict with others' they should accept legal determinations of what their rights and duties are. Also, the law should be the same for everyone, so that no one is above the law(Gert, Bernard, 2003) and everyone has access to the law's protection. The requirement of access is particularly important, in two senses. Law should be epistemically accessible: it should be a body of norms promulgated as public knowledge so that people can study it, internalize it, figure out what it requires of them, and use it as a framework for their plans and expectations and for settling their disputes with others. Secondly, legal institutions and their procedures should be available to ordinary people to uphold their rights, settle their disputesand protect them against abuses of public and private power. All of this in turn requires the independence of the judiciary, the accountability of government officials, the transparency of public business, and the integrity of legal procedures.

4.2.5 All Citizens are Equal before the Law

Table 4.2 All Citizens Are Equal before the Law

Statement	Frequency	Percent
Strongly agree	64	35.56
Agree	61	33.89
Undecided	12	6.67
Disagree	20	11.11
Strongly disagree	23	12.78
Total	180	100.0

Source: The researcher's field data (2019)

All citizens are equal before the law recorded responses as follows; 64(35.56%) strongly agreed, 61(33.89%) agreed, 12(6.67%) were undecided, 20(11.11%) disagreed and 23(12.78%) strongly disagreed. The findings above indicate that a majority of the Respondents 64(35.56%) strongly agreed that all citizens are equal before the law whereas a minority 12(6.67%) were undecided.

This implies that most of the participants were aware on the clause in constitution which states that all citizens are equal before the law. As defined and expound in the literature review equality before the law, also known as equality under the law, equality in the eyes of the law, legal equality, or legal egalitarianism, is the principle that each independent being must be treated equally by the law and that all are subject to the same laws of justice.

4.2.6 Citizens Give Power to Elected Representatives

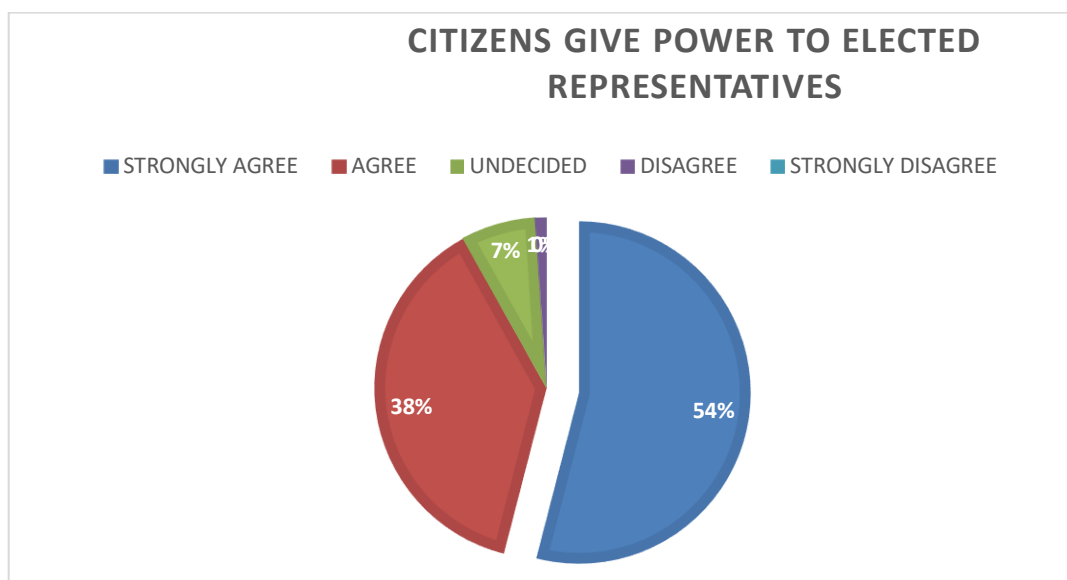


Figure4.7: Citizens Give Power to Elected Representatives

Citizens give power to elected representatives, based on majority rule elicited the following responses; 97(53.89%) strongly agreed, 68(37.77) agreed, 12(6.67) were undecided 2(1.11%) disagreed and 1(0.56%) strongly disagreed. From the foregoing results a majority of the Respondents 97(53.89%) strongly agreed that citizens give power to elected representatives, based on majority rule whereas a minority 1(0.56%) strongly disagreed.

As per the responses on the statement that citizens give power to elected representative, it is evident that citizens give powers to their elected representatives. Kenya's sovereign power is vested in its citizens. They exercise their sovereign power either directly or through their democratically elected representatives. Every person has the right to lodge a case in court if a right or fundamental freedom in the Bill of Rights is denied, violated or threatened.

Regardless of the presence of elected representatives: Every citizen has an obligation to respect, uphold and defend Kenya's sovereignty. Citizens also have a responsibility to live out the national values and principles of: patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people. They are to uphold human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized. In addition, citizens should ensure good governance, integrity and accountability are upheld.

According to PadróMiquel (2007) citizens do have a sort of control over politicians, but I think a more appropriate word is influence. The control belongs to politicians and this control is approached differently, in some states. Besides Belarus, all European countries (members or non-members of EU) promote the respect for people's opinion, but not entirely, and the consequences are expressed in all social movements that have struck one year ago. Nobody asked for austerity measures, for instance, but the governments applied them in several states, without taking into consideration the consequences of neo-liberal solutions.

4.2.7 Citizens Rule Themselves and Control Their Own Affairs

Table 4.3 Citizens rule themselves and control their own affairs

Statement	Frequency	Percent
Strongly agree	18	10
Agree	17	9.44
Undecided	41	22.78
Disagree	46	25.56
Strongly disagree	58	32.22
Total	180	100.0

Source: The researcher's field data, (2019)

The citizens rule themselves and control their own affairs recorded responses as follows; 18(10%) strongly agreed, 17(9.44) agreed, 41(22.78%) were undecided, 46(25.56%) disagreed, 58(32.22%) strongly disagreed. The findings from the above results indicated that a majority of the Respondents 58(32.22%) strongly disagreed that citizens rule themselves and control their own affairs whereas a minority 17(9.44) agreed.

The findings were in agreement with the study done by scholars (Smoke,1994) and (Doorgaspersad, 2009),who indicated that many Governments were required to reform to enable citizens' space in the decision-making processes right from the sub- national levels of governance to the top. This was to allow local people to plan and implement their own development initiatives (Smoke, 1994). Public participation is therefore considered crucial to good governance because it is characterized by, transparency, accountability and responsiveness of institution (Doorgaspersad, 2009).

The objects and principles of devolved government under Article 174 give powers of self-governance to the people and enhance their participation in the exercise of the powers of the state in making decisions that affect them while recognizing the powers of the communities to manage their own affairs and to further their own development.

4.2.8 Subjects of Law to Citizens' Scrutiny through Public Participation

Table 4.4 Laws Should Be Subjected To Citizens' Scrutiny through Public Participation

Statement	Frequency	Percent
Strongly agree	95	52.78
Agree	50	27.78
Undecided	18	10
Disagree	10	5.56
Strongly disagree	7	3.89
Total	180	100.0

Source: The researcher's field data, (2019)

The laws should be subjected to citizens' scrutiny and consent elicited response as follows; 95(52.78%) strongly agreed 50(27.78) agreed, 18(10) were undecided, 10(5.56%) disagreed and 7(3.89%) strongly disagreed. From the findings a majority of the Respondents 95(52.78%) strongly agreed that laws should be subject to the citizens scrutiny through public participation whereas 7(3.89%) strongly disagreed.

Article 232 (1) (d) & (f); public service value principles require involvement of the people in the process of policy making; transparency and provision to the public of timely and accurate information. The constitution has gone further to provide for instances where the voice and endorsement of the public is a compulsory requirement. In Articles 91, 94, 118 and 119 citizens have a right to participate in a political movement of their choice, while

parliament is required to give the public an avenue to participate in legislation and presenting petitions to public authorities.

In response to a study done by Raz(1994) generality is an important feature of legality, reflected in the longstanding constitutional antipathy to Bills of Attainder. Of course, law cannot work without particular orders, but as Raz points out (1994: 26) the generality requirement is usually taken to mean that “the making of particular laws should be guided by open and relatively stable general rules”. These rules themselves should operate impersonally and impartially and should be subject to citizen’s approval.

Freedom of information laws allow access by the general public to data held by national governments. The emergence of freedom of information legislation was a response to increasing dissatisfaction with the secrecy surrounding government policy development and decision making(William, 2007) they establish a "right-to-know" legal process by which requests may be made for government-held information, to be received freely or at minimal cost, barring standard exceptions.

4.2.9 Policies Formulated are Valid, Implementable and efficient By Involving the Citizens.

Table 4.5 Policies Formulated are Valid, efficient and implementable by Involving the Citizens.

Statement	Frequency	Percent
Strongly agree	67	33.89
Agree	41	22.78
Undecided	30	16.77
Disagree	29	16.11
Strongly disagree	13	7.22
Total	180	100.0

Source: The researcher's field data, (2019)

These explains that policies formulated are valid, efficient and implementable solution to the issue at hand prompted responses as follows; 67(33.89%) strongly agreed, 41(22.78%) agreed 30(16.77%) were undecided, 29(16.11%) disagreed and 13(7.22%) strongly disagreed. The results afore-stated indicate that a majority of the respondents 67(33.89%) strongly agreed that policies formulated are valid, efficient and implementable solution to the issue at hand whereas a minority 13(7.22%) strongly disagreed.

According to Sidney (2017) effective formulation means that the policy proposed is regarded as a valid, efficient and implementable solution to the issue at hand. If the policy is seen as ineffective or unworkable in practice, there is no legitimate reason to propose it. Policy analysts try to identify effective alternatives. This is the analytical phase of policy formulation.

The findings were also in agreement with Cave (2001) who in their research indicated that policy formulation is the development of effective and acceptable courses of action for addressing what has been placed on the policy agenda. It has to be valid, efficient and implementable as authorized by legitimate decision makers. Educational policy formulation is the development of effective and acceptable courses of action for addressing what has been placed on the education policy agenda. It should be valid, efficient and implementable as authorized by legitimate education decision makers.

Policy formulation is the development of effective and acceptable courses of action for addressing what has been placed on the policy agenda. It has to be valid, efficient and implementable as authorized by legitimate decision makers. Educational policy formulation is the development of effective and acceptable courses of action for addressing what has been placed on the education policy agenda. It should be valid, efficient and implementable as authorized by legitimate education decision on public participation.

4.2.10 Policies Are Conceived and Clearly Articulated On Public Participation

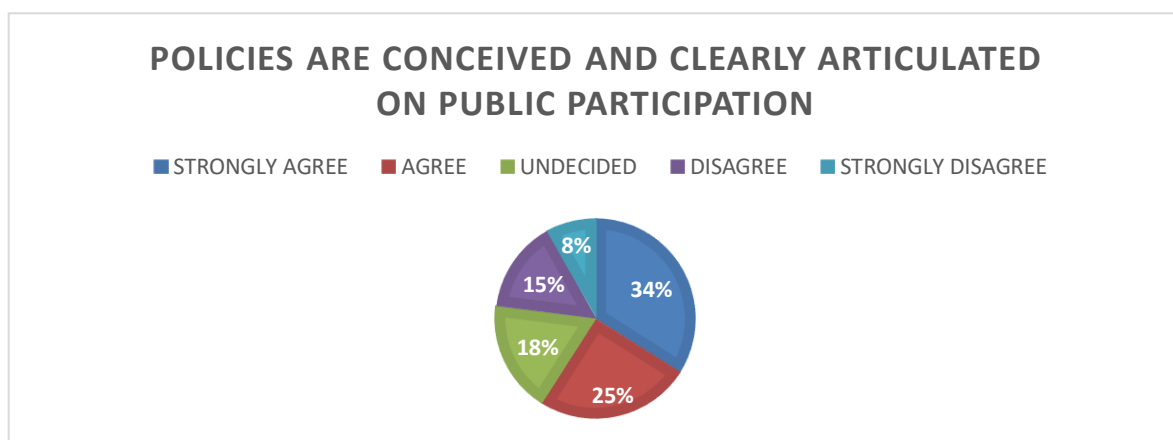


Figure4. 8: Policies are conceived and clearly articulated on public participation

Policies are conceived and clearly articulated on public participation, recorded responses were as follows; 61(33.89%) strongly agreed, 46(25%) agreed, 32(17.78%) were undecided, 27(15%) disagreed and 14(7.78) strongly disagreed. From the foregoing, it is clear that a majority of the respondents 61(33.89%) strongly agreed that policies are conceived and clearly articulated whereas a minority 14(7.78) strongly disagreed.

The findings were in agreement with study done by Yariv (2007) who indicated that when policies are formulated by the people themselves, they can develop trust and consensus, leading to civic empowerment, and strengthen attachment and identification with the community among constituents. Public participation may be an effective tool for social change, creating a greater sense of control among citizens. In some instances, it may even shorten the process of policy setting and reduce costs.

In the development of policy, the government has two institutions that have a responsibility to provide guidance on policy development Lindsay (2006). That is the Kenya Law Reform Commission (KLRC) and the Kenya Institute of Public Policy Research and Analysis (KIPPRA). Citizens are free to approach these organizations for support in policy development especially where they have no understanding or know-how in the development or proposal of policy to relevant institutions(Quade, 1982:80).

4.2.11 Policies formulated take in the interest and rights of every person

Table 4.6 Policies formulated takes in the interest and rights of every person

Statement	Frequency	Percent
Strongly agree	65	36.11
Agree	54	30
Undecided	39	21.67
Disagree	13	7.22
Strongly disagree	9	5
Total	180	100.0

Source: The researcher's field data, (2019)

Policies formulated takes into interest and rights of every person elicited responses as follows; 65(36.11%) strongly agreed, 54(30%) agreed, 39(21.67%) were undecided, 13(7.22%) disagreed and 9(5%) strongly disagreed. From these results it is clearly indicated that a majority of the respondents 65(36.11%) strongly agreed whereas a minority 9(5%) strongly disagreed.

The Constitution of Kenya upholds principles of public participation and transparency under Article 10 on National Values and Principles of Governance. Article 27 asserts equality of everyone before the law as well as the right to equal opportunities before the law. This therefore means that everyone should be involved in decision making on areas of governance such as policy formulation. Access to information (Sloam,2014) held by the state is allowed under Article 35 which means all citizens are empowered to obtain

information they require, and in this regard on policy and legislation development process. County Government is also directed by article 118 of the Constitution to undertake its business in an open manner thereby allowing the public access to its proceedings. Finally, Article 119 talks about the right of citizens to present any issue before parliament. This could be a petition on a law requiring enactment, amendment or repeal. From the foregoing, it is apparent that the Constitution offers the foundations necessary to support the involvement of citizens in policy development.

According to (Goldrick-Rab,2009) there has however been transformation in the development of policy over time with the country now moving to evidence-based policy development. This means one needs to back their policy proposals with evidence from research. The policy proposal has to come with evidence on why it is needed; the requisite resources for its development and implementation; the amount of time it will take to develop the policy; examples of other jurisdictions which have developed a similar policy and what benefits they have derived from such a policy; and the anticipated benefits of the policy to the sector or sectors it affects. There has to be information that is well packaged to back the proposed policy showing the outcome of the development. In simple terms, a policy proposal has to be accompanied by a policy brief.

The Fourth Schedule under Part 2 (14) stipulates that functions and powers of the County are to ensure and coordinate the participation of residents and locations in governance at the local level. Counties are also to assist communities to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

4.3 Role of a Sub County /Ward Committees during Planning and Implementation

The study participants interviewed were asked to indicate whether they were aware of the role of county /ward committees during planning and implementation of a budget. Majority of the respondents interviewed indicated that they were aware. The roles indicated include the County ward committees is mandated to undertake legislation and oversight of the county executive functions. The Public Participation Committee provides general direction to the public participation processes in the County Assembly; they direct the discussion on the planning and implementation of budget process.

Meaningful public participation in governance is a key ingredient for public reforms that were instituted by the Constitution of Kenya (CoK) 2010. Article 1 (1) of the Constitution vests all sovereign power to the people of Kenya. This power can be expressed through direct participation or indirectly through elected representatives. In addition, various pieces of legislations anchoring devolution highlight the principles of citizen participation. Together, these constitutional and legislative provisions avail various platforms for citizen participation in devolved governance.

According to Creighton (2005) Participation should imbue all public affairs and be promoted by both State and Non-State Actors (NSAs) acting in public interest. The Constitution particularly sets key requirement for the County Assemblies to provide frameworks for public participation in legislative processes. This emphasis for the people's representatives to ensure public participation underscores the fact that the election of representatives does not negate the need for people to continuously be involved in

governance processes. This could be established through administrative and/or legislative frameworks/guidelines. County Assemblies are required to enact legislation on participation and develop procedural guidelines for people to exercise this right.

4.4 Structures Put in Place to Facilitate Public Participation in the County

Based on the study findings on the structures put in place to facilitate public participation in the county, the participant agreed to a large extent that there were structures put in to carry out the process of participation in the budget making process, the structures mentioned by the participants include the select committees such as watchdog committee, budget and appropriation committee and appropriation committee. The public participation forums are organized by the county government, the validation meetings are held in towns and also in open air meetings in the smallest units i.e. villages and wards level. The committees work hand in hand to ensure smooth planning and implementation of various projects in the county, they work in harmony to seek the input of various stakeholders especially the public.

At the lower levels in the hierarchy of public participation, the County Assembly uses information channels like pamphlets, public notices, and media releases to pass information to the citizens on what the happening in the county government in general, and in the County Assembly in particular. At the higher level, the County Assembly invites the views of the members of public on matters before the assembly. This usually takes the form of public hearings, where citizens make written or oral submissions. A good example of this is when the assembly is discussing bills, budgets, and regulations. The final decision remains with the County Assembly. At the

highest levels of public participation, the County Assembly allows the citizens or groups of citizens to make decisions on what is going to happen. The decisions of the public are implemented.

Public meetings in Uasin Gishu County are held at the ward level on a quarterly basis to engage the public on planning and policy development. The members of the public usually attend these meetings so as to give their views on development projects in their ward. In 2019, a total of four ward meetings were held in all the thirty-five wards in the county. The Members of County Assembly (MCA's) and the Governor organize these public gatherings. However, an emerging concern is that where the MCAs were involved in publicizing participation forums, there was a tendency to exclude those with contradictory opinions.

The Public Finance Management Act 2012, Section 207, calls on the County governments to establish structures, mechanisms and ways to ensure citizen participation. Cognizant of this, the Kenya Vision 2030 seeks an open and participatory political process through increased participation in the country's and county economic, social and political decision-making processes, and civic education programmes that are conducted with the purpose of ensuring an informed and active citizenry. Further, the political pillar of Vision 2030 provides for equal citizenship rights and equality of participation in major policy decisions in a bid to create social equity and to offer opportunities to the poor and marginalized so that issues affecting them can be channeled into public policy.

The FY 2018/19 County budget was taken to the public in all the six sub-counties. The public were given an opportunity to scrutinize the budget and therefore proposed

development projects that were of priority to them. This was done between 2 and 24 December 2019 and was advertised in a local vernacular FM radio station. During this period, the public was further given an opportunity to give feedback on the projects that were initiated in the FY 2018/19. As such, the County government through its representatives had an opportunity to find out whether the projects were indeed ongoing, completed or stalled, based on the discussions with the public. During this period, the public participated in the county affairs through; selecting the development projects for the FY 2018/19, discussing the findings of the FY2018/219 budget implementation status report presented by the county officials.

4.5 Challenges Faced By the County Government in Planning and Budgeting For Development Projects

The key informants were asked to indicate the challenges they face while planning and budgeting for development projects, most of the respondents indicated that the county faced a number of problems while participating in the public forums some of these problems cited include lack of proper communication channels to reach to people on ground, translation of planned strategy is unrealistic, poor technical design of plans due to lack of expertise and inadequate information, unrealistic targets and lack of commitment from some government officials that plan to please the executive and the public by implementing projects, at the expense of the community. Similarly, external factors such as impact of rational economies or cross border integration of markets, conflicts between different stakeholders and inadequate communication and consultation between public and private sector leaders during the planning phase, can render a plan obsolete for instance the current disagreement between the national assembly and senate may hinder the revenue

distribution plan.

The findings were in agreement with Johnson, Scholes and Whittington (2006) who argued that such plans will be translated differently by people in the organization. They however advise that guidelines and rules are required, which should not be as prescriptive and constraining as to prevent interaction, sharing, questioning and innovative behavior. In addition to this, proper systems, controls, leadership, team membership skills and training in effective thinking helps to stimulate ideas and keep brains fit for innovative thinking (Adair 1990). Wekesa (2006) also explains that development planning is universally practiced today despite the fact that it is prone to failure stimulated by poor technical design of plans due to lack of expertise and inadequate information, unrealistic targets and lack of commitment from some governments that plan to please donors by implementing projects, at the expense of the community. Similarly, external factors such as impact of rational economies or cross border integration of markets, conflicts between different stakeholders and inadequate communication and consultation between public and private sector leaders during the planning phase, can render a plan obsolete for instance the current disagreement between the national assembly and senate may hinder the revenue distribution plan.

Ebdon and Franklin (2006) study on public participation in the budgetary process and highlighted elements that impact the participation process. These elements are: low turnout, a focus on minimum legal requirements, insufficient representation, and participation taking place at the conclusion of the decision-making process. Irvin and Stansbury (2004) also suggest that these elements do threaten the legitimacy of the process. In addition, the

study by Ho and Coates (2002) on how performance measurement can be legitimized as a decision tool shows that public input into the budget-making process does provide government officials with important insights and can increase political support for elected officials.

Additionally, most legislative arms of the counties still lack technical capacity to come with sound laws to guide the process. This has been attributed to, among others, the limited number of legislative drafters in the county. Consequently, 80% of the Bills emanating from the counties during the first phase of devolution failed to meet the constitutional threshold required of them.

“As a county, we have a law to guide public communication. What we have done is to use a mixture of different avenues and outlets. We usually communicate with the public through newspapers, phone calls and SMS’ if necessary and social media platforms especially through the WhatsApp groups. The county government has a website which is updated regularly.” Uasin Gishu County Executive Member—KII—September, 2019.

4.6 Legal Framework on Public Participation

In each of the interview carried out, the respondents indicated that local government structures provide the main frameworks for citizen participation in governance at the local level. This participation takes different forms. Indirect forms of participation include election of local representatives (which occurs in all the sub counties studied here), mechanisms for representation on local councils of marginalized groups such as women or youth. Direct forms of participation cited by the respondents include village assemblies, budget conferences that allow citizens to directly participate in the budgeting process and citizens’ initiative in ‘bottom-up’ forms of development planning. Joint action refers to

spaces for citizens and civil society groups to interact with local government in policy-making, including consultation and joint projects. One of the starting points for this research is that legal frameworks may be necessary to allow for citizen participation in local governments, but the existence of legal frameworks is not always sufficient to ensure effective participation.

These findings were in agreement with (Creco, 2014) who said that a model policy framework for public participation in county governments is necessary. Such a framework would enhance and guarantee meaningful public participation at the county levels. To develop such a framework there is need to compare and borrow from such similar regimes in other jurisdictions.

Also, in 2012 the Kenya Constitution Implementation Commission (CIC) and Ministry of Justice and Constitutional Affairs organized a conference of stakeholders to engage on possible framework of public participation. The aim was to provide an opportunity for stakeholders from the three arms of government, civil society and other non-state actors, international experts as well as the academia to share different perspectives and experiences in regard to implementation of public participation principles. The conference generated a report. One of the remarkable interventions and action to institutionalize and systematize public participation process in the County was the enactment of the Uasin Gishu County Public Participation Act by the County Assembly of Uasin Gishu. This law basically created both a public participation office and an advisory committee to facilitate public participation process and engagements across the County. The law also established citizen participation forums. These forums provide platforms for consultations, review and

deliberations on critical matters affecting different levels of government. The law also outlined the public participation methods including public meetings, public hearings, workshops, surveys, direct mail, newsletters, public submissions, partnerships and collaborations, internet platforms. It is important to note that the law provides for public participation engagements not only for the assembly but also the executive arm of government. Further, the law ensures that the process is not done in a tokenism way, but is meaningful to the citizens of the County.

4.7 Policy Framework on Public Participation

Data from the question of whether or not there is an existing policy framework for public participation in the county, the study results revealed that the county had existing strategies and/or policies that regulated how the county aimed to fulfill the obligation of involving communities in their processes. The interviews that were conducted revealed that the county had undergone, and some were still undergoing, the process of reviewing the public participation policies and having them approved for the current term of municipal administration. The interviews also revealed that these strategies/ policies were developed taking into consideration the provisions of the national and provincial strategies for public participation while being adapted to the local condition.

This view of policy implementation aligns with Cloete and Wissink's (2000) view above in that policy implementation actions are articulated when the policy is being formulated; however, he expands this view to include the involvement of public and private groups or individuals to assist in implementing the policy. This means that public policy implementation not only rests with the mandated institutions, for example government

departments, but can also benefit from the involvement of other private and/or public entities, such as business and civil society groups.

The public committee on public participation interviewed indicated that the policy framework prescribes three strategies that can be employed by county in a bid to ensure public participation. First and foremost, it prescribes for county to formulate clear lines of communication between the county and the citizens. This according to the framework should be done through establishing community complaints management systems. This is a system which will allow community members to voice their complaints on the way the county is run in cases of dissatisfaction. The community can also use these communication strategies to report, preferably anonymously, bad service and also challenges within the county. The county is expected to create innovative ways, such as having anonymous tip-off lines, for this purpose.

Another communication strategy, according to the framework, involves drafting and publicizing public participation principles and a citizen participation charter. This will assist in letting the citizens know about their right to be, and responsibility of, being involved in county matters. Another communication strategy that can be used is conducting citizen satisfaction surveys periodically to gauge the feelings of the citizens.

Most of the participants appreciated that the policy framework seeks to regulate and emphasize the need public participation, the current researcher notes that there are concerns relating to the fact that local counties have large variations. The county policy framework also falls short in addressing the issue of cooperation and coordination of the network public participating in the affairs of the community. The view is that there should be an

indication of how these networks should be configured as well as what can be done if there are shortfalls. The need and responsibility to monitor and evaluate whether public participation obligations are met in the County is also not clear in the policy framework.

4.8 Institutional Framework on Public Participation

On the question of internal structures set up to enable proper public participation, the participants indicated that the county manages public participation through a public participation unit based in the office of the Speaker. The County officials interviewed revealed that they monitor the work of ward committees through conducting impromptu visits to determine whether meetings do take place and also whether the minutes from meetings accurately reflect the discussions held. The officials in the public participation office draw up the schedule of meetings for ward committees and then use this tool to conduct impromptu visits. The County official interviewed further revealed that the county had enough capacity within the office to carry out public participation duties. Of concern is that the researcher discovered that in the county there was only one person who works in the public participation unit and that is the person who also serves as the manager. Participants explained that the public participation units relied heavily on other units within the county for support. For example, a public participation unit from the county assembly worked closely with, and received support from, the communications unit and the customer care unit within the county. There was a functioning system of passing information and ensuring that each matter received attention and was seen through to completion. The units also worked together when the committee on public participation went out to engage the public on different matters in accordance with the provisions of the policy and annual performance plans. The County Government relied heavily on ward committees to

consistently engage with communities.

What appeared as lacking from three of the four sub-counties is the strategy of opening up lines of communication between the county and the public. Only one sub-county reported having a customer care line and visibility on social media. The websites were reportedly not properly maintained and updated and as a result, communities could not get real-time information on what the county is undertaking. Only one sub-county reported publishing a newspaper and using local newspapers and local radio stations to communicate with communities. An effective public participation requires strong stakeholder relations, it becomes apparent from the interviews, however, that there is a lack of any coordinated network relationships that are configured by the county and that assist it in its endeavors to realize the institutional policy objectives. Even the responses received from the participant from the sub-counties do not reveal any coordinating role being played by it in ensuring that the local authorities properly implement the policy. The participant from the sub-counties did not reveal that there is a functional way in which it monitors the involvement by various stakeholders.

On the question of how the county monitor and evaluate the implementation of the public participation policy, the participants revealed that firstly, at an organizational level, the public participation office reports directly to the Office of the Speaker. The public participation unit is expected to compile regular reports emanating from ward committee meetings as received from ward committee secretaries and other community engagements and identify matters that require the attention of the executive. County monitor the implementation of the public participation policy through annual performance reviews of

staff directly responsible for public participation.

The County officials revealed that they monitor the work of ward committees through conducting impromptu visits to determine whether meetings do take place and also whether the minutes from meetings accurately reflect the discussions held. The officials in the public participation office draw up the schedule of meetings for ward committees and then use this tool to conduct impromptu visits. The problem, however, is that the public participations units are understaffed and as a result it is not easy for officials to conduct many of these impromptu visits to ward committee meetings.

The county also involves the communities through IDP and Budget processes as required by the Act. In addition, the county holds awareness campaigns throughout the year where information is shared about how the communities can contact the county and access county services. The report reveals that the county had an established IDP Forum, IGR Forum, Speakers Forum, Governors Forum, and CDF Forum to ensure further participation in key decision-making processes.

As per the interview carried out, majority of the respondents indicated that

“when the principle of sovereignty is upheld people become patriotic and enthusiastic thus able to contribute to the development projects that is viable in the county”.

These points were in agreement with a clause in constitution which indicates that public participation is a constitutional requirement specifically; Article 1 that states that sovereign power belongs to the people and Article 10 (2) (a) and the Fourth Schedule Part 2 (14) of the Constitution of Kenya and is stipulated as a function of the County Government.

Sections 87 to 92 and 115 of the County Governments Act, 2012 outline the principles of public participation and the imperative for facilitating public participation in the work of the County government. Public participation is a structured way of consulting with persons, groups and entities before decisions are made. It is designed to give a voice to the voiceless and cements the concept of agency to the County Government, that is, the County government becomes an agent of the people. Public participation is not meant to convey decisions already made, but to generate and confirm decisions.

“The high number of petitions received by the County Assembly caused it to consider enacting a law to codify procedures for petitioning. The County Petition to County Assembly (Procedure) Bill, 2018 was passed on 2nd of August 2018. It seeks, among others, to enhance public participation in the affairs of the County Assembly including legislative processes.” Uasin Gishu County Assembly Officer—KII—September 15th 2019.

Based on the interview guide and responses by one of the respondents *“even rule by law seems to imply that rulers accept something like the formal discipline of legality. Unless the orders issued by the state are general, clear, prospective, public and relatively stable, the state is not ruling by law”*(Respondent 1, Interview data, September 2019). This implies that public participation in Uasin Gishu County is carried out because it is a legal requirement that should be met, hence person in charge follow the orders from their County bosses to avoid the repercussions.

The interview carried out on revealed that most of the participants were aware on equality before the law this helped them in deciding on how such law and practice is to be evaluated against contemporary standards of available law stated in the constitution and the county government acts on citizen participation on development projects taking place in their

areas. Also, they were aware on any contradiction between the norms that inform states' duty to avoid statelessness and, on the other, the principles of non-discrimination and of equality before the law, discussing how this might be reconciled. They suggested on the broader implications of the current trend towards greater inequality of citizenship status as a reaction to the perceived threat that terrorism poses to the integrity of the state, discussing how the creation of different classes of citizen is in fact likely to have a deeper and more lasting impact on the foundations of liberal democracies.

According to (Gill 2012) the constitution of Kenya lays the basis for the development of a policy framework on public participation, the kind of participation which emphasis the equality in terms of participating regardless of the level of seniority, this enhance democracy and patriotism. As per article 1 of the constitution sovereign power is vested in the people of Kenya and is exercised both at the National and County government.

The focused group discussion conducted on 26thSeptember 2019 indicated that

“participation in government is in our own self-interest. The amount of time we spend participating will probably depend on how well we think our elected officials are doing. If everything is going well, we will spend less time than if we are concerned that someone is violating our rights. If we are pleased with the government, we may vote and do little else. If we are dissatisfied, however, we will probably take other types of action”

As mentioned by some of the respondents interviewed; *“Like surgery, the making of policy and the giving of policy advice are exercises of skills, and we do not judge skillful performance by the amount of information stored in the head of the performer or by the amount of formal planning”*. Rather, we judge it by criteria like good timing and attention to details; by the capacity to recognize the limits of the possible, to use limitations creatively, and to learn from one's mistakes; by the ability not to show what should be

done, but to persuade people to do what they know should be done.

In conclusion this chapter it has presented and analyzed data based on the first objective- To evaluate effectiveness of current legal framework in community participation in budgeting development projects in Uasin Gishu Sub County. The findings on this objective have identified areas that need to be strengthened on measures and structures of public participation like legal, institutional and policy framework so as to achieve effectiveness of public participation in budgeting for development projects. The next chapter deals with the second objective on impact of public awareness on public participation on effective devolved governance in Uasin Gishu Sub County.

CHAPTER FIVE

PUBLIC AWARENESS AND PUBLIC PARTICIPATION

5.1 Introduction

The second specific objective of the study was to assess the impact of public awareness on public participation on effective devolved governance in Uasin Gishu Sub County. The responses in the findings were elicited on a 5-point Likert scale, which was transformed into the continuum scale which allowed the respondents to express how much they strongly agree, agree, were undecided, disagree or strongly disagree with a particular statement.

5.2 Citizens Conduct of Public Affairs and Management of Public Resources.

The results on the statement that citizens conduct public affairs and management of public resources as indicated in Table 5.1 below

Table 5.1 Citizens Conduct Public Affairs and Management of Public Resources

Statement	Frequency	Percent
Strongly agree	45	25
Agree	40	22.2
Undecided	20	11.1
Disagree	60	33.3
Strongly disagree	15	8.4
Total	180	100.0

(Source: Researcher, 2019)

The citizens conduct public affairs and manage public resources in the preferred way were as follows; 45(25%) strongly agreed, 40(22.2%) agreed, 20(11.1%) were undecided,

60(33.3%) disagreed, 15(8.4%) strongly agreed. From the findings its evident that majority of the respondents 33.3% disagreed with the statement that citizens conduct public affairs and manage resources in the preferred way while the minority who represented 8.4% strongly agreed.

According to Omolo(2010), Kenya recognizes the importance of Public Participation in all matters affecting them and at all levels. This is promoting good governance of resources, fair and equitable distribution of resources. We believe very strongly that rapid and enduring change is possible when communities and development stakeholders are empowered with appropriate resources including information (Knowledge &Skills) to be able to make informed decisions, initiate their own solutions, actively participating in addressing development challenges affecting them and their communities, working together as well as harnessing and tapping available resources from other networks &Partnerships that offer solutions. We highly invest in enhancing the capacity of Communities served, Civil Society Organizations (CSOS), strengthening Networks and associations as a firm unit of promoting a variety of community driven development efforts that touch people's priorities.

5.3 Public Participation and Rule of Law

The results on public participation and rule of law as presented in the figure 9 below.

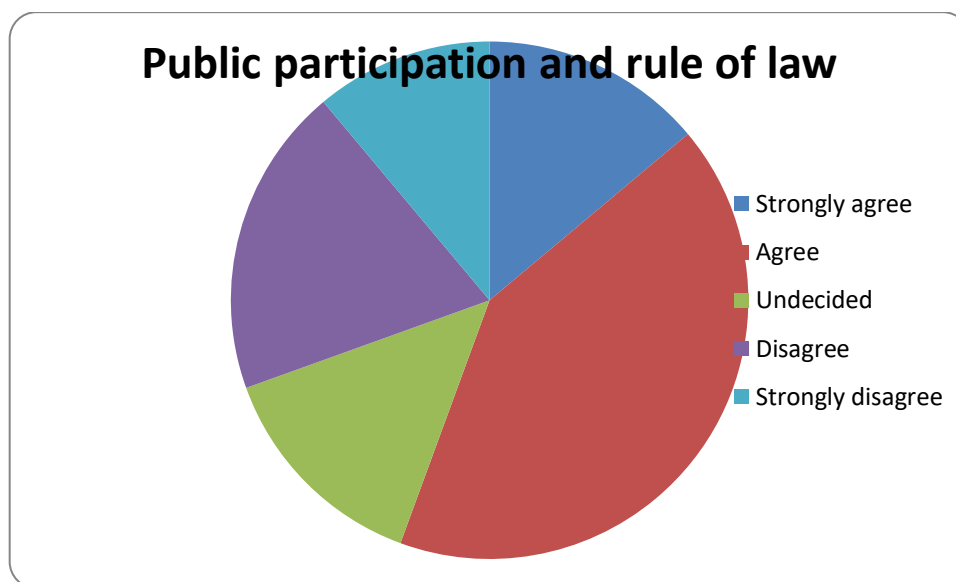


Figure5.9: Public Participation and Rule of Law

Public participation and rule of law were as follows; 25(13.9%) strongly agreed, 75(41.7%) agreed, 25(13.9%) were undecided, 35(19.4%) disagreed and 20(11.1%) strongly disagreed. From the study findings its evident that majority of the respondents 41.7% agreed on public participation and rule of law while the minority 11.1% strongly disagreed with the statement. The study findings can be interpreted to mean that citizens follow a rule of law in their day to day affairs as a result of citizen participation on budgeting process. It is vital that citizens understand the various rules governing citizen participation in budget process and the role that they should play while upholding the same rules.

According to (Goetz & Gaventa, 2001) the shift from government centered to citizen participation was the rise of the good governance agenda and its concerns with decentralized governance and increasing the responsiveness of governments to citizens'

voices (Goetz & Gaventa, 2001). The rights-based approach opened further spaces for a discussion of citizenship. Shaped by parallel moves within both human rights and development thought, participation itself has been re-framed as a fundamental human and citizenship right, and a prerequisite for making other rights claims (Ferguson, 1999). Representing a level of convergence, these shifts have opened spaces for the participation and good governance agendas to meet under concepts of 'citizenship participation', 'participatory governance' or 'participatory citizenship'. The emerging focus on citizenship within development mirrors the increasingly global interest in the subject. Heater (1999: 2-3) argues that the contemporary interest in citizenship can be explained by a number of factors, including increased international migrations, heightened political awareness of ethnic and cultural difference within nation-states, and a fragmentation of nation-states on the basis of this politicized difference. In response, some governments have promoted the notion of citizenship as a civic identity in an attempt to draw citizens together under a new form of commonality (Meekosha & Dowse 1997, Seidman, 1999). Others have argued for the need to address the exclusions created by the linkage of citizenship to nation-states (Ellison 1997, Newell 2000, Turner 1999), and argued for recognition of a more multi-layered concept, linking the local to the global (Edwards & Gaventa 2001).

“The absence of the legislation is not a big impediment because what makes things work is the spirit behind it. Furthermore, there is a Bill awaiting enactment. This shows the spirit and commitment from the county government to have the law and policy enacted.” Uasin Gishu County Executive Member—KII—September, 2019.

5.4 Public Participation and Strategic Planning

The results on the statement that through public participation there has been better strategic planning the results were as represented in the table 5.2 below

Table 5.2 Public Participation and Better Strategic Planning

Statement	Frequency	Percent
Strongly agree	45	25.0
Agree	30	18.0
Undecided	15	8.0
Disagree	70	38.0
Strongly disagree	20	11.0
Total	180	100.0

(Source: Researcherfield data, 2019)

Through public participation there has been better strategic planning were as follows; 45(25%) strongly agreed, 30(18%) agreed, 15(8%) were undecided, 70(38%) disagreed and lastly 20(11%) strongly agreed. From the findings it is evident that majority of the respondents 38% disagreed while the minority 8% were undecided on the statement. This implies that the citizens should be made aware of the importance of public participation as it enhances better strategic planning of budgets in the County Government.

As a result of public participation there has been better decision making on the budget making process as all the stakeholders are brought on table to discuss the challenges and opportunities that may arise from the discussion. The county officials concerned with the budget making process should create awareness on the importance of public participation and chat away forward and make better strategic plans that can touch the lives of the

citizens. This improves the process and citizens can make proper informed plans for the future and current projects that they need implemented.

5.5 Public Awareness and Decision Making

The results on the statement that there has been improved top level decision making were as presented in the figure 10 below.

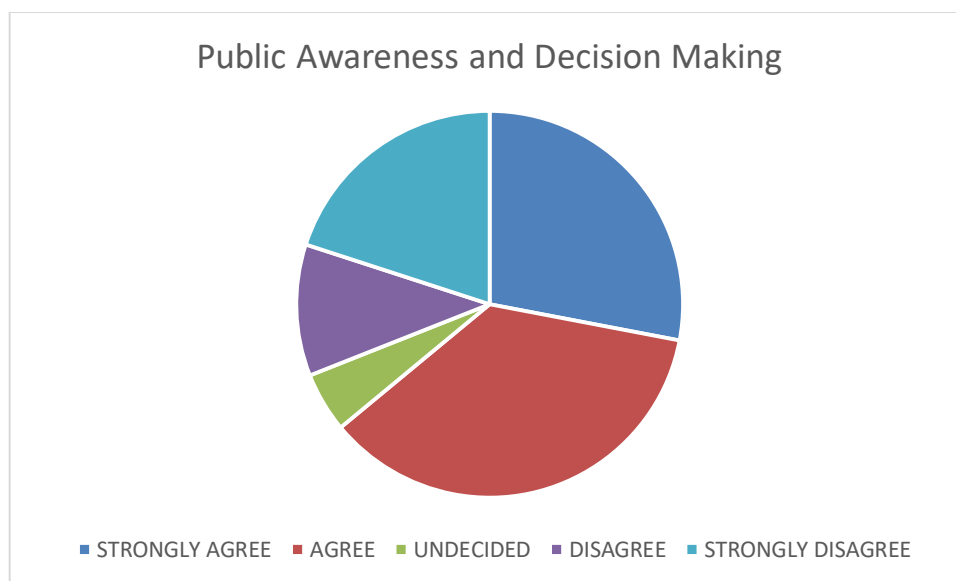


Figure 5.10: Public Awareness and Decision Making

There has been improved top level decision making, the study findings were as follows; 50(27.8%) strongly agree, 65(36.1%) agreed, 10(5.5%) were undecided, 20(11.1%) disagreed and 35(19.5%) strongly disagreed. From the study results its evident that majority of the respondents 36.1% agreed that there has been improved top level decision making while the minority 5.5% were undecided on the statement.

The findings above were in agreement with research findings by several scholars, Cornwall identifies citizens' participation and engagement in political and social activities. Rather, the idea of "citizen involvement in public decision making" is to demonstrate on the one

hand the traditional civic engagement and the conceptual confusion surrounding the notion of “citizen participation”, and, on the other hand, the apparent decline of the notion of “public involvement”. In this direction, Yang and Callahan address the citizen involvement efforts and the bureaucratic responsiveness by “testing a framework that assumes the decision to involve citizens in administrative processes” and “reflecting administrative responsiveness to salient community stakeholders, normative values associated with citizen involvement, and administrative practicality” (Yang & Callahan, 2007). Cornwall refers to “citizen participation” by noting the “remedial efforts” to involve “inactive citizens or clients” in government activity and strategies by including “autonomous citizen activities in the larger society, such as locality or community development, social planning, and social action” (Cornwall, 2002).

“Public participation as conducted in this county has brought many changes in governance. There is now a sense of responsibility and responsiveness towards citizens’ views. Citizens expect the county to be sensitive to their needs. It is important to note that this is happening despite the County not having a Public Participation Act.” Uasin Gishu County Executive Member—KII—September 2019.

5.6 Public Awareness and Community Programs.

The results on the statement that better decision making has ensured optimum growth and drivability in terms of services were as presented in the table 5.3 below.

Table 5.3 Public Awareness Has Improved Better Decision Making Has Been Made To Ensure Optimum Growth and Drivability In Terms Of Services or Projects Offered

Statement	Frequency	Percent
Strongly agree	20	11.1
Agree	40	22.2
Undecided	68	37.8
Disagree	22	12.2
Strongly disagree	30	16.7
Total	180	100.0

Source: (Researcher field data, 2019)

There were better decision making has ensured optimum growth and drivability in terms of services or products offered were as follows 20(11.1%) strongly agreed, 40(22.2%) agreed, 68(37.8%) were undecided, 22(12.2%) disagreed and 30(16.7%) strongly disagreed. From the study results it is evident that majority of the respondents 37.8% were undecided that is, they neither agreed nor disagreed with the statement while the minority 11.1% strongly agreed with the statement.

The findings were in agreement with the study done by (Lyson and Irwin, 1998: 410-427). In this direction, the same authors argue that “local capitalism and civic engagement variables” are associated with positive and encouraging socioeconomic and cultural outcomes (Tolbert, Lyson&Irwin, 1998: 410-427). This implies different levels of civic engagement and citizen participation. In administrative decision making, citizen participation is about an inclusive setting of goals, determining policies and strategies and

monitoring of government services. The activities that are entailed in public participation relate to the techniques and mechanisms used to arrive at these and include, but not limited to, public sittings and hearings, citizens' advisory councils and panels, neighborhood or resident meetings and public surveys. The most practicable and functional areas of citizen involvement include economic development, environmental.

5.7. Public Awareness and Community Programs

The result on the statement, through public awareness there has been increased government support for community programs were presented in the table 5.4 below.

Table 5.4 There Has Been Increased Government Support for Community Programs

Statement	Frequency	Percent
Strongly agree	40	22.2
Agree	80	44.4
Undecided	20	11.1
Disagree	15	8.4
Strongly disagree	25	13.9
Total	180	100.0

Source: Researcher field data (2019)

The study responses elicited on the statement that through public awareness there has been increased government support for community revealed that 40(22.2%) strongly agreed, 80(44.4%) agreed, 20(11.1%) were undecided, 15(8.4%) disagreed and 25(13.9%) strongly disagreed, from the study it was discussed that 44.4% agreed that there has been increase government support for community hence effectiveness of public participation in budgeting

for development projects while the minority 8.4% disagreed with the statement.

The findings were in agreement with the study done by several scholars; Masango (2002) favors capacity building to improve the public's understanding of governance processes and to ensure that they participate effectively in governance processes. According to Cuthill and Fien (2005), capacity building for communities involves working with communities. This, to them, involves—support, and enhances the existing ability, energy and knowledge of citizens. Arnstein (1969) argues that the ability of citizens to influence decisions depends on the—nature of specialized help they have in articulating their needs; and the degree to which the group has been sorted out to press those needs. Cuthill and Fien (2005) place the responsibility for capacitating citizens with local government. Their argument is that the position of local government in relation to citizens makes them the right institution to capacitate citizens to ensure that they participate meaningfully in local government processes (Cuthill&Fien, 2005).

5.8 Public Awareness and Changes to Trade Laws/Rules

The results on the statement that through public awareness there has been a change to trade rules were as presented in the table 5.5 below.

Table 5.5 There has been changes to trade laws/rules

Statement	Frequency	Percent
Strongly agree	10	5.5
Agree	35	19.4
Undecided	25	13.9
Disagree	70	38.9
Strongly disagree	40	22.2
Total	180	100.0

(Source: Researcher, 2019)

Through public awareness there has been changes to trade rules, responses were as follows; 10(5.5%) strongly agree, 35(19.4%) agreed, 25(13.9%) were undecided, 70(38.9%) disagreed and 40(22.2%) strongly disagreed. Approximately 38.9% who were the majority disagreed with the statement that through public awareness there has been changes to trade rules while the minority 5.5% strongly agreed with the statement.

The results can be interpreted to mean that there have been no changes and if there, then little to trade rules this affects citizen awareness on public participation. The thinking behind devolution was that since every county will have a manageable jurisdiction the county government will be able to easily come up with policies and laws that are more responsive to the trade rules, thereby positively impacting on their lives. The county governments, unlike the national governments are able to effectively do this as they can tailor their policies to fit into the specific preferences of the local people. That the government is close to its people gives the county governments a greater degree of flexibility that matches its delivery of services to the local population's by influencing their

decisions in making policies.

5.9 Public Awareness on Better Treatment of Minorities

The results on the statement that there has been a better access of rights by minorities were as represented in the figure 11 below.

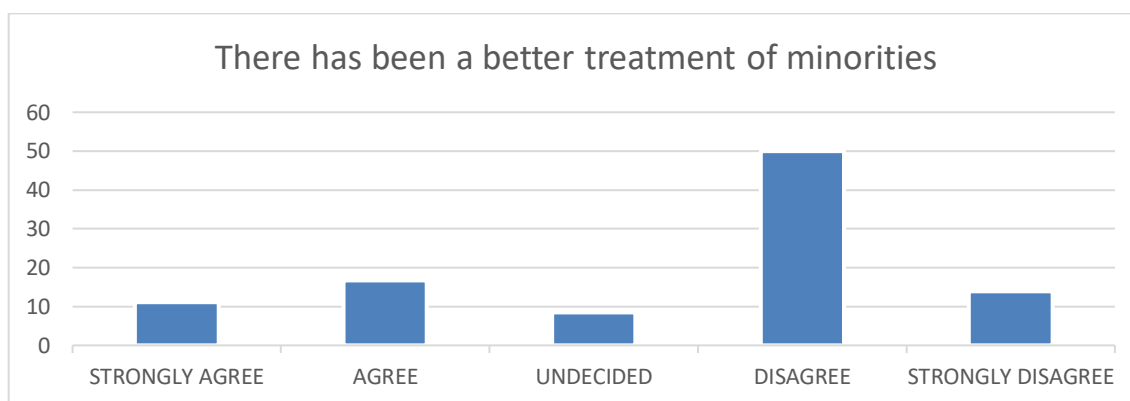


Figure 5.11: There has been a better treatment of minorities

In public awareness there has been a better treatment of minorities are as represented in the table 4.23 above. 20(11.1%) strongly agreed, 30(16.7%) agreed, 15(8.4%) were undecided on the statement, 90(50%) who represent half of the respondents disagreed with the statement and 25(13.9%) strongly disagreed with the statement. From the analyzed results its evident that majority of the respondents 50% disagreed that there have been better rights for minorities. While the minority of the respondents 8.4% were undecided on whether there have been better rights for minorities.

The study findings reveal that there have been no improvement on the rights for the minorities, hence this group must not only be aware of their rights and responsibilities but also know the channels through which they can exercise them (Omolo, 2010). Therefore, access to information becomes a cornerstone in the success of citizen participation.

Omolo (2010) in her paper on Policy Proposals on Citizen Participation in Devolved

Governance in Kenya, citizen awareness is one of the driving forces in participating in public governance. Citizens cannot participate in governance if they are not aware of the opportunities to participate and how to participate. For citizens to actively take part in matters of public governance, they must be politically conscious and have access to information. This means that they must not only be aware of their rights and responsibilities but also know the channels through which they can exercise them (Omolo, 2010).

5.10 Citizen Awareness and Innovative Solutions to Complex Challenges.

The results on the statement that there have been innovative solutions to complex challenges are represented in the table 5.6 below.

Table 5.6 There Have Been Innovative Solutions To Complex Challenges.

Statement	Frequency	Percent
Strongly agree	30	16.7
Agree	20	11.1
Undecided	25	13.9
Disagree	35	19.4
Strongly disagree	70	38.9
Total	180	100.0

Source: (Researcher, 2019)

As illustrated in the table 5.6 above 30(16.7%) strongly agreed, 20(11.1%) agreed, 25(13.9%) were undecided, 35(19.4%) disagreed and 70(38.9%) strongly disagreed. From the study findings it is evident that majority of the respondents 38.9% strongly disagreed with the statement that through public awareness there has been innovative solutions to

complex problems. While the minority 11.1% agreed that there have been innovative solutions to complex challenges. These results could be interpreted to mean that through public awareness there are no innovative solutions feasible to the citizens in solving the complex challenge they are facing despite the fact that there has been citizen participation. Hence, the need for the stakeholders to come up with more innovative solutions to compact the challenges.

As a result of citizen participation in budget making process, devolution has developed a sense of ownership among the citizens because they are actively involved in the decision making and implementation of projects and programs. Despite involvement of citizens in public participation there is no improvement on this project because their decisions are not taken seriously and even if noted down during public participation their decisions are not implemented. When the citizens are actively involved in governance, through public participation, there is likely to be innovation in compacting the challenges hence growth in the counties in terms of better planning; projects are prioritized, citizen needs' targeted; government activities are better monitored, which in turn contributes to better governance; and increased effectiveness, that have a positive impact on governance. Reducing poverty realizing sustainable development of this country will depend on whether or not devolution is implemented as it was meant to. Every county government's budget, before its implementation, is subjected to public participation at least twice; the first time during the preparation of the CFSP by the county treasury and the second time by the County Assembly before its adoption and assent by the Governor (County Government Act, 2012).

5.11 Public Awareness and Citizens Felt Connected to the Projects Initiated.

The results on public awareness and citizens felt emotionally connected to the projects

initiated are presented in the table 5.7 below.

Table 5.7 Public awareness and citizens felt emotionally connected to the projects

Statement	Frequency	Percent
Strongly agree	40	22.2
Agree	70	38.9
Undecided	20	11.1
Disagree	5	2.8
Strongly disagree	45	25
Total	180	100.0

Source: Researcher field data(2019)

The responses on the statement that through public awareness citizens have felt emotionally connected to the projects initiated were as follows; 75(41.7%) strongly agreed, 50(27.8%) agreed, 35(19.4%) were undecided, 15(8.3%) disagreed and 5(2.8%) strongly disagreed. From the study results it is evident that majority of the respondents 41.7% strongly agreed that there has been more accountability on the projects initiated while the minority of the respondents 2.8% strongly disagreed with the statement. (Commonwealth Foundation 1999; Narayan et.al., 2000), commented that absence of the sense of connection with elected representatives and bureaucrats, corruption allegations in the projects implemented, lack of responsiveness to the needs of the poor as the major issue that made citizens emotionally disconnected to the projects initiated by the county Government.

5.12 Public Participation and Accountability on the Projects

The results on the statement that there has been more accountability on the projects

initiated were presented in the table 5.8below.

Table 5.8 Public Awareness and More Accountability on the Projects

Statement	Frequency	Percent
Strongly agree	75	41.7
Agree	50	27.8
Undecided	35	19.4
Disagree	15	8.3
Strongly disagree	5	2.8
Total	180	100.0

Source: Researcher field data(2019)

The study findings on the statement that there has been more accountability on the projects initiated were as follows; 75(41.7%) strongly agreed, 50(27.8%) agreed, 35(19.4%) were undecided, 15(8.3%) disagreed and 5(2.8%) strongly disagreed. From the study findings its evident that majority of the respondents 41.7% strongly agreed that there has been more accountability on the projects initiated as a result of citizen participation in the development projects implemented by the County Government Projects.

The study results can be interpreted to mean that there is more accountability on the projects initiated this can be attributed to citizen participation by the citizens used accordingly to make informed decisions tied to accountability and responsibility. Develop a record of successful response which can be used to communicate and motivate government staff and the citizens they serve reinforcing the use of technology to increase accountability in service delivery.

Public participation has been conducted effectively in the County since 2013, with the major achievement being the formation of Citizen Participation department. The department is known by the citizens and it is the one in charge of public participation and civic education in the county.” Uasin Gishu Executive Member—KII—21st September 2019.

Public participation as conducted in this county has brought many changes in governance. There is now a sense of responsibility and responsiveness towards citizens’ views. Citizens expect the county to be sensitive to their needs. It is important to note that this is happening despite the County not having a Public Participation Act.” Uasin Gishu County Executive Member—KIII—September 2019.

The committee conducts town-hall meetings where the county government uses the opportunity to explain to the citizenry the status of development projects and generally public utilities. Citizens also get an opportunity to query the government on various issues. For example, if Uasin Gishu Hospital lacks some resources, the media becomes a channel for this information to reach the county executive.” Member—KII—August 2019.

The sub-county administration was formed about three and a half years ago and has been working throughout ever since. Its activities include planning for the public participation activities, communicating and mobilizing stakeholders as well as giving feedback to the citizenry. Public participation is done by all departments of the county executive.” Uasin Gishu Ward Administration Member—KII—August 2019.

In conclusion this chapter has presented and analyzed data on second objective - Impact of

public awareness on public participation on effective devolved governance in Uasin Gishu Sub County and the impact was increased levels of interest and knowledge of public issues, improved capacity for public involvement, increased propensity for social bond transformation and improved trust of fellow citizens. The findings on this objective have identified areas that need to be strengthened on creating public awareness through ensuring that people get access to public participation information on Radio from local stations, Television, county notice board and ensuring they attend public Barazas from the ward level so as to achieve the effectiveness of public participation in budgeting for development projects.

CHAPTER SIX
ACCOUNTABILITY AND ACCESS OF INFORMATION IN BUDGETING
DEVELOPMENT PROJECTS

6.1 Introduction

Data presentation, analysis and discussion of findings in this chapter have been organized thematically according to the third and fourth objectives of the study. The responses in the findings were elicited on a 5-point Likert scale, which was transformed into the continuum scale which allowed the respondents to express how much they strongly agree, agree, were undecided, disagree or strongly disagree with a particular statement.

6.2 The Influence of Accountability on Public Participation on Development Projects

The third specific objective of the study was to assess the influence of accountability on public participation in development projects by devolved governance in Uasin Gishu County.

6.2.1 Accountability Has Increased Ease and Convenience of Locating Information

The results on the statement that accountability has increased ease and convenience of locating information are as presented in the table 6.1 below.

Table 6.1 Accountability Has Increased Ease and Convenience of Locating Information

Statement	Frequency	Percent
Strongly agree	75	41.7
Agree	50	27.8
Undecided	35	19.4
Disagree	15	8.3
Strongly disagree	5	2.8
Total	180	100.0

Source: Field data (2019)

The accountability has increased ease and convenience of locating information were as follows; 75(41.7%) strongly agreed, 50(27.8%) agreed, 35(19.4%) were undecided, 15(8.3%) disagreed and 5(2.8%) strongly disagreed. From the findings its evident that majority of the respondents 41.7% strongly agreed that accountability has increased ease and convenience of locating information while the minority strongly disagreed with the statement. The results can be interpreted to mean that due to public participation in budget making process there has been more accountability, this has increased the ease and convenience of locating information in the County Government.

Budget transparency, accountability and participation in Uasin Gishu government are a relatively young sector, having risen in prominence in the last two decades. The respondents from the county government staff interviewed agreed that the evidence base is limited and underdeveloped. (McGee and Gaventa, 2010) asserts that there is a large and diverse literature on transparency and accountability initiatives that is descriptive or

conceptual, but little ‘meta-literature’ on their impact and effectiveness. Further, there are few studies that examine empirically how transparency, accountability and participation relate and contribute to each other. There are improved metrics to measure transparency reforms, but rigorous analysis of the causes and consequences of fiscal transparency remains limited (Khagram et al, 2013).

The County Government of Uasin Gishu has been able to formulate more responsive policies that are likely to impact better the lives of citizens. County governments have been able to do this by tailoring their policies to specific preferences of local populations. The close proximity of county government to the people has allowed Uasin Gishu county government greater flexibility to match the delivery of public services to local demand through public participation. Devolution has empowered local communities to manage their own resources in a more accountable way. The devolved system of governance is more inclusive and, therefore, effectively promotes productivity and efficiency in the delivery and use of public services and the allocation of resources. Through public participation the majority who are poor at the local level and marginalized groups in the county have been able to air their views on Budget making process.

The findings are in agreement to a study done by (Cornwall 2000) who said that to be meaningful, arguments for participation and institutional accountability must become grounded in a conception of rights which, in a development context, strengthens the status of citizens from that of beneficiaries of development to its rightful and legitimate claimants.

6.2.2 Information Accessibility and Development Projects.

The study results on the statement that information accountability has helped people actively participate in development projects are as represented in the Figure 12 below.

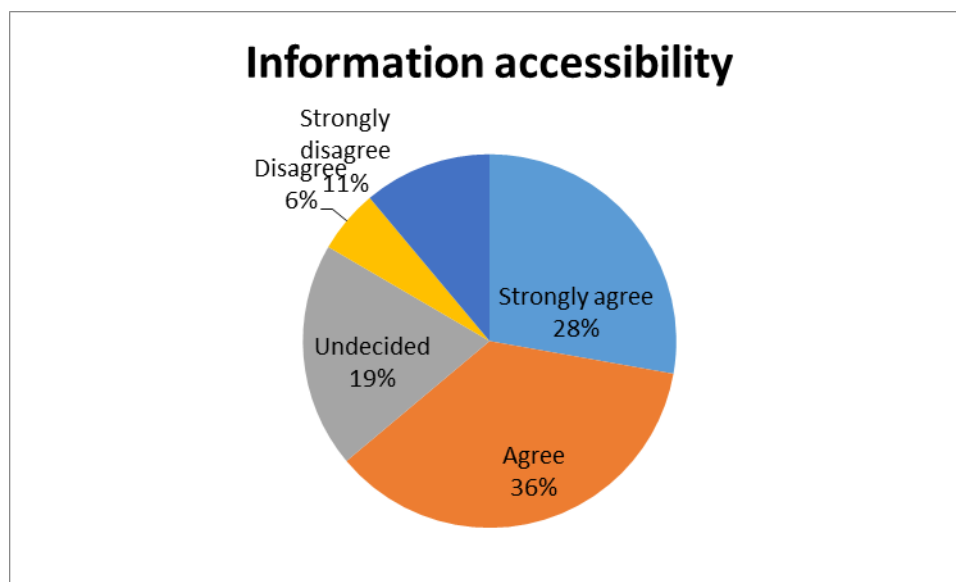


Figure 6.12: Information Accessibility Has Helped People actively Participate in Development Projects.

Access to information has helped people actively participate in development projects as represented in the table 4.28 above; Fifty (27.8%) strongly agreed, 65(36.1%) agreed, 35(19.5%) were undecided, 10(5.5%) disagreed and 20(11.1%) strongly disagreed with the statement. From the above analysed data, it is evident that majority of the respondents 64% agreed that information accountability has helped people actively participate in development projects while 5.5% who represent the minority disagreed. The study results can be interpreted to mean that actually due to information accessibility more people can now actively participate in forums on development projects. It is crucial that Internet services are accessible and affordable, as well as secure, reliable and continuously

available. Improving access to the Internet is the only way more people will benefit from all the opportunities it offers.

The county Government officials interacted with emphasized that project accountability is critical for citizen participation in the planning, delivery of services, budgeting and monitoring articulated across the legislation. The Constitution refers to these principles in Articles 10 and 174 and reference is made specifically to participation in: public finance (Act. 201), the process of policy-making (Act. 232) and, the governance and management of urban areas and cities (Act. 184). The County Governments Act (Sections 3 and 6); the Public Finance Management Act (Section 10); the Transition to Devolved Government Act (Section 14); and the Urban Areas and Cities Act (Section 3) are all guided by principles of transparency, accountability and participation.

The study findings were in agreement with a study done by (Nyamu-Museni, 2002) which indicated that recently more pluralistic approaches re-conceptualise citizenship to take a less state-centred, and more people-oriented approach, arguing that citizenship is attained through the agency of citizens themselves, based on their diverse sets of identities. Such an approach also extends rights from the civil or political spheres, to take up economic, social and cultural rights, including the right to participation itself, at local, national and global levels. Such concepts also go significantly beyond concepts of the nation-state as the sole custodian of citizenship, and place great importance on the role of non-state participants in claiming, monitoring and enforcing rights in public participation.

According to the members of the public, some things included in the bill were not satisfactory. For example, a member of the public felt that some things such as pet fee are

petty and should not attract much fee. “*We request the County Government to kindly consider much of the things that affect the local mwananchi,*” said a participant in Kesses Ward. August 24 2019.

6.2.3 The County Government Provides Information On Projects Undertaken.

The study results on the statement that by providing appropriate information more projects have been undertaken are as presented in the table 6.2 below.

Table 6.2 The County Government Provides Sufficient Information On Projects Undertaken.

Statement	Frequency	Percent
Strongly agree	45	25
Agree	70	38.9
Undecided	20	11.1
Disagree	40	22.2
Strongly disagree	5	2.8
Total	180	100.0

Source: Field data (2019)

As indicated in the table 6.2 above, 45(25%) of the respondents strongly agreed, 70(38.9%) agreed, 20(11.1%) were undecided, 40(22.2%) disagreed and 5(2.8%) strongly disagreed with the statement. The results indicate that majority of the respondents 38.9% agreed that the county government provides sufficient information on projects undertaken while the minority 2.8% strongly disagreed, in their opinions by providing appropriate information less or no projects have been undertaken by the county government.

The constitution of Kenya Article 232 (1) (d) & (f); Public Service values principles require involvement of the people in the process of policy making; transparency and provision to the public of timely, appropriate and accurate information. The Fourth Schedule under Part 2 (14) stipulates that functions and powers of the County are to ensure and coordinate the participation of communities and locations and locations in governance at the local level. Counties are also to assist communities to develop the administrative capacity for the effective exercise of the functions and powers and appropriate information on participation in governance at the local level.

As per Section 87, Uasin Gishu County Government provides for citizen participation at the county level based on the following principles: Reasonable access to the process of formulating and implementing policies, laws and regulations on budget making, it also emphasizes the protection and promotion of the interest and rights of minorities, marginalised groups and communities. The County Government has created avenues for legal redress to interested or affected persons or minorities, through provision of appropriate information there has been shared responsibilities and partnership between county government and non-state actors in decision making, there has also been promotion of development projects e.g. roads, electricity and water supply

6.2.4 Development Projects Are Made Public from Accountability

On the statement that all development projects are made public the results are as represented in the table 6.3 below

Table 6.3 All development projects are made public

Statement	Frequency	Percent
Strongly agree	35	19.5
Agree	65	36.1
Undecided	10	5.5
Disagree	50	27.8
Strongly disagree	20	11.1
Total	180	100.0

Source: Field data (2019)

Asked whether all development projects are made public, the responses were as discussed below: Thirty-five percent (19.5%) strongly agreed, 65(36.1%) agreed, 10(5.5%) were undecided, 50(27.8%) disagreed and 20(11.1%) strongly disagreed. From the study results it's evident that majority of the respondents 55.6% agreed that all the development projects are made public while the minority 5.5% were uncertain on whether all development projects are made public.

The possible interpretation is that there is some degree of accountability in the budget making process as all the development are made public for the citizens to see. The study results support the argument that access to information is the cornerstone of good governance, meaningful participation and transparency. A democracy thrives when the citizens are knowledgeable on the operations of their government. Access to information in government enables citizens to make informed decision on issues relating to their development and participate fully in public life.

As per (LASDAP, 2019) report stated that freedom of information, state authorities or agents can selectively release good news whilst among the residents on the LASDAP shows that provision of information alone is not enough, the information has to be timely and correct to enable citizens understand it and prepare for participation (LASDAP,2019). The findings showed that low level of awareness (18%) was the main reason for low participation in the project. The low levels of awareness were due to the limited one-week period within which notice is given of LASDAP meetings and therefore the citizens were not able to access information on time to enable them acquire knowledge on the process and how to effectively take part in the public participation process.

6.2.5 Public Have Free and Easy Access to Information on Development Projects

The study results on the statement that public have free and easy access to information on development projects are presented in figure 13 below.

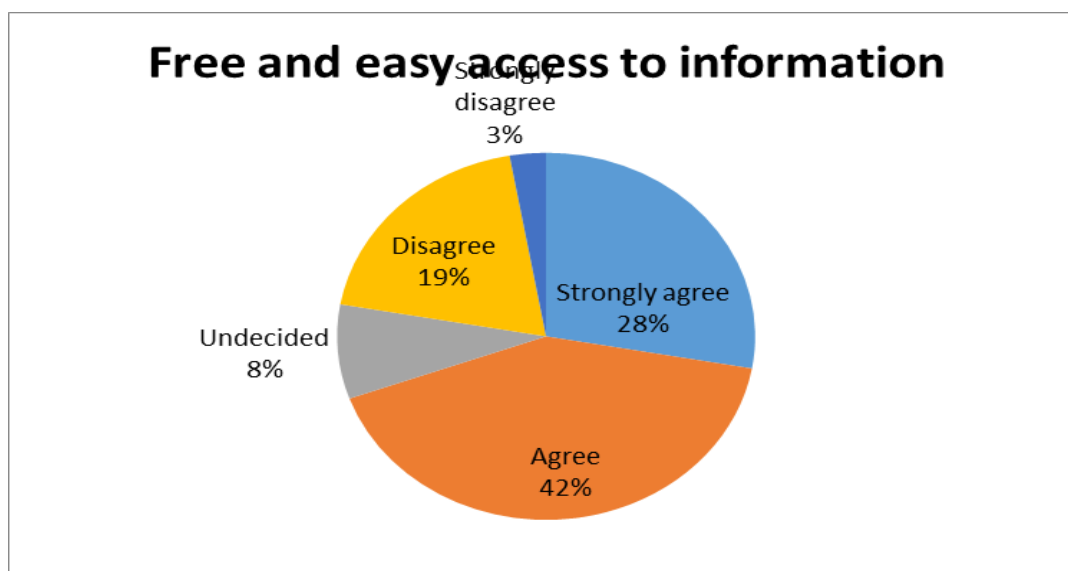


Figure6.13: Public Have Free and Easy Access to Information on Development Projects

On free and ease of access to information on development projects respondents' opinions were diverse as follows; 50(27.8%) strongly agreed, 75(41.7%) agreed, 15(8.3%) were uncertain, 35(19.4%) disagreed and 5(2.8%) strongly disagreed. From the analysed results its evident that majority of the respondents 41.7% agreed that public have free access to information on development projects while the minority of the respondents 2.8% strongly disagreed with the statement.

6.2.6 Stakeholders are Involved in Every Stage of the Projects Initiated.

The study results on the statement that stakeholders are involved in every stage of the projects initiated are represented in the table 6.4 below.

Table 6.4 Stakeholders are involved In Every Stage of the Projects Initiated.

Statement	Frequency	Percent
Strongly agree	30	16.7
Agree	20	11.1
Undecided	25	13.9
Disagree	90	50
Strongly disagree	15	8.4
Total	180	100.0

Source: Field data (2019)

Respondents were asked whether stakeholders are involved in every stage of the projects initiated and their response were as follows; 30(16.7%) strongly agreed, 20(11.1%) agreed, 25(13.9%) were uncertain, 90(50%) disagreed and 15(8.4%) strongly disagreed. From the study results its evident that majority of the respondents 50% disagreed that all

stakeholders are involved in every stage of the project while the minority 8.4 strongly disagreed.

Respondents were of the view that stakeholders are not involved in every stage of the projects initiated, this could be attributed to lack of Interest or Understanding, lack of interest in the planning process may stem from insufficient public understanding of the following: methods, places, time to provide input, the public is not aware or does not understand the planning process hence the need to come up with ways of involving every stakeholder in every stage of the project to enhance full stakeholder involvement in every stage of project is a paramount thing, in Uasin Gishu County, the Government has conducted a community profiling and needs assessments in order to inform capacity building. As a corrective measure the county official interviewed revealed that they have conducted an analysis of technological capabilities of the communities, assessments of attitudes, value systems and literacy levels and have called 17 interest groups on round table meetings or fora which could be used to bring together the County governments, civil society and other stakeholders to deliberate on actions and programmes. The stakeholder discussions have brought the opportunities for multi-sectoral groups to come together to make input on broader policy. This framework advocates for a partnership approach between citizens and government. It collapses administrative silos to within the ward committees and recognizes the decisions made at the ward level, 50 % disagree because most of them were not really involved in this development projects.

6.2.7 County Government Projects Are Open to Public

Views about public knowledge of what happens in the county administrations are as represented in the table 6.5 below.:

Table 6.5 Public Knows Everything That Happens In the County Development Projects

Statement	Frequency	Percent
Strongly agree	20	11.1
Agree	50	27.8
Undecided	10	5.5
Disagree	35	19.5
Strongly disagree	65	36.1
Total	180	100.0

Source: Field data (2019)

Asked if the public knows everything that happens in their county and development projects initiated in the county responses were as follows; 20(11.1%) strongly agreed, 50(27.8%) agreed, 10(5.5%) were undecided, 35(19.5%) disagreed and 65(36.1%) strongly disagreed. From the study results its evident that 36.1% of the respondents strongly disagreed that public knows everything that happens in all development projects in the county while the minority 5.5% neither agreed nor disagreed whether the public knows everything that happens in all development projects in the County.

The study found that residents did not know everything that happens in all development projects in the County hence the push for the release of information on budget implementation information in a public forum where that information was not initially presented. Civil society actors (such as the Governance Working Group in Uasin Gishu) have also been able, when the budgets are prepared, to use these spaces to force deeper

discussions on the budget than otherwise were planned by county officers. This suggests that the prevalence of public forums held by counties have greater potential for change than we have seen so far, if the public rise to the opportunities available.

The importance of accessing information by citizens has been recognized by the Constitution and Article 35 provides that: Every citizen has the right of access to information held by the state and, information held by another person and required for the exercise or protection of any right or fundamental freedoms, Citizen Participation in Devolved Governance in Kenya, for citizens to actively take part in matters of public governance, they must be politically conscious and have access to information.

6.2.8 County Government Projects Are Transparent To The Public.

The results finding on the statement that Government projects are open to the press and the public, the results are presented in figure 14 below.

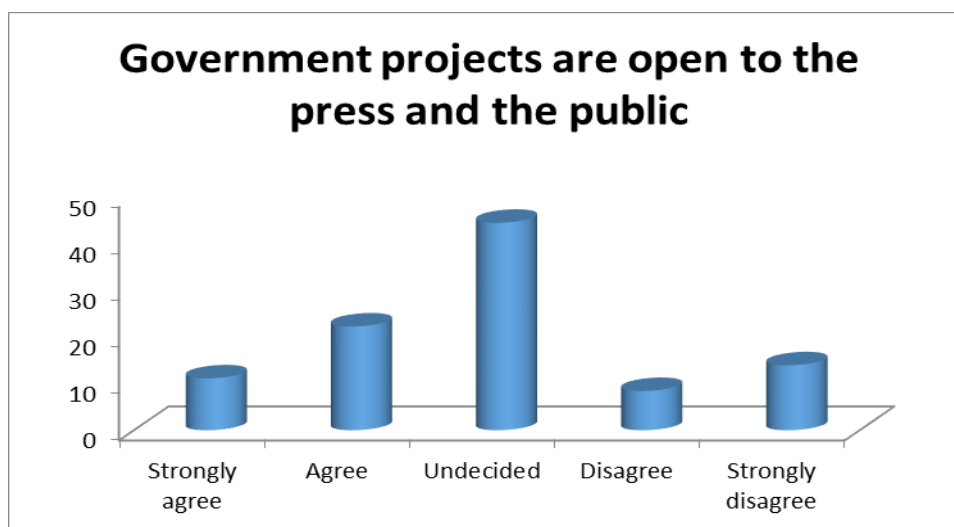


Figure 6.14: Government Projects are Open to the Press and the Public.

The government projects are open to the press and the public were as follows; 20(11.1%) strongly agreed, 40(22.2%) agreed, 80(44.4%) were undecided, 15(8.4%) disagreed and

25(13.9%) strongly disagreed. From the analysed data its evident that majority of the respondents 44.4% were undecided on whether the government projects are open to the press and the public this could be due to lack of information while the minority 8.4% disagreed with the statement.

Ensuring public participation is in line with Article 232(1)(d) of the Kenya Constitution 2010, which provides for citizens' participation in the decision-making process, and Article 232(1)(f), which calls for transparency through the provision of timely and accurate information to the public. In the same spirit, the Public Finance Management Act 2012, Section 207, calls on the County governments to establish structures, mechanisms and ways to ensure citizen participation. Cognizant of this, the County Government of Uasin Gishu has an open and participatory process through which there is increased participation in the county budgetary decision-making processes.

The study results can be interpreted to mean that most of the citizens are unaware whether the government projects are open to the press and the public (Naurin 2006), highlights the three key conditions needed for effective information initiatives: transparency, publicity, and accountability. However, making information available, making it accessible, and ensuring that it leads to consequences, making the information public makes information accessible.

6.2.9 Media Popularization of County Development Projects.

The study results on the statement that Media is used to increase everyday participation in development projects are as presented in the table 6.6 below.

Table 6.6 Media Is Used To Increase Everyday Participation in Development Projects

Statement	Frequency	Percent
Strongly agree	65	11.1
Agree	50	22.2
Undecided	20	44.4
Disagree	35	8.4
Strongly disagree	10	13.9
Total	180	100.0

Source: Field data (2019)

Section 9 of the Draft Public Finance (Administration and managing) Regulations, Government entities shall provide financial information to the Public which is accessible to the citizens by: Establishing a focal point to facilitate access to financial information making information available in the media, presenting information in national languages and summarized forms and regular update of relevant websites. Uasin Gishu County government has not done much on establishing a focal point to facilitate access to information.

The study sought to establish whether the media is used to increase everyday participation in development projects. The responses are as follows; 65(36.1%) strongly agreed, 50(27.8%) agreed, 20(11.1%) were undecided, 35(19.5%) disagreed and 10(5.5%) strongly disagreed. From the analysed results it is evident that majority of the respondents 36.1% strongly agreed that media is used to increase everyday participation in development projects while the minority 5.5% strongly disagreed.

The findings agree with that of Khisa, (2015) and Transparency International,(2015) who said that even though the government used both print and broadcast media, a section of Uasin Gishu County residents have accused the county assembly of providing information to the public using wrong channels claiming they always get information late hence the low turnout in the public forums. Advertising information through channels such as the social media, government website may only reach tech-savvy citizens especially those in town. However, majority of the residents in rural areas may be left out.

Majority of such residents do not have access to the internet. Additionally, televisions and newspapers may not be accessible by all and therefore vernacular radio stations become an effective tool in such settings. Other factors that they may enhance citizen participation in devolved governance include committed local leadership and external pressure from the civil society organizations, the central government and development partners.

The Constitution of Kenya 2010 brought a more liberal approach and provides for the right of access to information under Article 35. Every citizen has the right to access information held by the State and held by another person and required for the exercise or protection of another right. This right is not absolute and can be limited only to the extent that the limitation is reasonable and justifiable in a democratic society.

6.2.10 Project Budget May Be Reviewed by Anyone and Its Laws and Decisions are Open to Discussion.

The study results on the statement Project budget may be reviewed by anyone and its laws and decisions are open to discussion are presented in the Figure 15 below.

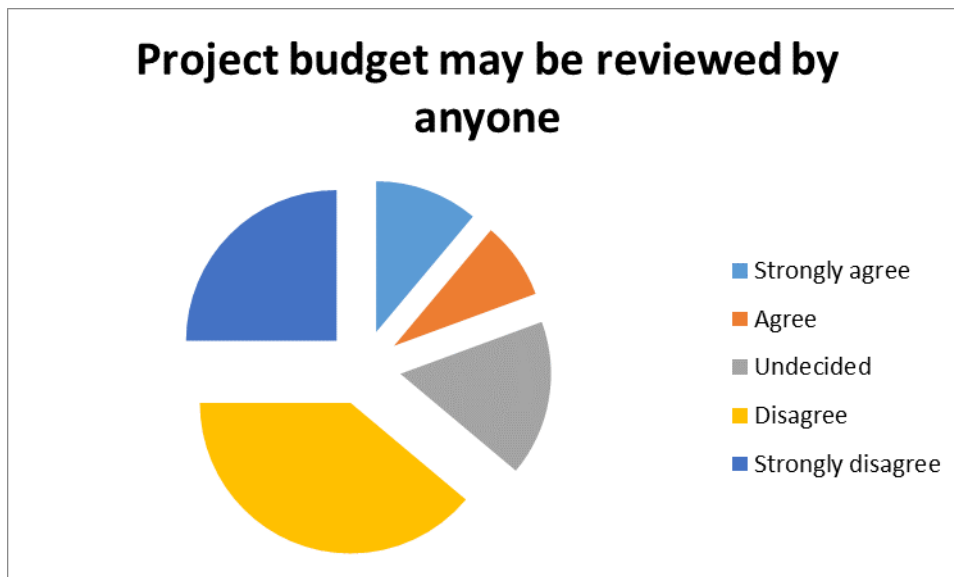


Figure 6.15: Project Budget May Be Reviewed By Anyone and Its Laws and Decisions Are Open to Discussion

Respondents views on project budget being reviewed by anyone and its laws and decisions are open to discussion were as follows; 20(11.1%) strongly agreed, 15(8.3%) agreed, 30(16.7%) were undecided, 70(38.9%) disagreed and 45(25%) strongly disagreed. Majority of the respondents 38.9% thereforedisagreed that projects may be reviewed by anyone and its laws and decision are open to discussion while the minority 8.3% agreed with the statement.

6.2.11 Participative Democracy and Project Participation.

The results on the statement that participative democracy is employed on project participation and is built on transparency are as represented in the table 6.7 below.

Table 6.7 Participative Democracy Is Employed On Project Participation and Is Built On Transparency

Statement	Frequency	Percent
Strongly agree	30	16.7
Agree	20	11.1
Undecided	68	37.8
Disagree	30	16.7
Strongly disagree	40	22.2
Total	180	100.0

Source: Field data (2019)

The participative democracy is employed on project participation and is built on transparency were as follows; 30(16.7%) strongly agreed, 20(11.1%) agreed, 68(37.8%) were undecided, 30(16.7%) disagreed and 40(22.2%) strongly disagreed. From the findings its evident that majority of the respondents 37.8% neither agreed nor disagreed on whether participative democracy is employed on project participation and is built on accountability.

“State institutions that are accountable to their people will use their resources constructively rather than misspend or steal the public”, participant 1 stated, this was one of the responses given by the respondent one interviewed on 18th October 2019. Other responses given was that greater governmental transparency will allow citizens to determine where their political leaders are going astray and exert well-targeted pressure to put them back on track. Increased public participation in governance processes on the local and national levels will provide those institutions with direct input on how to best respond to citizen needs and bring additional information about blockages and inefficiencies into

decision making processes.

The quest to promote participatory democracy and to make participation is an important principle in the governance of public affairs, has been an important theme in debates on governance in Kenya. Because of this, and in recognition of protracted struggles for democratic reforms, article 10 in Kenya's constitution has included democracy and participation of the people among the values and principles of governance, which bind all state organs and institutions as well as state officials. In assessing the quality of democracy in Uasin Gishu County, Kenya, there are questions whether successive governments have consistently upheld the rule of law, allowed citizens to freely elect their leaders, and whether or not people have been making political choices without hindrance. Thus, transition to democracy implies progress in both opening up decision-making processes to active participation of the people, as well as enhancing the accountability of governments to their citizens. This transition involves developing a culture of constitutionalism and accountability to citizens.

The study findings were in agreement with the research findings by (Cornwall 2000) who said that as participatory approaches are scaled up from projects to policies, they inevitably enter the arenas of governance, and find that participation can only become effective as it engages with issues of institutional change. As concerns about good governance and state responsiveness grow, questions about how citizens engage and make demands on the state also come to the fore.

6.3 Access to County Information on Public Participation on Development Projects.

The fourth specific objective of the study was to assess the Influence of access to county

information on public participation on development projects in Uasin Gishu County. The responses in the findings were elicited on a 5-point Likert scale, which was transformed into the continuum scale which allowed the respondents to express how much they strongly agree, agree, were undecided, disagree or strongly disagree with a particular statement.

6.3.1 Public Have the Legal Right to Investigate and Examine the Conduct of Affairs

The respondents were asked whether the public have the legal right to investigate and examine the conduct of affairs that pertains to citizen participation in budget making process. The responses are presented in the table 6.8 below.

Table 6.8 Public Have the Legal Right to Investigate and Examine the Conduct of Affairs

Statement	Frequency	Percent
Strongly agree	35	19.5
Agree	65	36.1
Undecided	10	5.5
Disagree	50	27.8
Strongly disagree	20	11.1
Total	180	100.0

Source: Field data(2019)

Does the public have the legal right to investigate and examine the conduct of affairs? Responses were as follows; 35(19.5%) strongly agreed, 65(36.1%) agreed, 10(5.5%) were undecided, 50(27.8%) disagreed and 20(11.1%) strongly disagreed. From the study

results its evident that majority of the respondents 56.5% agreed that public have the legal right to investigate and examine the conduct of affairs while the minority 5.5% were undecided.

The citizens in Uasin Gishu County have the legal rights to investigate and examine the conduct of affairs, however difficulties are normally associated with the logistics of claiming such rights. Access to information is fundamental in a society that is governed by the rule of law. For the reason that public have the legal right to investigate and examine the conduct of affairs on behalf of citizens, it follows that citizens have the right of access to the information held by the County Government. Access to timely and accurate information provides individuals with the knowledge required to participate effectively in the democratic processes in any democratic society. Access to information fosters openness and transparency in decision-making. An informed public is also likely to be vigilant against corruption within and outside of Government. Kenyans have in the recent past been denied access to information and have for long been excluded from decision making processes in public affairs.

The findings were in agreement with a study done by (Gill 2012) who indicated that the Constitution of Kenya 2010 lays the basis for the development of a policy framework on public participation. The envisaged public participation policy will therefore have to focus relatively more on what the constitution refers to as the “direct” exercise of the people’s sovereignty. This is the kind of participation where people “who are, for whatever reason, excluded from the normal social and political, even economic, life of the nation are far less likely to be able to participate actively certainly at the national and county level).

6.3.2 Access to Information Saves On Resources and Time

The study results on the statement that access to information saves on resources and time that would otherwise be spent looking for data are presented in the figure 16below.

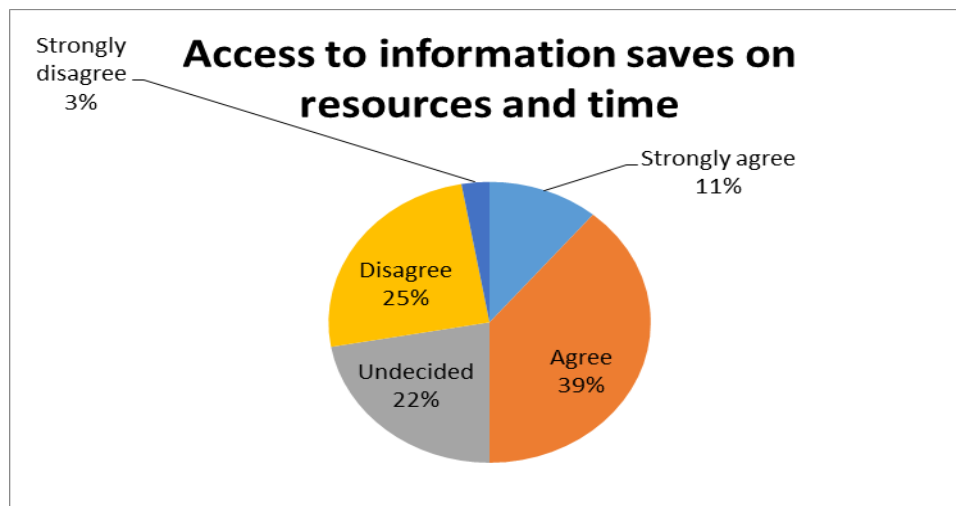


Figure6.16: Access to Information Saves On Resources and Time That Would Otherwise Be Spent Looking For Data

The study findings on the statement that access to information saves on resources and time that would otherwise be spent looking for data were as follows; 20(11.1%) strongly agreed, 70(38.9%) agreed, 40(22.2%) were undecided on whether the access to information saves on resources and time that would otherwise be spent looking for data, 45(25%) disagreed, 5(2.8%) strongly disagreed. The findings revealed that majority of the respondents 38.9% were in agreement with the statement while minority 2.8% of the respondents strongly disagreed. This could be interpreted to mean that most of the citizens actually agreed that access to information saves on resources and time that would otherwise be spent looking for data.

For instance, the right to access of information is internationally affirmed under the Universal Declaration of Human Rights (UDHR) and further under the International Covenant on Civil and Political Rights (ICCPR). Because these treaties and conventions have been ratified by Kenya, they form part of the Kenyan law by virtue of Article 2(6) of the Constitution. Article 35 of the Constitution and Section 96 of the County Government Act, 2012 provide for the right to access of information. Article 35(1) particularly guarantees all Kenyan citizens the right to access any information held by the state or information held by another person and required for the exercise or protection of any right or fundamental freedom.

The interviewed citizens indicated that if the Citizens in Uasin Gishu County could get the information on time, it could save on resources and time that would otherwise be spent looking for data. The ‘how-process’ is what an access to information law would seek to tell citizens in Uasin Gishu County. That this set of information held by Uasin Gishu County, (i) would be made available to the public without requesting, (ii) Would not be made available without a request, but may be made available upon request after fulfilling its classification.

6.3.3 Citizens Can Access Any Information on Projects That Is Held By the County

The respondents were asked to indicate their level of agreement with the statement that Citizens can access any information on projects that is held by the county. The responses were presented in the table 6.9 below.

Table 6.9 Citizens Can Access Any Information on Projects That Is Held By the County

Statement	Frequency	Percent
Strongly agree	20	11.1
Agree	40	22.2
Undecided	80	44.4
Disagree	25	13.9
Strongly disagree	15	8.4
Total	180	100.0

Source: Field data (2019)

Citizens access any information on projects that is held by the county, the study responses are as follows; 20(11.1%) strongly agree, 40(22.2%) agreed, 80(44.4%) were undecided, 25(13.9%) disagreed and 15(8.4%) strongly disagreed. From the study results it is evident that majority of the respondents 44.4% neither agreed nor disagreed that citizen access any information on projects that is held by the county. This could mean that they had little or no information on the statement that citizens access any information on projects that is held by the county. This could also be due to the fact that the information is availed through the medium that all the citizens could not access.

One of the respondents interviewed said that

“Ensuring disclosure of and access to information can empower people and institutions. But it’s a two-way process County Governments must proactively release information about what they do. And we must utilize this information to make full use of our rights. We all have a valuable role to play.” (R2, 18/10/2019).

Without information, citizens are unable to identify the failures by the county government, monitor the effectiveness of their rights and ask for redress when needed. The negative consequences affect every aspect of their lives from the fees they pay for their children to go to school, the medicine that is available in their local health centre, the quality of the road they have, to the supply of drinkable water.

The right to information for Kenyan citizens is guaranteed by Constitution under Section 35(10). The Access to Information Bill was published in 2015, approved by the Parliament in April 2016, but still waits to be signed. It results from a long and tedious process of negotiation between the government and civil society. Some clauses are still disputed by CSOs as not compliant with international and continental standards on Access to Information. Besides, other laws limit and hamper disclosure of information. The Official Secret Act (OSA) inhibits the accountability of government to the public on claims of protecting the public interest and the Public Officers Ethics Act has a number of clauses that criminalize “unlawful disclosure” of information by public servants.

6.3.4 Access to information citizens participate in political and economic decisions.

The study results on the statement that through access to information citizens participate in political and economic decisions affecting them are as presented in the table 6.10 below.

Table 6.10 AccessTo Information Citizens Participate In Political And Economic Decisions Affecting Them.

Statement	Frequency	Percent
Strongly agree	25	13.9
Agree	75	41.7
Undecided	25	13.9
Disagree	20	11.1
Strongly disagree	35	19.4
Total	180	100.0

Source: Field data (2019)

Through access to information citizens participate in political and economic decisions affecting them, the respondents revealed that; 25(13.9%) strongly agreed, 75(41.7%) agreed, 25(13.9%) were undecided, 20(11.1%) disagreed and 35(19.4%) strongly disagreed. From the study findings, it is evident that 41.7% agreed that through access to information citizens participate in political and economic decisions affecting them while the minority 11.1% disagreed with the statement.

Giving people freedom to make political choices, especially in elections, plays an important role in consolidating democracy. This freedom of choice enables them to put in place an accountable and responsive government whose mandate is renewed periodically depending on the extent to which it has governed in line with the aspirations of the people. Thus, if the elected government applies the law without discrimination, citizens obey the law conscientiously. When the government however applies the law in an inconsistent manner, citizens tend to disconnect from the government. The distance between

government and society widens in tandem with the failure of government to account to society and abide by the founding principle of democracy, rule by the people as pointed out by (Markell, 2006).

Citizen participation at Uasin Gishu County is structured around service delivery. The devolution framework provides for the formation of Sub-County implementation units that operate below the county governments. These units are purely administrative and service delivery units without political responsibility. As such political responsibility will be retained at the County Assembly level whilst administrative and fiscal responsibility has been devolved to the Sub-County Implementation units. The criteria for the formation of Sub-County Implementation units have been specified in the devolution policy. It is guided by cost, practicability, functionality and capacity of an area that can effectively manage itself. Technical officers with relevant expertise in various social and economic sector programmes are responsible for running the programmes within the Sub-County Implementation units. The county has implemented Sub-County and Ward Citizens Forums to enhance participation of citizens in local governance. The forums have enabled citizens to engage directly in the political and economic decisions affecting.

The study was in agreement with that conducted by Omolo (2010) who in her paper on Policy Proposals on Citizen Participation in Devolved Governance in Kenya, said that for citizens to actively take part in matters of public governance, they must be politically conscious and have access to information. Furthermore, civil society can provide the necessary policy analysis and perspectives that facilitate parliamentarians to refine their policy positions, and continue to align their interests with those of the electorate. The

institutionalization of the opportunities and mechanisms for civil society engagement in the governance architecture in Sudan is therefore a key to promoting a sustainable and peaceful means through which citizens' voices and interests may be heard and addressed.

Citizens become empowered by accepting increasing responsibility for developing and implementing action plans that are accountable to group members and for either creating or strengthening local institutions. The development professionals become facilitators of a locally driven process. Stakeholders assume control and ownership of their component of the project or program, and make decisions accordingly. At this level, local participation is most sustainable because the people concerned have a stake in maintaining structures or practices. Participatory monitoring in which citizens, groups or organizations assess their own actions using procedures and performance indicators they selected when finalizing their plans—reinforces empowerment and sustainability.

6.3.5 Access to Information On Development Projects Citizens Initiate More Projects.

The study results on the statement that through access to information on development projects citizens can initiate more projects are as presented in the figure 17 below.

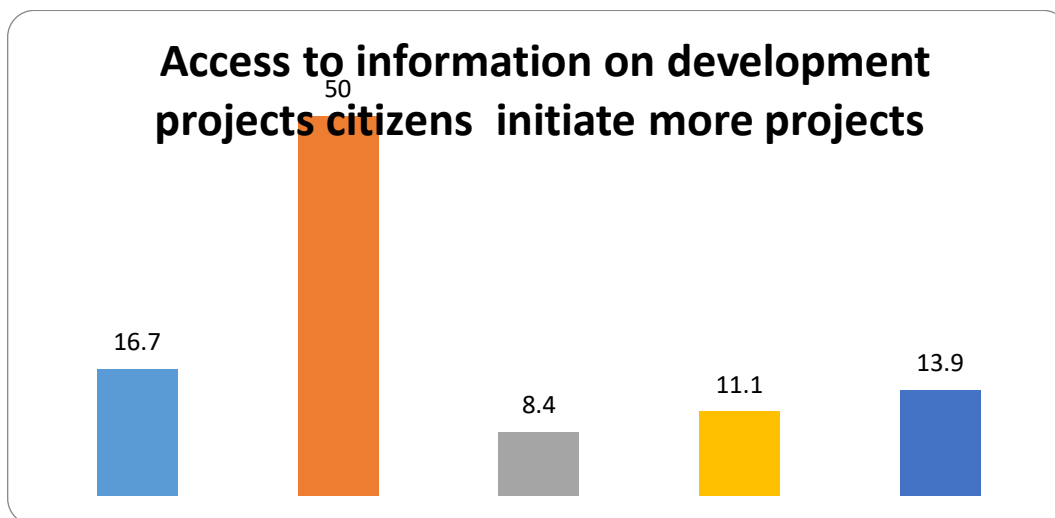


Figure 6.17: Access to Information on Development Projects Citizens can initiate More Projects.

As shown in figure 17 above, 30(16.7%) strongly agreed, 90(50%) agreed, 15(8.4%) were undecided, 20(11.1%) disagreed and 25(13.9%) strongly disagreed. From the study results its evident that majority of the respondents 50% whom represent the majority and also half of the study sampled population agreed that through access to information on development projects citizens can initiate more projects.

In Uasin Gishu the county executives in conjunction with the county assembly hold ward based consultations on budget priorities. In this case, the public received information on the proposed projects by the county government and they are provided with opportunity to give feedback on the proposed projects and budget allocations. However, this approach to public participation is not adequate as it is more of information giving rather than engaging the public in governance.

As per the Finance Bill 2017-18, Public meetings at the ward level are held on quarterly basis to engage the public on planning and policy development. The members of the public

usually attend these meetings so as to give their views on development projects in their ward. However according to the study, due to lack of knowhow of budgetary issues, public participation was merely about giving opinions.

According to (Omolo, 2009), access to information in government domains enables citizens to make informed decision on issues relating to their development and participate fully in public life, they can also foster their motivation in participation on development projects.

Participating in formulating the fundamental goals as well as in planning and carrying out an activity empowers stakeholders and fosters a sense of ownership. These facilitate effective project implementation, conscientious monitoring of activities, and sustainable outcomes. Effective poverty reduction also requires greater flexibility in responding to problems and unexpected opportunities throughout project development, implementation, and monitoring. Responsiveness and collaboration among intended beneficiaries, government, civil society, and the private sector at local, intermediate (district, province, etc.) and national levels promote social capital development and sound governance

6.3.6 Effective Communication Channel and Access to Information.

The study results on the statement that effective communication channel on access to information has helped to foster a good working relationship between citizens and county government are presented in the table 6.11 below.

Table 6.11 Effective Communication Channel Foster a Good Working Relationship between Citizens and County Government

Statement	Frequency	Percent
Strongly agree	40	22.2
Agree	68	37.8
Undecided	22	12.2
Disagree	30	16.7
Strongly disagree	20	11.1
Total	180	100.0

Source: Field Data(2019)

As shown in table 6.11, 40(22.2%) strongly agreed, 68(37.8%) agreed, 22(12.2%) were undecided, 30(16.7%) disagreed and 20(11.1%) strongly disagreed with the statement. the research findings reveal that 37% who took part in the study were in agreement that effective communication channel on access to information has helped to foster a good working relationship between citizens and county government.

The study found out that the county government had put in place strong communication framework to create awareness and disseminate information to the public on public participation in devolved governance. However, the problem is that most the methods used such as the county websites, social media, Newspaper and magazines are not easily accessible to the rural poor. To compensate for this the county use vernacular radio stations, this may not reach all the citizens.

County departments usually conduct public barazas to enlighten the public on resources that have been allocated to various community projects to enable the public to scrutinize public expenditure during the implementation period. In addition to this, the government uses notice boards that are pinned in the Chief's offices for the ward representatives. Article 196 of the 2010 constitution expressly obligates the county governments to institutionalize citizen participation in its decision-making processes. This assumes that through the use of effective communication in the governance of the 47 Counties including service delivery will be improved.

The findings were in agreement with the research done by (Commonwealth Foundation 1999; Narayan et.al., 2000) who said that in the past, there has been a tendency to respond to the gap that exists between citizens and institutions in one or two ways. On the one hand, attention has been made to strengthening the processes of participation that is the ways in which community exercise voice through new forms of deliberation, consultation and/or mobilization designed to inform and to influence larger institutions and policies. On the other hand, growing attention has been paid on how to strengthen accountability and responsiveness of these institutions and policies through changes in institutional design and a focus on the enabling structures for good governance. Each perspective has often perceived the other as inadequate, with one warning that consultation without attention to power and politics will lead to 'voice without influence', and the other arguing that reform of political institutions without attention to inclusion will only reinforce the status quo.

Uasin Gishu County explained how it is using chiefs and village elders to assist in mobilizing citizens for public forums. This is done in collaboration with the sub-county and

ward administrators and departmental officers, said Shadrack Sambui, CEC Member for Finance, Uasin Gishu. The county has also established Project Management Committees that oversee the implementation of projects on behalf of the citizens. Some of the benefits the county is realizing as a result of public participation are less political pressure, increased service delivery and county officials can now project their budgets for the next year

6.3.7 Access to Information Proper Communication Has Encouraged Better Performance on Project Completion

The respondents were asked to indicate their level of agreement on the statement that through access to information proper communication has encouraged better performance on project completion. The study results are presented in the table 6.12 below.

Table 6.12 Access to Information Proper Communication has Encouraged Better Performance On Project Completion.

Statement	Frequency	Percent
Strongly agree	65	36.1
Agree	35	19.5
Undecided	50	27.8
Disagree	10	5.5
Strongly disagree	20	11.1
Total	180	100.0

Source: Field data (2019)

On the findings above the access to information proper communication has encouraged better performance on project completion, the responses are as follows; 65(36.1%) strongly

agreed, 35(19.5%) agreed, 50(27.8%) were undecided, 10(5.5%) disagreed with the statement and 20(11.1%) strongly disagreed. From the study results its evident that majority of the respondents 36.1% strongly agreed that proper communication has encouraged better performance on project completion while the minority 5.5% disagreed that proper communication has encouraged better performance on project completion.

The interpretation is that through various communication channels such as radios, televisions, social media platforms which are means of communication which most of the citizens can be reached hence this has encouraged better performance on budget hence project completion. Access to information in Uasin Gishu County Government domains enables citizens to make informed decision on issues relating to their development and participate fully in public life. Without freedom of information, state authorities or agents can selectively release good news whilst withholding damaging information. This allows inefficiency, ineptitude and corruption to thrive and such practices hinder effective citizen participation in public governance.

According to Meldon, Walsh & Kenny (2000) Communication in project completion is an essential process, and the entire world revolves around it. Lasswell's Maxim defines communication as “who says what to whom in what channel with what effect” as advanced by (Sapienza, Iyer&Veenstra, 2015). Communication is exchanging of information from one point of the project to the other point in an efficient manner. Like this, there are various definitions and concepts about communication in today's world. However, how important is this communication in project management, we can say that this is “Project Life Blood” as everything in a project is based on how efficiently we perform this.

Uasin Gishu County Government views communication as an essential tool in creating public awareness on project progress. It is gaining importance every day and is the centre of all management processes. The success of a project largely depends on the efficiency of its communication network. It starts working from day one of the venture and continues for the entire life span of the project. It provides regular updates to notify the status of the project as well as its performance capacity. But surprisingly, it has been found that most projects experience a breakdown in communications. It has been said that 90% of a project manager's time is spent communicating what is going to be done.

6.3.8 Public Access to Information Citizens Have Become Innovative And Have Developed New Ways to Deliver Development Projects

The respondents were asked to indicate their level of agreement on the statement that through public access to information citizens have become innovative and have developed new ways to deliver development projects. The study results are presented in the table 6.18 below.

Table 6.13 Public Access to Information Citizens Have Become Innovative And Have Developed New Ways to Deliver Development Projects

Statement	Frequency	Percent
Strongly agree	65	36.1
Agree	35	19.5
Undecided	50	27.8
Disagree	10	5.5
Strongly disagree	20	11.1
Total	180	100.0

Source: Field data (2019)

Through public access to information citizens have become innovative and have developed new ways to deliver development projects, the study responses were as follows; 65(36.1%) strongly agree, 35(19.5%) agreed, 50(27.8%) were undecided, 10(5.5%) disagreed, 20(11.1%) strongly disagreed. From the study results its evident that majority (36.1%) agreed to a large extent that through public access to information citizens have become innovative and have developed new ways to deliver development projects

The study findings are similar to a study done by (William,2007) who said that freedom of information laws allow access by the general public to data held by national governments. The emergence of freedom of information legislation was a response to increasing dissatisfaction with the secrecy surrounding government policy development and decision making. They establish a "right-to-know" legal process by which requests may be made for government-held information, to be received freely or at minimal cost, barring standard

exceptions. As the citizens become more empowered, they become more innovative and think of solutions affecting them, information is power and once availed it can become an agent of transformation.

In each public forum held from wards level in Uasin Gishu County stakeholders are actively engaged and sustained results are achieved. In collaboration, for example, people are invited by project committee to meet a predetermined objective: the development professional or organization identifies the problem or issues to be discussed, and calls a group together to collaborate on that topic. The stakeholders may not have initiated the collaboration, but they significantly influence the results. Groups or subgroups are formed that build networks and improve structures or practices. People themselves and the projects on which they work change as a result of their interaction. The stakeholders' ideas change the project design or implementation plan, or contribute to a new policy or strategy. Most importantly, the County Officials who solicited stakeholder involvement takes the peoples' perspectives seriously and acts on them.

6.3.9 AccessTo Information, there is increased Efficiency and Productivity in Delivery Of Development Projects

The respondents were asked to indicate their level of agreement on the statement that through access to information, there is increased efficiency and productivity in delivery of development projects. The study results are as presented in the figure 18 below.

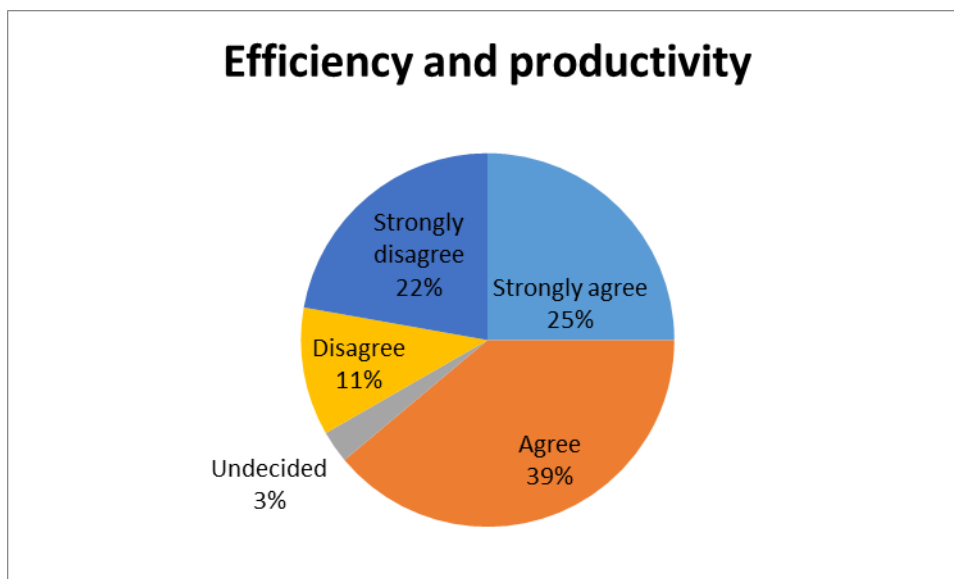


Figure 18. Accessto Information, There Is Increased Efficiency and Productivity in Delivery of Development Projects

Through the access to information, there is increased efficiency and productivity in delivery of development projects, the findings as illustrated in the figure 18 are as follows; 45(25%) strongly agreed, 70(38.9%) agreed, 5(2.8%) were undecided, 20(11.1%) disagreed and 40(22.2%) of the respondents. From the study findings its evident that majority of the respondents 38.9% agreed that through access to information, there is increased efficiency and productivity in delivery of development projects while the minority 2.8% neither agreed nor disagreed that through access to information, there is increased efficiency and productivity in delivery of development projects.

Uasin Gishu County Government has adopted E-government through modern technology in enhancing access to information on performance in government. Uasin Gishu County Government strive to use e-technology in access to information to strengthen social and political panorama, and spark a structural transformation in a habit assuring efficiency.

Access to information has enabled county government deliver better services to its citizen, improve intercommunications with industry players and businesses, and authorize citizens' access to information. E-governance reduces frequencies of extortion cases, increases openness, clarity, stirs economic growth and decreases time wastage.

The study was in agreement with a study by Mutwiri (2015) which indicated that active citizen participation in planning, budgeting and expenditure oversight depends on the technical skills of individuals working in the organizations that are performing the oversight and monitoring. "Budget analysis and advocacy are not sporadic activities, since they must build on solid knowledge." Therefore, training and research are the main tools used to strengthen the skills of CSOs and political parties.

6.3.10 Access to Information there is established workflow, Policy and Tracking of Development Projects.

The respondents were asked to indicate their level of agreement on the statement that through access to information there is established workflow, policy and tracking of development projects. The study results are presented in the figure 19 below.

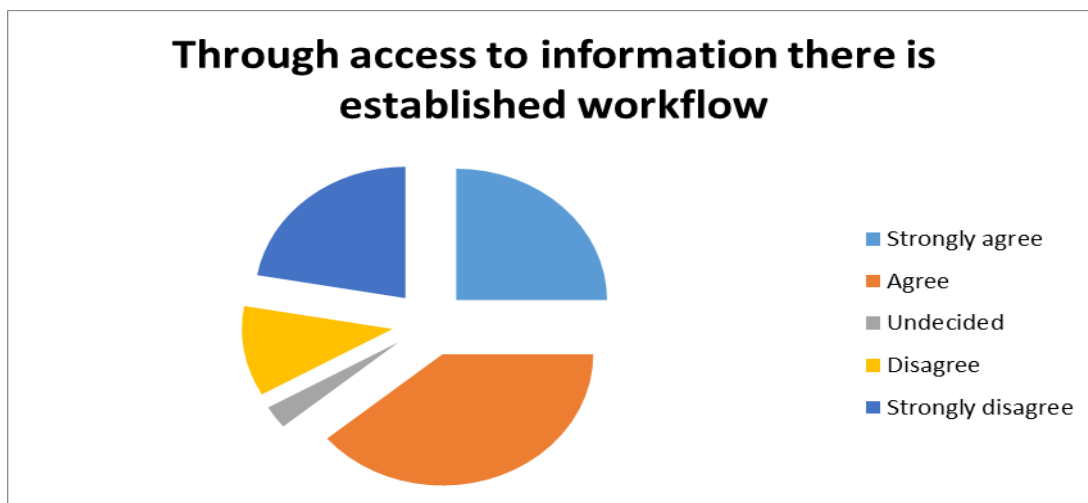


Figure 6.19 Access to information there is established workflow, policy and tracking of development projects

As illustrated in figure 19, through access to information there is established workflow, policy and tracking of development projects, the study results were as follows; 60(33.3%) strongly agreed, 50(27.8%) agreed, 40(22.2%) were undecided, 5(2.8%) disagreed and 25(13.9%) strongly disagreed. From the research findings, it's evident that majority of the respondents 33.3% fully agreed that through access to information there is established workflow, policy and tracking of development reports while the minority 2.8% disagreed that through access to information there is established workflow, policy and tracking of development projects.

Uasin Gishu County Government has played an important role in raising awareness on rights to access to official information. It does this by supporting and facilitating initiatives that sensitize government officials on policy on tracking development projects, working with County Government officials to promote civic education on right and entitlement under established workflow on official information legislation. An increasing number of

County Government officials across all regions have used the right to official information, specifically information concerning budgets and public expenditures, to monitor poverty reduction and progress in budget mainstreaming.

The findings were in agreement with Kihonge and Kaseya (2014) in his study findings provides evidence that access to information plays a major role on the effectiveness of public participation in the County Governments. When locals are enlightened on their rights of participations, there is established workflow as people tend to participate more and demand for their rights. They propose a number of policies and strategies to enhance public participation. These include offering incentives, early notification of public participation forums, use of variety of methods, allocating more funds for civic education and formulation of policy to guide public participation among others. At this level, power over decisions is concentrated in the local communities. Communities develop action plans and manage their own activities based on their own priorities and ideas. Central Government officials, donors and development professionals catalyse and support, rather than direct, local development. Local groups take control over local decisions, increasing their stake in maintaining new physical or institutional structures and practices.

Interview with key informants within Uasin Gishu Government indicated that they provide opportunities for public involvement and the public chooses whether to utilize these opportunities. The law dictates that the citizens should be provided with timely access to information, data, documents and other information relevant or related to policy formulation and implementation. The county has complied with this law as indicated by majority of the respondents.

One of the key informants revealed that Uasin Gishu County Government has provided reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards. The findings were in agreement with the study by Omolo (2010) in her paper on Policy Proposals on Citizen Participation in Devolved Governance in Kenya, for citizens to actively take part in matters of public governance; they must be politically conscious and have access to information. The importance of accessing information by citizens has been recognized by the Constitution and Article 35 provides that: Every citizen has the right of access to: Information held by the state and, Information held by another person and required for the exercise or protection of any right or fundamental freedoms. From the foregoing literature it's quite clear that citizens can only participate in governance if they are aware of the available opportunities on how to participate otherwise known as civic education. The information is availed through their websites and the various publications in the County government headquarters.

As per the interview conducted, the county public participation forums are conducted with the purpose of ensuring an informed and active citizenry. Further, the county advocates for equal citizenship rights and equality of participation in major policy decisions in a bid to create social equity and to offer opportunities to the poor and marginalized so that issues affecting them can be channelled into public policy.

In addition, the political pillar of the Medium-Term Plan II seeks 'a people-centred and politically-engaged open participation (Government of Kenya, 2013: 107) through

enhanced public participation and respect for devolution and the new Constitution. In this regard, this paper contributes to the government's efforts to ensure that effective public participation occurs at the County level (Policy of Devolved Government, 2016) by investigating the factors that determine meaningful public participation and their level of influence.

The finance officers interviewed on whether the county projects may be reviewed by anyone and its laws and decision are open to discussion, their responses were captured and most of them indicated that given the importance of demonstrating compliance with the approved budget, the financial reporting system must control the use of financial resources and ensure that budgetary appropriations and allocations are not exceeded. To demonstrate compliance, accounting systems are usually operated on the same basis of accounting used to prepare the approved budget. Thus, the actual financial information captured by the accounting system is in a form comparable to the approved budget, hence not everyone can evaluate the project budget. Through budgetary integration, the financial accounting system becomes the primary tool to prove financial accountability hence the public can review and discuss the laws and decisions.

Finally, the respondents indicated that the budget is evaluated for its effectiveness in attaining the County Government stated goals and objectives. Evaluation typically involves an examination of how funds were spent, the outcomes that resulted from the expenditure of funds, and the degree to which these outcomes achieved the stated objectives. This phase is fundamental in developing the subsequent year's budgetary allocations. In effect, budget preparation not only is an annual exercise to determine the allocation of funds, but also is

part of a continuous cycle of planning and evaluation to achieve the stated goals and objectives of the organization.

In conclusion this chapter has presented and analyzed data on third and fourth objective on influence of accountability and access of information on public participation in budgeting for development projects in Uasin Gishu Sub Counties. The findings on this objective have identified areas that need to be strengthened by ensuring accountability on public resources and policies and access of information by the public enabled them to be well informed choices on their projects, make informed decisions on issues relating to their development and fully participate fully in public life, so as to achieve effectiveness of public participation in budgeting for development projects. The next chapter is the last chapter of thesis deals with summary of the findings, conclusion and recommendation and suggestion for further studies.

CHAPTER SEVEN

SUMMARY, CONCLUSION AND RECOMMENDATIONS

7.1 Introduction

This chapter covers the summary of the findings, conclusion and recommendation of the study. The purpose of this study was to examine the effectiveness of public participation in budgeting for development projects in Uasin Gishu Sub Counties.

7.2 Summary of the Findings

On the first specific objective of the study; a majority of the respondents (46.11%) strongly agreed that legal framework enhances people's sovereignty. Article 1 of the constitution vests sovereign power in the people of Kenya and is exercised at both the national and county levels. The constitution has gone further to provide for instances where the voice and endorsement of the public is a compulsory requirement. 89(49.44%) strongly agreed that through legal framework principle of the people's sovereignty has helped solve modern challenges. In line with the constitution of Kenya, principle of the sovereignty of the people aims to promote democratic and accountable exercise of power, foster national unity by recognizing diversity. On the discussion on the statement that every person is subject to the law the findings was in agreement that just as a Sovereign must have subjects or a State its citizens, each legal system must have persons who are subject to its laws. Most of the participants were aware on the clause in constitution which states that all citizens are equal before the law. As per the responses on the statement that citizens give power to elected representative, it is evident that citizens give powers to their elected

representatives. Kenya's sovereign power is vested in its citizens. Public Service values principles require involvement of the people in the process of policy making; transparency and provision to the public of timely and accurate information. 67(33.89%) strongly agreed that policy formulation is the development of effective and acceptable courses of action for addressing what has been placed on the policy agenda. It has to be valid, efficient and implementable as authorized by legitimate decision makers. The public participation forums are organized by the county government, the validation meetings are held in towns and also in open air meetings in the smallest units i.e. villages and wards level.

On the findings of the study it recommended that county governments needed to fully engage the societies in budgetary preparation process, the move would enable the county government of Uasin Gishu to effectively plan and manage its financial resources.

Based on the second specific objective of the study; 41.7% disagreed with the statement that through public awareness citizens conduct public affairs and manage resources in the preferred way. 41.7% agreed that citizens follow a rule of law in their day to day affairs as a result of citizen participation on budgeting process. It is vital that citizens understand the various rules governing citizen participation in budget process and the role that they should play while upholding the same rules. As a result of public awareness there has been better decision making on the budget making process as all the stakeholders are brought on table to discuss the challenges and opportunities that may arise from the discussion. From the study results it is evident that majority of the respondents 37.8% were undecided that is, they neither agreed nor disagreed with the statement. In administrative decision making, citizen participation is about an inclusive setting of goals, determining policies and

strategies and monitoring of government services. 44.4% agreed that through public awareness there has been increase government support for community hence effectiveness of public participation in budgeting for development projects. This, to them, involves—support, and enhances the existing ability, energy and knowledge of citizens. 38.9% disagreed with the statement that through public awareness there have been changes to trade rules, the results can be interpreted to mean that there have been no changes and if there, then little to trade rules this affects citizen awareness on public participation. Through public awareness there are no innovative solutions feasible to the citizens in solving the complex challenge they are facing despite the fact that there has been citizen participation. Hence, the need for the stakeholders' to come up with more innovative solutions in to compact the challenges. 41.7% strongly agreed that there has been more accountability on the projects initiated as a result of citizen participation in the development projects implemented by the County Government Projects.

On the third specific objective of the study; 41.7% strongly agreed that accountability has increased ease and convenience of locating/accessibility information, due to public participation in budget making process there has been more accountability, this has increased the ease and convenience of locating information in the County Government. Due to information accessibility more people can now actively participate in forums on development projects. It is crucial that Internet services are accessible and affordable, as well as secure, reliable and continuously available, the county government provides sufficient information on projects undertaken, there is accountability in the budget making process as all the development are made public for the citizens to see. Uasin Gishu Government provides opportunities for public involvement and the public chooses whether

to utilize these opportunities. Stakeholders are not involved in every stage of the projects initiated, hence the need to involve every stakeholder in every stage of the project to enhance full participation. The residents did not know everything that happens in all development projects in the County hence the push for the release of information on budget implementation information in a public forum where that information was not initially presented. The media is used to increase everyday participation in development projects, 38.9% disagreed that projects may be reviewed by anyone and its laws and decision are open to discussion.

On the fourth objective of the study; majority of the respondents 56.5% agreed that through access to information public have the legal right to investigate and examine the conduct of affairs, citizens in Uasin Gishu County have the legal rights to investigate and examine the conduct of affairs. This could be attributed to the ease of access to county information by the citizens as the information is made public for all the stakeholders to scrutinize. Most of the citizens access information on resources and time that would otherwise be spent looking for data. They had little or no information on the statement that citizens access any information on projects that is held by the County. 41.7% agreed that through access to information citizens participate in political and economic decisions affecting them. 50% whom represent the majority and also half of the study sampled population agreed that through access to information on development projects citizens can initiate more projects. The public received information on the proposed projects by the county government and they are provided with opportunity to give feedback on the proposed projects and budget allocations. Majority of the respondents were in agreement that effective communication channel has helped to foster a good working relationship between

citizens and county government. Through public access to information citizens have become innovative and have developed new ways to deliver development projects, also through access to information, there is increased efficiency and productivity in delivery of development projects. Through access to information there is established workflow, policy and tracking of development reports.

7.3 Conclusion

On the first specific objective, the study concludes that; County government should coordinate the participation of communities and locations in governance at the local level. Counties are also required to assist communities to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level. The constitution has gone further to provide for instances where the voice and endorsement of the public is a compulsory requirement. In Articles 91, 94, 118 and 119 citizens have a right to participate in a political movement of their choice, while parliament is required to give the public an avenue to participate in legislation and presenting petitions to public authorities. County Government Act, 2012 (CGA) a county government shall ensure efficiency, effectiveness, inclusivity and participation of the people. Section 87 of the Act provides for the principles of citizen participation in county governance. These principles include: - timely access to information, data, documents, and other information relevant or related to policy formulation and implementation; reasonable access to the process of formulating and implementing policies, laws, and regulations.

On the second specific objective the study concludes that awareness levels among Uasin Gishu County residents was very low as majority of them thought that they had no role to play in the county government budget making process, had not received any training on public participation; were not familiar with enactments guiding public participation in devolved governance and those trying on their own were only able to do this through the internet which was a preserve of a few learned. Through public awareness citizens conduct public affairs and manage resources in the preferred way, Citizens understand the various rules governing citizen participation in budget process and the role that they should play. As a result of public awareness there has been better decision making on the budget making process, increased government support for community hence effectiveness of public participation in budgeting for development projects, changes to trade rules, the results can be interpreted to mean that there have been no changes and if there then little to trade rules this affects citizen awareness on public participation. Through public awareness there are no innovative solutions feasible to the citizens in solving the complex challenge they are facing despite the fact that there has been citizen participation. County government had put in place strong communication framework to create awareness and disseminate information to the public on public participation in devolved governance. Proper communication has encouraged better performance on project completion, through various communication channels such as radios, televisions, social media platforms which as means of communication most of the citizens can be reached hence this has encouraged better performance on budget hence project completion, Citizens in Uasin Gishu County have the legal rights to investigate and examine the conduct of affairs, there is ease of access to county information as the information is made public for all the stakeholders to

scrutinize, through access to information citizens participate in political and economic decisions affecting them, citizens can initiate more projects, public received information on the proposed projects by the County Government and they are provided with opportunity to give feedback on the proposed projects and budget allocations..

Based on the third specific objective the study concludes that; due to public participation in budgeting for development projects, there has been more accountability, this has increased the ease and convenience of locating information in the County Government Devolution has empowered local communities to manage their own resources more accountable way. Information accountability has helped people actively participate in development projects Uasin Gishu county government provides sufficient information on projects undertaken by the county government. These indicates that there is accountability in the budget making process as all the development are made public for the citizens to see. Stakeholders are not involved in every stage of the projects initiated, hence the need to involve every stakeholder in every stage of the project to enhance full participation. The residents did not know everything that happens in all development projects in the County hence the push for the release of information on budget implementation information in a public forum where that information was not initially presented. County Government of Uasin Gishu has an open and participatory process through which there is increased participation in the county budgetary decision-making processes. Media is used to increase everyday participation in development projects. Projects undertaken may not be reviewed by anyone due to sensitivity of the information. The Uasin Gishu County government was not accountable to the needs of its residence as most of the projects undertaken were not reflective of the needs of the county residents; majority of the residents had not been involved in public

forums and those involved felt that their opinions were not taken seriously; equally participation was low marked by low turnout and minimal contributions due to lack of technical knowhow on some of the issues.

Based on the fourth specific objective the study concludes that when citizens are able to access information on public participation, they became knowledgeable on their rights to participate and how to participate in devolved county governance. This has in turn helped to create awareness among the residents on various issues such the Acts guiding public participation; ways through which they can participate in devolved governance and their capacity to participate was enhanced. This led to effective public participation in county government activities that were reflected through projects that are based on the felt needs of the county government. The County government of Uasin Gishu provided information to its citizens however the channels used were not convenient due to poor timing and improper use of channels. Detailed information on important issues was only provided through the internet which was not accessible to everyone. Channels that were accessible were used only for announcements.

The study concludes that public involvement in the budgetary review process, budgetary allocation process and budgetary implementation promoted quality in budget preparation process in Uasin Gishu County.

7.4 Recommendations

Based on objective one that is to establish effectiveness of current legal framework in public participation the county government of Uasin Gishu should ensure efficiency, effectiveness, inclusivity and participation of the people. Section 87 of the Act provides for

the principles of citizen participation in county governance. These principles include: - timely access to information, data, documents, and other information relevant or related to policy formulation and implementation; reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards; protection and promotion of the interest and rights of minorities, marginalized groups and communities; legal standing to interested or affected persons.

Based on objective two that is to analyse impact of citizen awareness on public participation on effective devolved governance, the Uasin Gishu County in collaboration with the Ministry of Devolution and planning together with local CSOs should conduct training to capacity build Uasin Gishu County residents on public participation. Undertake massive awareness creation on public participation through local radio stations, public gatherings, television and through the social media. The Uasin Gishu County government should hold public forums at ward level to reach more citizens and those conducting public participation awareness should consider using the local language during public participation forums or making use of interpreters in addition to providing materials in a language that the locals understand. This is because we have not yet attained sufficient literacy levels and those that have no education feel left out during such fora; it is important that the government makes use of more platforms when informing the public on the date, time, venue and topic of discussion and also on the relevance of the topic to the local people. This can be done through use of social media and key personalities in the community like local pastors, priests, chiefs and other influential persons in the community. This will ensure that the locals attend these fora and gives that they air their

views so that the projects implemented meet their needs; it is prudent that the county governments consider facilitating those who attend public participation fora by either refunding their fare or providing them with lunch during the day. Capacity builds its citizens so that they can give valuable opinions that can be considered during decision making. Treat its residents as equal partners in decision making rather than just calling them to listen to their opinions. It's also important that prior to public participation, the relevant documents are available to the public so that they know what will be discussed during the forums.

Based on objective three and four which was to influence accountability and access to county information on public participation on development projects, the Uasin Gishu County Government needs to guarantee a greater accountability level by involving the citizens in the identification of community needs and development planning for the county; county budget preparation and validation; implementation of development projects at the local level and in the actual monitoring and evaluation of projects or programs being implemented through public funds in the county. The public can support mechanisms of social accountability by participating in Local referendum, town hall meetings, and visiting development project sites. They may also participate by applying for tenders to supply goods and services to the county government. The Public Finance Management (PFM) Act, 2012 provides for public participation in public financial management and in particular: the formulation of the Budget Policy Statement, County Fiscal Strategy Paper and the Budget Estimates; the preparation of Division of Revenue Bill and County Allocation of Revenue Bill. The County Budget and Economic Forum provides a platform for public participation in county planning and budgeting. The views and the concerns raised by the participants

doing public participation forums should be taken into account during project identification, implementation and evaluation. This will ensure that the only priority projects identified by the locals are implemented.

In objective four that is access to county information, Uasin Gishu County should develop an ICT-Resource Centre where citizens can go and easily access information on various issues on public participation. Train citizens on how to access information especially on the internet this will be easy given that majority of the residents have O-levels. Ensure that it disseminates information in a simplified language through channels that are easily accessed by many like local vernacular radio stations.

7.4.2 Suggestion for Further Studies

The clear framework should be in place at the county level to guide citizen participation (incorporating the minimum standards required by law). County specific public participation frameworks should be developed and adopted in every county, clearly outlining the structure and process for engagement of the public to ensure clarity on when and how participation will take place in the county. This will enable the public to have a recourse measure should participation not take place as per the legal requirement.

The views and concerns raised by participants during public participation forums should be taken into account during project identification, implementation, monitoring and evaluation. This will ensure that only the priority projects identified by the locals are implemented.

The Uasin Gishu County government should develop an ICT- Resource center where citizens can go and easily access information on various issues on public participation. Train its citizens on how to access information especially in internet. Ensure that it disseminates information on a simplified language through channels that are easily accessed by many like local vernacular radio stations.

The County should demonstrate effective training, strengthen good communication in public participation and enhance sufficient systematic access of information in the right time and analysis of community issues in order to influence development projects.

The Uasingishu County should hold more public forums at the ward level to reach out more citizens. Capacity builds its citizens so that they can give valuable opinions that can be considered during decision making. Treat its residents as equal partners in decision making rather than just calling them to listened to their opinions.

Uasingishu county government should pay greater attention on budgetary allocation process as this would help in avoiding project deadlocks

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APPENDICES

APPENDIX I: A QUESTIONNAIRE FOR COMMUNITY MEMBERS

INSTRUCTIONS

Dear respondent.

My name is Ngenoh Melody Chelangat. I am a post graduate student at Moi University. Am conducting a research thesis on effectiveness of public participation in budgeting for development projects in Uasin Gishu County, Kenya. This is partial fulfilment of a Masters of Arts Degree in Public Policy and Administration. I promise that all information will be treated with utmost confidentiality. Your support will be highly appreciated. Thank you in advance.

Within the county there will be an improvement in service delivery of resources that shall be more important e.g. provision of water, electricity, reduced traffic congestion etc. Projects could be informed of a new road infrastructure, a school, health facilities and boreholes etc. or could be renovating or improving ones.

i. Please tick (✓) against the most appropriate response applicable to you or fill in the blank spaces.

ii. Do not write your name anywhere on this questionnaire

SECTION A. DEMOGRAPHIC INFORMATION

1. Name of the respondent:

Gender: Male ()

 Female ()

2. What is your age in years?

Below 29 ()

30-39 ()

40-49 ()

Above 50 ()

3. What is your highest completed level of education?

No formal education ()

Primary education ()

Secondary education ()

Certificate/Diploma College ()

University/College ()

SECTION B: Effectiveness of current legal framework in public participation in budgeting for development projects in Uasin Gishu County.

The following questions will guide us to recognize the effectiveness of current legal framework in public participation. Please tick (√) in the grid of your choice. SA= Strongly Agree, A= Agree, UD = Undecided, DA = Disagree SD = Strongly Disagree.

Statement	Level of agreement				
	SA	A	UD	DA	SD
Every person is subject to the law					
All citizens are equal before the law					
citizens give power to elected representatives					
Citizens rule themselves and control their own affairs					
Citizens are subjected to law and control'scrutiny through public participation					
Policies formulated are valid, efficient, and implementable and efficient by involving the citizens.					
Policies are conceived and clearly articulated on public participation.					
Policies formulated takes into interest and rights of every person.					
County government structures provides the main frameworks for citizen participation in governance.					
There are existing policy framework for public participation					
Internal structures have been set up to enable proper public participation					
Policies formulated are valid,implementable and efficient by involving citizens.					
Policies are conceived and clearly articulated on public Participation					
Policies formulated take interest of every person					

SECTION C: Impact of citizen awareness on public participation

The following questions will guide us to recognize the Impact of citizen awareness on public participation. Please tick (✓) in the grid of your choice. SA= Strongly Agree, A= Agree, UD = Undecided, DA = Disagree SD = Strongly Disagree.

Statement	Level of agreement				
	SA	A	UD	DA	SD
Citizens conduct public affairs and manage public resources					
Public participation and rule of law					
Public participation and strategic planning					
Public participation and decision making					
Better decision making has ensured optimum growth and drivability in terms of services and or products offered.					
Public awareness and community programs					
Public awareness and changes to trade rules /laws					
Public awareness and better rights for minorities					
Public awareness and innovative solutions to complex challenges.					
Public awareness and Citizens felt connected to the projects initiated.					
Public participation and accountability on the projects.					

SECTION D: Influence of accountability on public participation on development projects

The following questions will guide us to recognize the influence of accountability on public participation on development projects. Please tick (√) in the grid of your choice. SA= Strongly Agree, A= Agree, UD = Undecided, DA = Disagree SD = Strongly Disagree.

Statement	Level of agreement				
	SA	A	UD	DA	SD
Accountability has increased ease and convenience of locating information					
Information accessibility and development projects					
The county government provides information on projects undertaken.					
Development projects are made public					
Public have free and easy access to information on development projects.					
Stakeholders are involved in every stage of the projects initiated.					
public knows everything that happens in all authorities and county administrations					
County government projects are open to the public.					
Media popularization of county development projects					
Project budget may be reviewed by anyone, and its laws and decisions are open to discussion.					
Participative democracy and project participation					

SECTION E: Access to county information on public participation on development projects.

The following questions will guide us to recognize access to county information on public participation on development projects. Please tick (√) in the grid of your choice. SA= Strongly Agree, A= Agree, UD = Undecided, DA = Disagree SD = Strongly Disagree.

Statement	Level of agreement				
	SA	A	UD	DA	SD
Public have the legal right to investigate and examine the conduct of affairs.					
Access to information saves on resources and time.					
Citizens access any information on projects that is held by the county.					
Access to information citizens Participate in political and economic decisions .					
Access to information on development projects citizens can initiate more projects.					
Effective communication channel and access to information.					
Access to information and proper communication has encouraged better performance on project completion .					
Public access to information, citizens have become innovative and have developed new ways to deliver development projects.					
Access to information, there is increased efficiency and productivity in delivery of development projects.					
Access to information, there is established workflow, policy and tracking of development reports.					

APPENDIX II: INTERVIEW GUIDE FOR KEY INFORMANTS

Dear respondent,

I am a post graduate student of Moi University. I am conducting a research on effectiveness of public participation in budgeting for development projects the research thesis will be submitted in partial fulfilment of the requirements for the award of the degree of master's in public policy and administration. Within the county, improvement in service delivery of resources might be more important e.g. Provision of water, electricity, reduced traffic congestion and agricultural development etc. Projects could be in form of building a new road, a school, a health facility and boreholes etc. or could be renovating/improving old ones. I promise that all information will be treated with utmost confidentiality. Your support will be highly appreciated. Thank you in advance.

1. Name of the respondent (optional)

2. Gender-----

3. Position

4. What is your age-----

5. What is your highest completed education level-----

6. How is Planning and Budgeting for development projects carried out by the County?

7. Which structures are in place to facilitate community participation in the county?

8. Are you aware of your role as a Sub county/Ward Committee member during the Planning and Budget implementation? YES () NO ()

If YES, please explain the role:

9. What skills have you acquired during the community participation phase of the planning and budgeting for development projects?

10. Were you consulted during the Planning and budgeting for development projects? YES/NO If No, state reason:

11. Are you aware of any challenges that are faced by the County government in the planning and budgeting for development projects?

12. Are you aware of any challenges that are faced by the County government in regards to community participation in the planning and budgeting for development projects?

13. Any other comments/suggestions you would like to make.

APPENDIX III: RESEARCH AUTHORIZATION FROM MOI UNIVERSITY



MOI UNIVERSITY
(ISO 9001:2015 CERTIFIED)
SCHOOL OF ARTS AND SOCIAL SCIENCES
DEPARTMENT OF HISTORY, POLITICAL SCIENCE & PUBLIC ADMINISTRATION

Tel: (053) 43620
 Fax No. (053) 43047
 Telex No. MOI VARSITY 35047

P.o Box 3900
 Eldoret
 Kenya

1st July 2019

MINISTRY OF HIGHER EDUCATION, SCIENCE AND TECHNOLOGY
NATIONAL COUNCIL FOR SCIENCE AND TECHNOLOGY
P.O. BOX 30623-00100
NAIROBI

REF: NGENOH MELODY CHELANGAT-SASS/PGPA/01/17

This is to confirm that the above named is a student in the School of Arts and Social Sciences, Department of History, Political Science and Public Administration pursuing Masters Degree in Public Administration and Policy. She has successfully completed her coursework and defended her proposal titled: **“Effectiveness of Public Participation in Budgeting for Development Projects in Uasin Gishu County, Kenya”**. She is now allowed to obtain research permit in order to collect data in the field.

Any assistance given to her will be highly appreciated.


DR. KEN OLUOCH, PHD
HEAD, DEPARTMENT OF HISTORY POLITICAL SCIENCE AND PUBLIC ADMINISTRATION



**APPENDIX IV: RESEARCH AUTHORIZATION FROM MINISTRY OF
EDUCATION**



**Republic of Kenya
MINISTRY OF EDUCATION**

STATE DEPARTMENT OF EARLY LEARNING & BASIC EDUCATION

Mobile : **0721820731**

Email: cdeuasisingishucounty@yahoo.com

: cdeuasisingishucounty@gmail.com

When replying please quote:

County Director of Education,

Uasin Gishu County,

P.O. Box 9843-30100,

ELDORET.

Ref: No. MOEST/UGC/TRN/9/VOL III/130

3RD SEPTEMBER, 2019

Ngenoh Chelangat Melody

Moi University

P.O Box 3900-30100

ELDORET

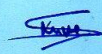
RE: RESEARCH AUTHORIZATION

This office has received a request from your Institution to authorize you to carry out research on "***Effectiveness of public participation in budgeting for development Projects,***" Within Uasin Gishu County.

We wish to inform you that the request has been granted until **23rd July, 2020.** The authorities concerned are therefore requested to give you maximum support.

We take this opportunity to wish you well during this data collection.

FOR COUNTY DIRECTOR OF EDUCATION
UASIN GISHU COUNTY
P.O. Box 9843, ELDORET
Tel: 0719-127 212/053-2063342


Psinen Michael

For: County Director of Education

UASIN GISHU



APPENDIX V: RESEARCH AUTHORIZATION FROM NACOSTI



NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

Telephone: +254-20-2213471,
2241349, 3310571, 2219420
Fax: +254-20-318245, 318249
Email: dg@nacosti.go.ke
Website: www.nacosti.go.ke
When replying please quote

NACOSTI, Upper Kabete
Off Waiyaki Way
P.O. Box 30623-00100
NAIROBI-KENYA

Ref. No. **NACOSTI/P/19/27277/31973**

Date: **25th July, 2019**

Ngenoh Chelangat Melody
Moi University
P.O Box 3900-30100
ELDORET.

RE: RESEARCH AUTHORIZATION

Following your application for authority to carry out research on *“Effectiveness of public participation in budgeting for development projects in Uasin Gishu County, Kenya.”* I am pleased to inform you that you have been authorized to undertake research in **Uasin Gishu County** for the period ending **23rd July, 2020**.

You are advised to report to **the County Commissioner, and the County Director of Education, Uasin Gishu County** before embarking on the research project.

Kindly note that, as an applicant who has been licensed under the Science, Technology and Innovation Act, 2013 to conduct research in Kenya, you shall deposit a **copy** of the final research report to the Commission within **one year** of completion. The soft copy of the same should be submitted through the Online Research Information System.

G. Kalerwa

**GODFREY P. KALERWA., MSc, MBA, MKIM
FOR: DIRECTOR-GENERAL/CEO**

Proceed
COUNTY COMMISSIONER
UASIN GISHU COUNTY
8/9/2019

Copy to:

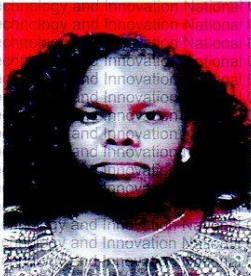
The County Commissioner
Uasin Gishu County.

The County Director of Education
Uasin Gishu County.

APPENDIX VI: RESEARCH PERMIT

THIS IS TO CERTIFY THAT:
MS. NGENOH CHELANGAT MELODY
of MOI UNIVERSITY, 3900-30100
ELDoret, has been permitted to conduct
research in Uasin-Gishu County
on the topic: EFFECTIVENESS OF
PUBLIC PARTICIPATION IN BUDGETING
FOR DEVELOPMENT PROJECTS IN UASIN
GISHU COUNTY, KENYA
for the period ending:
23rd July,2020

Permit No : NACOSTI/P/19/27277/31973
Date Of Issue : 25th July,2019
Fee Received :Ksh 1000



Applicant's Signature


Director General
National Commission for Science, Technology & Innovation

THE SCIENCE, TECHNOLOGY AND INNOVATION ACT, 2013
The Grant of Research Licenses is guided by the Science, Technology and Innovation (Research Licensing) Regulations, 2014.

CONDITIONS

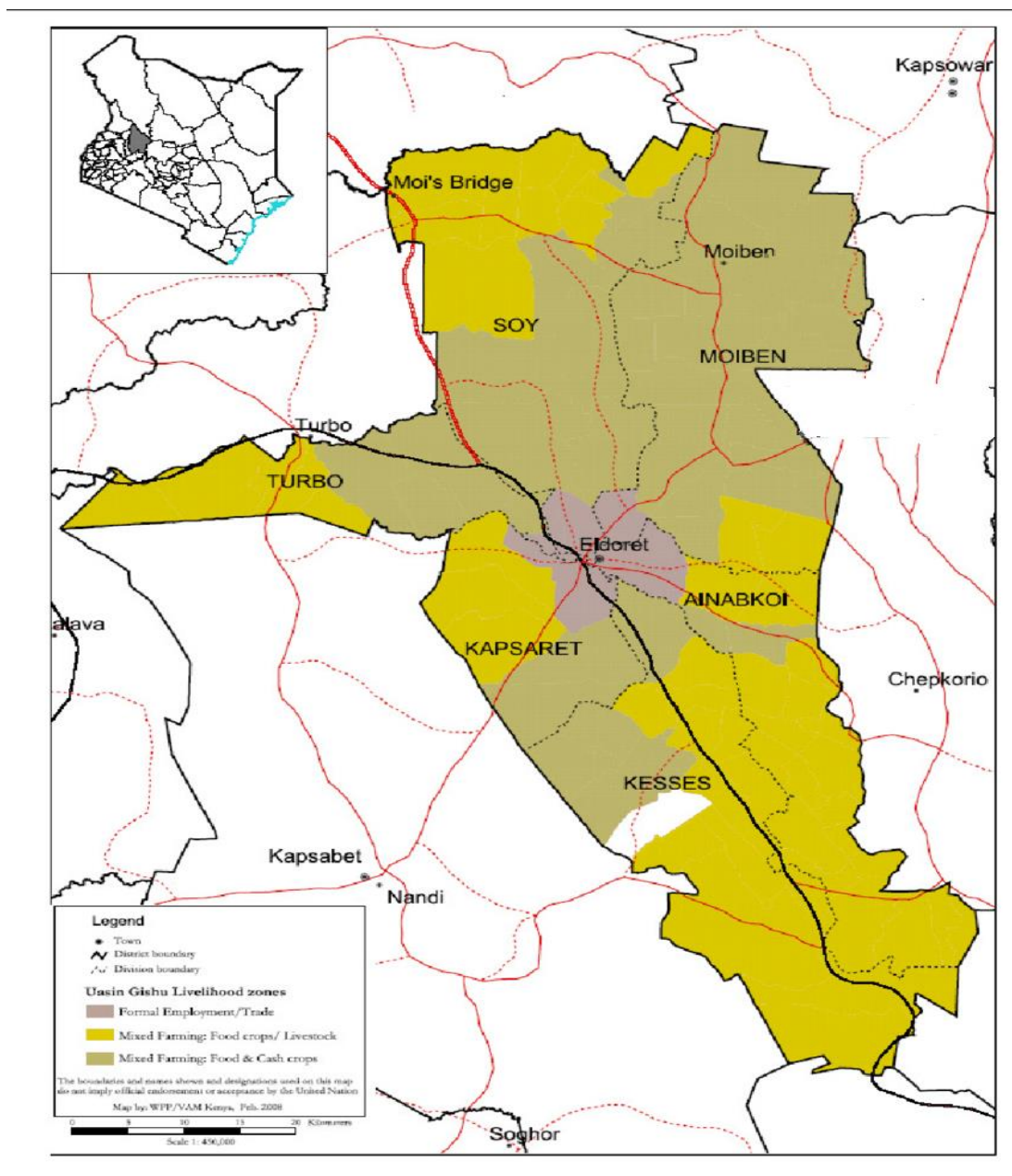
1. The License is valid for the proposed research, location and specified period.
2. The License and any rights thereunder are non-transferable.
3. The Licensee shall inform the County Governor before commencement of the research.
4. Excavation, filming and collection of specimens are subject to further necessary clearance from relevant Government Agencies.
5. The License does not give authority to transfer research materials.
6. NACOSTI may monitor and evaluate the licensed research project.
7. The Licensee shall submit one hard copy and upload a soft copy of their final report within one year of completion of the research.
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Website: www.nacosti.go.ke

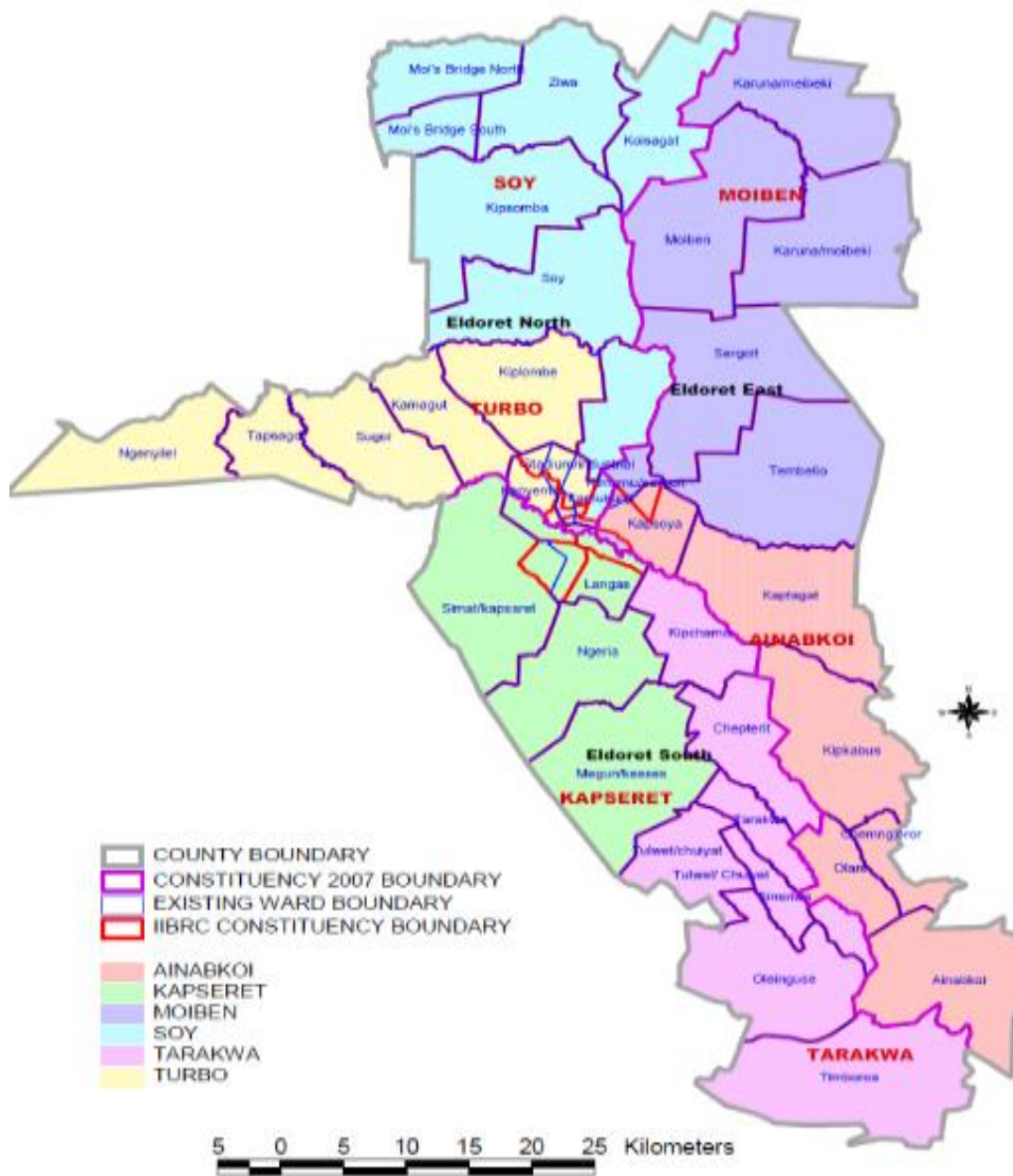


REPUBLIC OF KENYA
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National Commission for Science, Technology and Innovation
RESEARCH LICENSE
Serial No.A 26019
CONDITIONS: see back page

APPENDIX VII: MAP OF UASIN GISHU COUNTY



APPENDIX VIII: MAP OF UASIN GISHU SHOWING WARDS



APPENDIX IX: MAP OF KENYA SHOWING THE LOCATION OF THE STUDY AREA

