

**AN ANALYSIS OF COMMUNICATION FRAMEWORKS FOR PUBLIC
PARTICIPATION IN SELECTED COUNTY GOVERNMENTS IN KENYA**

BY

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2025

DECLARATION

Declaration by the Candidate

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DEDICATION

To the memory of my late mother, Tabitha Masibo, who always supported me throughout my academic pursuits.

ABSTRACT

The implementation of public participation, a key objective of devolution, has become contentious and polarizing process. It remains unclear how county governments have operationalized and institutionalized public participation as a fundamental principle and value of governance. As the level of government closest to citizens, counties provide an ideal forum for participatory democracy to thrive. This can be achieved through the adoption of comprehensive communication strategies that facilitate citizen-centred engagement, ultimately enhancing the quality of decision making outcomes. While many counties have taken steps to establish structured mechanisms for public interest information exchange among stakeholders, the extent of their influence remains largely unclear. This study aimed to analyze county communication architecture as a strategic pathway and tool for public participation in Kenya's devolved governments. It focused on four key research objectives: to identify communication frameworks implemented at the county level that facilitate meaningful public participation; to evaluate the effectiveness of county communication frameworks in achieving devolution objectives; to examine the opportunities and challenges in implementing public participation in decentralized governments and; to analyze the constitutional and legal framework that guides public participation in devolved governments in Kenya. The study was conducted in the counties of Kisumu, Trans Nzoia, Kwale, Makueni, Marsabit, Meru, Narok and Nairobi, each representing respective regional economic bloc. The anchor theoretical framework was Functional group communication theory and deliberative democracy theory, both emphasizing the role of communication in ensuring effective decision making. The study sample consisted of 26 respondents purposely chosen for their role in public participation, communication, and county governance. The participants were drawn from the council of governors, county assemblies forum, sub county administrators, county directors of communication, and community based organizations. Data was collected through document analysis and in-depth interviews. The generated data was analyzed thematically and presented in a narrative form. The findings revealed that: there is a general normative communication framework provided under the County Government Act for each county to model own communication approach; county communication strategies as applied have not delivered intended communication objectives; many opportunities exist for county residents to participate in governance; public participation is undermined by social, economic, communication, cultural, political and behavioral factors; the constitution and relevant legal provisions firmly establishes public participation as a fundamental value and principle of governance. The study recommends that county governments should ensure communication and information is available and accessible to all citizens, strengthen their communication fundamentals, and actualize participation as the law provides and within established standards, norms and best practices.

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LIST OF ACRONYMS

CGA: County Government Act

CIDP: County Integrated Development Plans

CoG: Council of Governors.

CoK: Constitution of Kenya

CMD: Centre for Multiparty Democracy

IEA: Institute of Economic Affairs-Kenya.

ICJ: International Commission of Jurists

ICT: Information Communication and Technology

KIPPRA: Kenya Institute of Policy Research and Analysis

MCK: Media Council of Kenya

PFMA: Public Finance Management Act

SID: Society for International Development

TI: Transparency International

UACA: Urban Areas and Cities Act

UNDP: United National Development Program

OPERATIONAL DEFINITION OF TERMS

Public Participation: This term refers to involvement of citizens in decision making processes that affects their lives, communities and society as a whole.

Citizen Involvement: This term has been used interchangeably with public participation to mean providing opportunity for every citizen to deliberate and influence decisions that affect their well-being.

County Governments: This refers to constitutionally provided and popularly elected 47 Devolved Governments

County Communication Frameworks: This term has been used throughout this thesis to describe structure and strategies counties have put in place for public communication.

Policy Making: Refer to ideas and opinions contributed by citizens in county finance management, planning, development and legislation

Policy Implementation: This refers to collaboration of citizens with counties to monitor and evaluating the impact of decisions made during public participation processes.

Communication Frameworks: This term refers to processes and information ecosystems recognized as Important space where public opinion is formed and articulated.

CHAPTER ONE

BACKGROUND TO THE STUDY

1.1 Introduction

This chapter examines concept of county communication frameworks for fostering public participation within Kenya's devolved governments. It underscores the pivotal role of communication in establishing a vital connection between citizens and county governments. The chapter commences by presenting a compelling case for the necessity of a robust and dependable communication framework as a foundational element for enhancing public participation. Subsequently, it articulates the research problem, which centres on the efficacy of county communication strategies.

Special attention is dedicated to elucidating the research's objectives and how they constitute a fundamental component in addressing the overarching research problem. The chapter also presents an in-depth exploration of the study's scope, purpose, significance, and inherent limitations. These discussions collectively contribute to the broader discourse surrounding the effectiveness of communication strategies and the role of county communication framework as catalysts for public participation.

1.2 Contextualizing the Study

Kenya's County Governments began functioning soon after the March 2013 elections, and a decade of its implementation, devolution remains work in progress. The Constitution of Kenya (CoK) 2010 and other various legislation anchor devolution and prescribe platforms for citizen involvement in devolved governance. Article 1(1) of CoK 2010 vests all sovereign power to the people of Kenya. Article 10 formally recognizes

public participation as a fundamental national value and principle of governance. Public participation is a major element of devolved government policy-making and service delivery.

The centrality of people's participation is a form of democracy that underpin state-society relations, allowing citizens, in particular the poor and marginalized, to have a say in how they are governed, in how decisions are made and implemented. Public participation serves as a bridge uniting citizens on diverse sides of policy debates, enabling them to identify common ground amidst issues that may otherwise divide them. Creighton (2005) agrees, participation involves seeking and facilitating the involvement of those who will be affected by or interested in a decision.

The concept of participation is rooted firmly in political discourses, opening up a series of argument that legitimize the importance of public participation. Participation holds considerable promise and benefits. Participation gives legitimacy to the processes (Greenberg & Mathoho, 2010). It promotes transparency, inclusivity and fair decision making process (Lin and Kant, 2021). People's involvement in governance encourages ownership of decisions (IEA 2015, Constitution, 2010). Participation bridges divides and has the capacity to bring citizens on different sides of a policy debate to find a common ground (Casula, 2015). When the public remains vigil and engaged, they are able demand accountability from public officers (Carpentier & Ribeiro, 2009). According to Nabatchi & Leighninger (2015), participation is key for democratic accountability. It helps to alleviate conflicts by ensuring interests of different stakeholders are addressed (Mokku,

2018). Broader public participation can help tackle corruption that affects ordinary citizens and businesses (World Bank, 2022).

The CoK 2010 sets key requirements for county governments to provide frameworks for public participation in governance processes. The Fourth Schedule gives County Governments the power to facilitate public participation. This responsibility is affirmed in the County Government Act (CGA), 2012 and requires counties to develop capacities, provide civic education and communicate effectively on participatory initiatives. Part 2 Section 6 of CGA 2012 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.

Additionally, Section 87 of the Act provides for the principles of citizen participation in county governance. The principles are: timely access to information and reasonable access to the process of participation. Effective communication is both a function and proof of good governance. Meaningful participation is predicated on an effective communication and opportunity for citizens to engage in governance. Communication policies and guidelines are invaluable tools for coordinating county communication. County governments looking forward to improve participatory communication, they need to re-examine the “how” to communicate. Both old and new media can be powerful tools for promoting inclusive participation in development and decision making (UNDP, 2005).

The county communication framework represents a practical approach for communication and dissemination of information for public participation. The CGA 2012, in sub section 91 identifies modalities and platforms for citizen engagements. These include technology

based platforms, town hall meetings, and notice boards. The Urban Areas and Cities Act of 2011 make further provisions for public participation. The Act provides for a Citizen Fora and establishes institutionalized active participation of residents in the management of urban and city affairs.

Mediated and non-mediated forms of communication are crucial for participation. Scholars argue that collaborative and communicative approaches are critical in participation processes (Mefalopulos 2003, Carpentier 2019). Nyabuga (2017) consents that communication is a precursor to engagements and is undoubtedly crucial to the growth of democracy and associated benefits. Through communication and public participation, the public are given various scenarios or alternative propositions to contemplate, provided with information on consequences of decisions, the costs, opportunity costs and commitment requirements to consider before making decisions (Barnes, 2020). The IEA (2015) outlines criteria for successful public participation, emphasizing the importance of clear mechanisms for public participation and robust communication channels between citizens and county governments.

The CoK 2010 entrenches devolution and mandates participation in the delivery of devolved functions. Devolution was introduced as the main solution to the problems of centralization of power which had been long identified as the country's main governance problem (Wanyande and Mboya, 2016). The devolution architecture provides localized solutions to societal challenges, with citizens actively involved addressing them. According to the Centre for Multi-Party Democracy-Kenya, the aim of devolution was to bring resources closer to the people through the 47 county governments (CMD, 2022).

Through devolution, public authority and resources were equitably transferred to counties (Bigambo and Keya, 2022). County governments' proximity to the citizens, allows direct, more meaningful forms of participation of citizens in public affairs (Greenberg and Mothokho, 2010). Despite enthusiasm in fostering public participation in counties, many have struggled to implement it effectively, often due to shortcomings in communication approaches. Against this background, the aim of this thesis was to evaluate effectiveness of county communication frameworks in fostering public participation in devolved governments.

1.2.1 Historical Perspectives of Devolution in Kenya

At independence, Kenya has Westminster style of democracy with multiparty institutions and a federal system of government. Political representation at the regional level was through Regional Assemblies. At the national level, representation was through the senate, the upper house, which also took care of the interests of regional governments. There was also a system of local government arrangement to facilitate citizen participation in governance and cater for the welfare of marginalized groups and minorities. Popularly known as Majimbo, the devolved structure was short lived as a series of constitutional reforms were enacted creating an 'imperial presidency'. The effect of this was transferring power and resources away from the peripheral institutions to the person rather than the office of the president (Nyanjom, 2011). Three years after independence, Majimbo was dismantled by the ruling party, Kenya African National Union (KANU) when the main opposition, Kenya African Democratic Union (KADU) joined it to form government.

In 1966, some critics within government resigned their positions to form a new political party, The Kenya Peoples Union (KPU). Keen to consolidate power without rivalry, the government banned opposition in 1969. This gave the main ruling party; KANU, unchecked dominance. More amendments to the constitution to centralize power in the executive followed. The first amendment weakened the regional government, and the second replaced the regions with provinces at the same time abolishing the senate (Onyango, 2013). These constitutional reforms were premised on the need to secure the rights of the ethnic minorities grouped in the KADU party, against domination by the 'big tribes' grouped in the KANU party.

The government became increasingly intolerant to dissent throughout the 70s. In 1982, parliament changed the constitution to make Kenya a one-party state. Persisting demands for a comprehensive constitutional review compelled the government to repeal this constitution provision and the country returned to multi-party democracy in 1991. The return to competitive politics led to the expansion of space for the enjoyment of civil and political freedoms. The continued agitation for more reforms were met by only piecemeal reforms such as the 1997 Inter Party Parliamentary Group (IPPG) a compromise between Moi's conservatives and radical reformists.

In 2002, Moi relented to establish the Constitutional Review Commission of Kenya which took control of a comprehensive review process based at the Bomas of Kenya. The resulting 'Bomas Draft' constitution was largely ready by the close of Moi's second and final presidential term in 2002. When National Rainbow Coalition (NARC) came to power after the 2002 general election, instead of delivering the Bomas Draft Constitution

in 100 days of victory as promised in the campaigns, the government abandoned the reform path halfway after the collapse due to internal disagreements over power and distribution of spoils. Kibaki wing of government altered the draft to come up with what was dubbed the Wako Draft that was defeated during a national referendum in November 2005.

It would be against the backdrop of the unresolved constitutional review process that Kenya held the controversial presidential election in which the disputed presidential election results led to intense localized outbreak of violence, killing about 1100 people while displacing another 650,000 persons from their homes. This led to formation of a government of national unity between ODM and PNU on 28 February 2018. The significance of the accord mandated a strictly timetabled conclusion of the constitutional review process among other agendas. After a two-decade gestation, much brinkmanship over the contentious issues and multiple litigations against the document, the new constitution were finally endorsed by 66 per cent of the vote in the 4 August 2010 referendum.

1.2.2 Structure of Devolved Government

There are forty-seven County Governments in the Republic of Kenya. Each county is composed of two arms: the County Executive and the County Assembly. The administrative structure comprises of the Sub-County, Ward, and Village. Appointed Municipal Boards play a role in the administration of cities and urban areas.

1.2.2.1 The County Executive

The Constitution bestows the executive authority of the county to the County Executive Committee under Article 179 of CoK 2010. This committee consists of the Governor, Deputy Governor and County Executive Committee Members (CECs). The Governor and Deputy Governor are elected jointly every five years by the citizens of the County. Being the Chief Executive of the County Government, the Governor appoints CECs after approval by the County Assembly. The County Executive is responsible for the execution of fourteen county government's functions listed in the Fourth Schedule to the CoK 2010. Other members of the county executive include the County Secretary and Chief Officers from among persons competitively sourced and recommended by County Public Service Board.

The role of the county executive is provided for in Article 183 of the Constitution. The committee is responsible for: implementation of county legislation; implement, within the county, national legislation to the extent that the legislation so requires; manage and coordinate the functions of the county administration and its departments; and perform any other function conferred on it by the constitution or national legislation. The county executive committee also furnishes the county assembly with full and regular reports on matters relating to the county (CoK, 2010). The county executive thus exercises executive responsibility at the county level (Thomas, Bosire and Eysin, 2018).

1.2.2.2 *The County Assembly*

The Constitution confers the county's legislative authority to the County Assembly. County assemblies are composed of elected representatives chosen from single-member wards (MCAs) at the county level and nominated members. The constitution require all county assemblies to have no less than one-third of each gender and the number nominated to these seats depends on the gender composition of the ward representative (Thomas, Bosire and Eysin, 2018).The law also provides for special representative seats for various groups that include marginalized groups such as Persons with Disability (PWDs), youth, and the representatives of marginalized communities. The Constitution further provides for the election of a speaker (from outside the county assembly) who is an *ex-officio* member. Other members of county assembly include a deputy speaker who is nominated among the elected MCAs and the Clerk of the county assembly whose functions are similar with modification to those of the national assembly clerk.

The CA in Kenya is the law making organ of the county government. The roles of Assemblies are to represent citizens, exercise the legislative authority of the county government and oversight the county executive. The county assembly vets and approves nominees from the governor to hold public offices. These nominees include the CECs, County Public Service Board and Chief Officers. The CA exercises oversight over the county executive committee and any other county executive organs. The CA also approves the budget and expenditure of the county governments. Further, the county assemblies approve borrowing by the county government and approve county development plans that integrate economic, physical, social, environment, and spatial

planning. In performing these functions, County Assemblies are required to engage the public constructively.

1.3 The statement of the problem

Public participation as a constitutional principle and value of governance is a critical issue to be considered and prioritized by 47 devolved governments. Despite a widespread expectation for public participation in governance, practical and theoretical debates surround its implementation (Bryson and Quick K, 2016). While counties have made efforts to involve people in decision making, key concerns remain as to what constitutes legitimate and adequate participation, the nature of participation, effective mechanisms for public participation, diversity of representation, and the challenge of designing participation processes that are inclusive. Further, seldom has the critical role of communication for public participation been made evident. Ineffective communication strategies bear the risk of compromising the outcomes of people centred processes.

Empirical studies on public participation indicate that communication, as a precursor for meaningful participation, remains underutilized. The Intergovernmental Relations Technical Committee (2016) observed that the extent and effectiveness of public participation have not been fully achieved. Similarly, The Institute for Social Accountability (TISA, 2016) found that majority of county communication processes were inadequate pathways in fostering citizen involvement in public affairs. Magina (2015) noted that majority of counties had not fully embraced two-way communication, thereby hindering citizens' ability to effectively monitor county activities. Additionally, Mokku (2018) highlighted the absence of comprehensive strategies for disseminating

public information among most county governments. Nyabuga (2017) further identified bureaucratic huddles as a major impediment in public decision making processes.

Communication as a primary instrument for facilitating participation subscribes to broader theory that individuals make informed choices when they access information (Mefalopulos, 2003). For Kenyans to participate in decision making and hold counties to account, access to reliable information is essential (World Bank, 2022). However, considerable uncertainty persists regarding the effectiveness of county communication strategies in promoting public participation. The limitations of existing county communication approaches not only affect citizen participation but also have implications for the quality of decisions made at the county level. To foster meaningful participation, it is necessary to adopt communication practices that emphasize genuine two way dialogue. Effective communication is increasingly recognized as a crucial element in stakeholder engagement, problem analysis, and policy resolution. Scholars advocating for consensus perspective argue for a holistic approach that integrates both vertical and horizontal communication to enhance decision-making at both national and local levels. This perspective is not found favour within most county administrations.

From academic point of view, a scholarly gap exists regarding effectiveness of county communication frameworks in promoting participation within county governments. This lack of comprehensive academic inquiry hampers the development of evidence based strategies that can enhance citizen participation in public affairs. (Nyabuga 2016). As a relatively new area of study that gained prominence post 2010 constitutional dispensation,

there remains much to be explored regarding how devolved governments can effectively collaborate with citizens in designing and implementing mutually beneficial policies.

Existing studies have mainly examined the general influence of communication on participation, without delving deeply into the specific dynamics and effectiveness of county communication frameworks. For instance, Institute of Economic Affairs (2015) exposed deficiencies in information and communication strategies in the counties of Isiolo, Kisumu, Makueni, and Turkana which hindered public participation. Similarly, Thomas, Bosire and Eysin (2018), revealed that public participation remained a hollow concept without tangible results. Ronoh, Mulongo, and Kurgat (2018) further noted that most counties still adhered to top-down communication approaches, limiting participation. A World Bank report titled “Devolution in Kenya: Basic Requirements for Public Participation in Kenya’s Legal Framework” (2015) found that only a few counties had established effective communication mechanisms for timely information dissemination. A decade after the establishment of devolved governance, county level communication frameworks continue to provide limited opportunities for public participation.

With regard to social concerns, notable challenges persist in ensuring access to information and opportunities for participation. The overarching objective of devolution was to bring services closer to the people and create avenues for citizens to participate effectively in decisions that impact their socio-economic and political well-being. However, vulnerable groups, including youth, women, and marginalized communities,

often face substantial barriers to accessing information, which undermines their ability to participate meaningfully.

Recent surveys underscore that many county governments fail to provide crucial information regarding policy debates within the legally mandated timeframes. The Media Council of Kenya (MCK) Survey Report of (2020) identified practical challenges in accessing government-held information. Similarly, a World Bank (2014) survey revealed that most county governments failed to adequately inform the public during budget-making processes. Additionally, International Budget Partnership Kenya report (2021) highlighted inconsistencies in how counties published budget documents, with only nine out of forty seven counties meeting the required transparency standards. This trend suggests that some counties circumvent constitutional requirements regarding information dissemination, thereby contravening Article 35 of the Constitution of Kenya (2010) and the County Government Act, both which emphasize information access.

Furthermore, the role of the Kenyan media in supporting public participation has been scrutinized. The World Bank (2015) has argued that media engagement in participatory governance remains insufficient. Similarly, Nyabuga (2018) contends that the media provide inadequate space for ordinary citizens to express their opinions. Wainaina (2009) argues that the media has not done enough to enable people to participate meaningfully by building their capacities and capabilities in a predictable communication environment. The heavy commercialization of the media and control exercised by the elites and politicians are the primary reasons behind this limited space for governance discussion in the media. This lack of access to information and media channels contribute to

disenfranchisement, and disinterest among citizens taking part in decisions that have a bearing to their lives (Ndichu, 2011).

This study therefore sought to assess and address the shortcomings of county communication frameworks to ensure they adequately promote active participation of people in county governance processes. The absence of empirical research into county communication frameworks impedes the identification of communication hindrances that may undermine citizen participation in governance process in devolved units. Ultimately, the study aimed to provide insights that could guide policy and practical approaches that promote good governance in devolved governments.

1.4 Aim of the Study

This study analyzed effectiveness of county communication frameworks in facilitating public participation in Kenya's devolved governments. The assessment of county communication strategies was carried in accordance with the general goals of communication as provided in the County Government Act 2012, and standard practices expected of democratic societies. The study focused on identifying communication factors that hinder information exchange, and how county governments can strategically leverage structures, processes, and principles of public communication to improve policies and services, facilitate two-way dialogues with citizens, and enhance transparency, integrity, and accountability in devolved governments.

This research explored how county governments have implemented the communication function to support public participation as provided in the CGA 2012. The study aimed to deepen the understanding of the role of information and communication in policy making

and implementation, strengthen public participation, and contribute to broader debates among stakeholders on sustainable participation and effective communication as an ecosystem for service delivery. The ultimate goal was to shed light on innovative county communication approaches that can help Kenyan citizens engage meaningfully with public institutions, particularly county governments to achieve the promise of devolution.

1.5. Research Questions

The objective of this study was achieved by providing answers to the following questions:

- (i) What communication frameworks exist at the county level to foster meaningful public participation in decentralized governance?
- (ii) How effective are county communication frameworks in the delivery of devolution objectives?
- (iii) What opportunities and challenges exist in implementing public participation in decentralized governments?
- (iv) What constitutional and legal framework guide public participation in devolved governments in Kenya?

1.6 Assumptions of the Study

Assumptions in research refer to beliefs or conditions that a research takes as true for the purpose of conducting a study (Creswell 2009). They are necessary for the research to be feasible and meaningful. The study was based on the following assumptions:

- (i) That county communication frameworks play a crucial role in enhancing public participation for policy making and implementation

- (ii) That effective communication leads to better governance and citizen engagement in devolved governments
- (iii) That public participation as a right under the constitution and the law is essential for success of devolution in Kenya.

1.7 Significance of the Study

This study contributes to a growing body of literature on fashioning information and communication framework that stimulate public participation interest among citizens in devolved governments. The establishment of the 47 county governments following the first election under the Constitution of Kenya 2010 in 2013 heralded significant milestones in Kenya's devolution journey. Even though counties have registered laudable successes in delivery of devolved functions, majority have no structured system of conducting public participation. The aim of this study is to underscore the importance of accessing adequate and credible information as an avenue for effective participation in planning and implementing policies in counties.

The study has wide implication for social change in county governance. The findings of this research can provide evidence and examples of how communication framework can be used to greater effect in improving policies and services. By laying bare the potential benefits of public participation, the study may trigger increased interest among citizens to get involved in governance as a matter of duty and responsibility under the law. The implication of the study is to provide a foundation upon which to make recommendations on how counties as public service institutions should be more responsive and accountable in delivering devolution dividends.

1.8 Scope of the study

The scope refers to the parameters of what was covered in the study. The study assessed county communication frameworks as a strategic tool for promoting public participation within devolved governments. It focused on four specific objectives: evaluating the effectiveness of county communication strategies, identifying opportunities and challenges in implementing public participation in decentralized governments, and analyzing the constitutional and legal framework that guide public participation. Three aspects of the scope are presented hereunder, namely: content scope, context scope and methodological scope.

1.8.1 Content Scope

This research sought to investigate how county governments have aligned their communication processes to deliver devolved functions. The communication process includes information exchange on one hand, and public participation on the other. One-way communication, where county governments provide or receive information from citizens, is compared to two-way communication approaches that involve citizens in actual decision-making. Furthermore, the study assessed various information and communication platforms, including traditional media and technology-driven tools that can promote substantive public participation to address devolution challenges. Overall, frameworks that guide access to information and communication were considered alongside the general impact they have on public participation initiatives.

1.8.2 Contextual Scope

This study focused on county communication frameworks for public participation in Kenya's devolved governments. The regional blocs provided basis for analysis. The blocs include: Frontier Counties Development Council (FCDC); The North Rift Economic Bloc (NOREB); The Lake Region Economic Bloc (LREB); Jumuia ya Kaunti za Pwani; South Eastern Kenya Bloc(SEKEB) ; and Mt Kenya and Aberdares Regional Economic Blocs, Narok and Kajiado Economic Bloc(NAKAEB) and Nairobi City County. Nairobi was included in the study as the nation's capital. Counties were selected for either being rural-urban or city-urban counties. The analysis of county communication approaches was limited to the executive arm of county governments, namely in Kisumu, Kwale, Trans Nzoia, Nairobi, Makueni, Marsabit, Narok, and Meru.

1.8.3 Methodological Scope

The philosophical world view that guided this research was relativist-interpretivist philosophical paradigm. Multiple case study method was used to select eight counties for the study. The qualitative approach was most ideal to describe, interpret and analyze county communication frameworks. The counties were purposively chosen from a cluster of economic blocs. The data generation techniques used was documentary analysis and in-depth interviews. Document review focused on materials that informed the overall aim and objectives of the study, while in-depth interviews provided deeper insights on how counties communicate with residents when seeking their views and opinions on policy and governance issues. Data from the two techniques were analyzed according to

generated themes. Accordingly, the findings were presented in a narrative form using paraphrases and quotations.

1.9 Limitations to the Study

One of the primary limitations encountered in this study was the logistical challenge of conducting physical visits to the selected counties. Constraints in travel and resources made it difficult to cover eight counties to establish participation of citizens in governance. This occasioned a shift from the people to their elected representatives. Unfortunately, elected leaders often align with political party positions, personal interests, and other influences that may introduce bias. Consequently, relying on broad representations such as the Council of Governors (CoG) and the County Assemblies Forum (CAF) provided only limited perspectives on the issues under investigation.

To mitigate these limitations, the study relied on information from other governance stakeholders, particularly non-governmental organizations, whose contributions offered alternative perspectives. The study also benefited from various surveys and case studies conducted by both state and non-state actors in different counties, whose contributions are duly acknowledged. Additionally, independent government offices and institutional reports provided critical data to counterbalance potential biases from county government representatives.

Furthermore, it is important to recognize that public participation is a broad and evolving field of study. However, this research specifically focused on analyzing the influence of communication framework in fostering meaningful engagement within county

governments. While numerous other factors impact public participation in devolved governments, they fell outside the scope of this particular study.

Another significant challenge encountered, especially during data collection was the bureaucratic hurdles in accessing government-held information. Respondents within county government circles were often apprehensive and hesitant to share information citing the need for official authorization. This posed a considerable obstacle to accessing all necessary data for the study. Nevertheless efforts were made to supplement primary data with government documents, including reports and policy statements. As a result, secondary data played a crucial role in bridging information gaps and enhancing the study's overall reliability and comprehensiveness.

1.10 Summary

The main objective of this chapter was to establish a foundation for the study and to identify a problem situation concerning county communication and public participation within Kenya's devolved governments. Primarily, the section delineates the study's aim, introduces research questions, and provides a succinct overview of the scope, significance, and limitation to the study. It presents a foundational argument that integrating communication into public participation initiatives within devolved governments is a pre-requisite for good governance. The chapter emphasizes these themes, a relationship that is explored further in subsequent chapters. The limited research regarding county communication and public participation has opened up new avenues for investigation, which this study aims to explore.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter provides a foundation for the subsequent chapters found in this study. It commences with an exploration of the theoretical framework that underpins the research, focusing on key theories related to public participation in governance. The chapter provides a comprehensive discussion of the concepts of public participation and communication frameworks, emphasizing their role in decision making within devolved governments. The analysis of these core concepts is done in a manner that highlights their measureable components.

The second section presents a review of relevant literature in alignment with research objectives. This is followed by situating the study within the field of communication studies and discipline of public participation. Additionally, a discussion of related studies is included, identifying existing research gaps that this study seeks to address. The chapter concludes with a summary of the key issues emerging from the literature review.

2.2 Theoretical Framework

This section provides a discussion of the theoretical frameworks that underpinned the present study. The study adopts deliberative democracy theory and functional group communication theory. These theories are relevant as they provide criteria against which

communication and public participation can be measured. The foundational arguments and relevance of these theories to the current study are outlined below.

2.2.1 Deliberative Democracy Theory

Two of early influences on deliberative democratic theory are philosophers John Rawls and Jürgen Habermas. Rawls advocated the use of reason in securing the framework for a just political society (Eagan 2007). Habermas on the other hand claimed that fair procedures and clear communication can produce legitimate and consensual decisions by citizens. Deliberative democracy, sometimes also known as discursive democracy refers to collective decision-making based on inclusive public discussions (Reed, 2021). It concentrates on reasoned and pragmatic discourse as the source of the power that citizens have to influence government actions by participating in goal formation and working toward collective goals.

Deliberative democracy theory focuses attention on the institutionalization of the procedures that facilitate deliberation. Deliberation involves discussion, debate, and interchanges between members of the public. It maintains that the debate and communication preceding a political decision determine the democratic nature or legitimacy of the decision itself (Scudder, 2021). The theory emphasizes the necessity of governance practices in which public officials and citizens work together. Deliberative democracy embraces the idea of maximum participation of citizens in public decisions, emphasizes an upward flow of communication from the public to political elites, and empowers public participation in civic actions.

Two different approaches characterize deliberations in democracies. The instrumental approach conceives of deliberation as a pragmatic process in which experts and citizens offer reasons, gain understanding of issues, formulate goals, and make policy recommendations that serve their collective interests. A town-hall meeting about a proposed policy uses instrumental deliberation. The dialogical approach conceives of deliberation as social interaction processes in which members of the community without specific goals interact with one another to understand self and others, create decision procedures, share values, and reason about civic practices. Both approaches emphasize how deliberative processes empower citizens and give them voice in government matters in ways that coincide with the ideals of democratic governments. This theory concludes that when participants reason together, they create mutual understanding, their views represent the consensus of the community about what serves the public interests, and therefore, the results of their deliberations are relevant to and valued by policy makers.

This theory is relevant to this study as it advocates the inclusion of diverse perspectives and voices in decision making processes. Deliberative democracy affirms the need to justify decisions made by citizens and their representatives. It goes beyond participatory processes of decision making and includes challenging traditional representative democracies which tend to limit citizen participation to voting, asserting that democracy is realized through the experience of deliberation which furthers understanding and self-development(Reed, 2021).

The CoK 2010 and various Acts emphasize citizen participation in matters that affect them. These laws emphasize the equality of all citizens and provide equal opportunity for

them to contribute to decisions. Deliberative democracy usually involves extensive outreach to include marginalized groups. The CoK 2010 (Article, 260) provides a framework for inclusivity in representation of marginalized communities and their participation in political and economic activities through the devolved system. Citizens engage with the government on a variety of issues, both at the individual level and at the community level, to file complaints, express their anger, demand services, and influence policy (Bhavnagar, 2014). Deliberative communication should be free of domination, strategizing and self-deception, and that all actors should be fully and capable of making and questioning arguments.

Deliberative democracy theorists vouch for institutionalization of the procedures that facilitate participation that lead to better decision making. Indeed, they advocate inclusion that reflects not just presence, but voice. Participation is a theme that runs through all chapters of the CoK 2010. The County Government Act of 2012 obligates counties to establish structures and communicate effectively if citizens are to genuinely influence policy decisions. The structured way of consulting citizens, groups and entities in counties is designed to give voice to the people. It is not just about having the space to say things, but also that what is said is taken seriously and considered of high value (Reed, 2021).

County communication frameworks link devolved governments with the people. Serves (2009) argues that with proper communication, good governance is possible. World Bank (2022) underscores the value of reliable information in participatory initiatives. Communication and access to information are a cardinal prerequisite for meaningful

participation. A critical determinant of the success of devolution is how well counties develop systems that ensure they are responsive and accountable to the needs of the public. Communication empowers citizens with essential information that facilitates the building of know-how and decision making which are the heart of cooperation between government, civil society groups and the people (Panos, 2007). Communication and access to information are cardinal requirements for public participation (TI, Kenya 2018).

Success of devolution rests on deployment of tools and approaches that promote acceptance and respect of governance processes (KSG, 2015, Callahan, 2007). Public and media spaces provide discursive arenas in which people can gather and communicate about public concerns and community interests. A democratic public sphere relies on an active civil society, engaged citizens and a free and independent media to facilitate participation in decision making. One of Kenya's democratic credentials includes a free media hailed as powerful agent of democratic accountability, giving 'voice' to minorities and marginalized. Article 33(1) to (3) guarantees freedom of expression; Article 34(1) to (3) freedom of media; access to information in Article 35 (1) to (3) and freedom of association in Article 36 (1) to (3). Article 20 (1) binds all state organs and persons to ensure fullest enjoyment of rights and fundamental rights. These provisions are consistent with arguments of deliberative democracy theory that promotes collective decision making in county governments.

2.2.2 Functional Group Communication Theory

The functional group communication theory is a unified and coherent set of propositions, assumptions, and claims that attempt to explain how and why communication is related to

the qualities of the decisions group make (Littlejohn and Foss, 2009). The theory refers to how communication affects group decision making and how it might be structured to increase the likelihood that groups will arrive at high-quality decisions. A group may be defined as three or more individuals who affiliate, interact or cooperate in a familial, social, or work context (Schmitz, 2012).

The proponents of the theory are two known scholars: Dennis Gouran and Randy Hirokawa. In proposing the theory, these researchers acknowledge various influences notably the work of John Dewey on reflective thinking, Robert Bales and his work on interaction process and finally, Irving Janos and his work on vigilant decision making. John Dewey is credited with methods describing the process individuals go through when they seek to solve problems. In his famous book, *How We Think*, Dewey wrote that learning is learning to think. As an educator he recognized the existence of many ways of thinking insisting that, "The better way of thinking is reflective thinking". This reflective thinking, according to Dewey, involved a process of translation "from a situation in which there is experienced obscurity, doubt, conflict, disturbance of some sort into a situation that is clear, coherent, settled, harmonious" (Hermanowicz, 1961). Dewey's writings opened a variety of interpretations based on a number of requirements of solving problems beginning with identifying and in deed existence of problem, secondly, determining a criterion by which to judge proposed solutions from set goals, thirdly generating options to sufficiently solve the problem by selecting the best alternatives and finally evaluation of positive and negative characteristics of the alternative leading to its acceptance or rejection.

The second influence Dennis Gouran and Randy Hirokawa acknowledge is the work of Robert Bales. Bales and his colleagues had been working on group members' ability to deal with four functional problems: adaptation, instrumental control, expression, and integration. These are problems with which groups must deal in order to perform effectively. Adaptation and instrumental control relate to the management of task concerns (i.e., making a decision); expression and integration relate to the management of socioemotional concerns (i.e., managing relationships). Groups strive to maintain equilibrium with regard to these two concerns, and group communication is a major means of maintaining that equilibrium. For Bales, work on the task serves to disturb a group's balance in the socioemotional dimension, and group members must work to restore this balance. Group communication, then, is both a means by which deviations from equilibrium can be identified and a means by which equilibrium can be accomplished or restored.

The third influence emerged from the works of Irving Janis on groupthink that stress the importance of critical thinking in getting effective outputs (Littlejohn and Foss, 2009). Groupthink is a way of deliberating that group members use when their desire for unanimity overrides their motivation to assess all available plans for action (West & Turner, 2018). Janis contends that when group members share a common fate, there is a great pressure toward conformity. In the development of Groupthink, Janis probed five matters of significant importance in the United States history: (1) the preparedness policies of the U.S. Navy at Pearl Harbor in 1941, (2) the decision to pursue the North Korean Army onto its own territory by President Eisenhower, (3) the decision by

President Kennedy to invade Cuba at the Bay of Pigs shortly after Fidel Castro established a Communist government, (4) the decision to continue the Vietnam War by president Johnson, and (5) the Watergate cover by President Nixon. In each of these policy decisions, Janis argues that they were made hastily in what amounted to inaccurate decisions because the presidents and their teams were under some degree of stress. He discovered later from a series of interviews with people who were part of these terms, that presidential advisors did not thoroughly test information before making their decisions. In the end Janis contends that cohesive groups sometimes suffer from poor decision making because of the pressures placed on their members to reach consensus (West & Turner, 2018, Littlejohn and Foss, 2009).

Hirokawa (1988) found that groups composed of members holding a preference for working under a set procedural order were able to complete more task requirements and come to higher quality decisions than groups composed of members who preferred a less structured method of group work. Similarly, groups consisting of members who reported a low need for control, and high levels of communication openness made decisions of higher quality.

The arguments of functional group communication theory are consistent with overall objectives of this study that sought to assess effectiveness of county communication for public participation. The underpinning arguments of functional group communication theory demand for an audit of the role of communication in decision making. As such, this theory is useful in assessing structures and processes of county communication that foster citizen engagement. This theory is critical in guiding this research on how

communication affects group decision making and how it can be structured to increase the potentiality of arriving at high quality decisions in public participation initiatives within Counties.

2.3 Review of Related Literature

It contains a review of literature on core concepts of the research problem, establishing gaps to be filled by the study as a basis for analyzing county communication frameworks for the purpose of public participation in county governments. The relevant literature is sourced from several disciplines namely; communication, information technology, public policy and administration, political science and so on. The chapter begins with situating public participation within the field of communication studies, followed by an in-depth discussion of county communication frameworks, forms of public participation, levels of public participation, opportunities and challenges of implementing public participation initiatives with reference to Kenya's devolved governments.

2.3.1 Situating County Communication for Public Participation in Communication Studies

The current study on county communication for public participation straddles between governance and development. Incidentally, communication serves as a strategic tool both in governance and development, hence governance communication, and development communication. Governance communication refers to democratic approach to communication that promotes a two-way dialogue between citizens and their respective

government. However, governance communication is part of the wider concept of development communication.

The World Bank defines development communication as the process that facilitates the sharing of knowledge in order to achieve a positive change in the field of development (World Bank, 2008). It is the sharing of knowledge aimed at reaching a consensus for action that takes into account the interests, needs and capacity of all concerned (UNDP, 2014). At the heart of any development, are communication processes and structures that allow governments to tap into public debates that inform open participatory decision making. Together, governance and development underpin state-society relations that allow people, particularly the poor and the marginalized to have a say how they are governed, how decisions are made and implemented.

This study focusing on public participation in Kenya's devolved governments is therefore part of development studies because of its emphasis on giving opportunities to ordinary citizens as well as civil society to influence decisions that affect them. County communication frameworks brings devolved governments closer to the people making public participation possible where they can set their own agenda, demand for policy action, and suggest solutions to the challenges they face (Alter, 2020). The envisaged public participation resonates with global experience that shows building bottom-up participatory mechanisms is effective in supporting decentralization (World Bank, 2015).

The devolved governments are obligated to create opportunities for citizens to safely and freely influence decision making in governance affairs. Effective public participation in devolved governance implies that citizens are at the centre of planning, execution and

appraisal of all policies and processes. In the discharge of any of their thirteen (13) functions, county governments ought to ensure efficiency, effectiveness, inclusivity and participation of the people in planning, budgeting and monitoring and evaluation of service delivery.

2.3.2 The Concept of Public Participation

There is no consensus around a common definition of participation. It varies depending on the perspective applied (Tufte, T and Mefalopulos, P (2009). Democracy is premised on the idea that every citizen is entitled to have a say on decisions that affect their lives. Participation is one of the founding principles of democracy. Participation more generally is the process of engagement in governance (Bryson and Quick, 2016). According to the Ministry of Devolution, public participation entails a multifaceted process wherein individuals, government entities and non-governmental organizations exert influence over decisions pertaining to policies, legislation, service delivery, oversight, and developmental initiatives. The Institute of Economic Affairs (IEA, 2015) characterizes public participation as an open and accountable process through which individuals and groups exchange views and influence decision making. The International Association for Public Participation (IAP) defines it as any mechanism that enlists public involvement in problem-solving or decision-formulation. Public participation is sum total of all citizens and communities deliberately taking part in a goal-oriented activity. Fundamental to participation is desire to empower people to handle challenges and influence the direction of their own lives.

Article 10 of the Kenyan Constitution formally recognizes public participation as a fundamental national value and principle of governance. The rationale of public participation is based on the foundation that the people of Kenya have sovereign power which they can exercise directly or indirectly through elected representatives. At its core, public participation hinges on the acknowledgement that citizens not only possess rights but also share responsibilities under the law. This legal framework grants every citizen opportunity to actively partake in matters that directly affect their lives and circumstances. The imperative to uphold the principles and values enshrined in this Article applies to all public officers, state entities, state officers and individuals whenever they apply or interpret the Constitution, enact or interpret laws, or formulate and implement public policy decisions (CoK, 2010). For county governments, soliciting citizen input is an indispensable practice that enables them to remain informed about residents' concerns and gain valuable insights into their preferences, facilitating more informed policy-making and implementation.

2.3.3 Kenya's Devolution and Devolved Governments

The history of devolution in Kenya was not without a struggle. The constitution inherited at independence in 1963 had a highly centralised system of government. The centralised and hierarchical system of government was designed for control as opposed to participatory and democratic governance. Powers were concentrated in the executive based on the argument that a strong centre would foster national unity, build a nation-state, and support rapid social-economic development (Kanyinga, 2016). However, this system of governance undermined prospects for both democracy and development. The

policies prevented active participation of citizens in public affairs. Public decisions were made with limited or no participation of the people.

The dream of a constitutional state birthed agitations for democratic governance, and in particular devolution to address marginalization and uneven distribution of resources. The first attempt to introduce regional governments, or Majimbo was in the early 1960s, immediately after independence. This was defeated after the government dismantled institutions that promoted the interests of regional governments. Through a series of amendments, the system of regional government was reduced to something nominal. Notably, the powers that the regional assemblies were meant to wield over local government in their respective regions reverted to the Central Government when Kenya became a Republic at the end of 1964. The abolition of regional structures resulted in the reinstatement of the 'provincial administration system' which was intensely centralised (Mukaindo and Ongoya, 2023).

The second attempt to devolved governments began in the early 1980s. The introduction of District Focus for Rural Development (DFRD) in 1983 was designed to give citizens opportunity to participate in development planning, implementation and management. In this framework, the centralized government still exercised control and power in determining policies deemed beneficial to the people. The clamour for comprehensive constitutional reform in Kenya led to mass protests and activities that culminated in the repeal of section 2A of the Constitution by parliament on December 4, 1991. For close to three decades Kenyans agitated for a new constitution and a change in the way the

country was governed (Wanyande, 2016). The demands for devolution were realized in 2010 when a new constitution was promulgated on August 27.

Devolution is a form of sharing economic and political power between central and lower levels of government (IEA 2015). It entails the distribution of government functions and powers among the three branches of government, namely the legislative bodies at both county and national levels, the executive authorities at both county and national levels, and the judiciary. Devolution refers to the transfer of public authority and resources equitably across the 47 counties (Bigambo and Keya (2022). This transfer encompasses decision-making capabilities, implementation powers, functions, responsibilities, and resources to legally constituted, and popularly elected governments (ICJ, 2013).

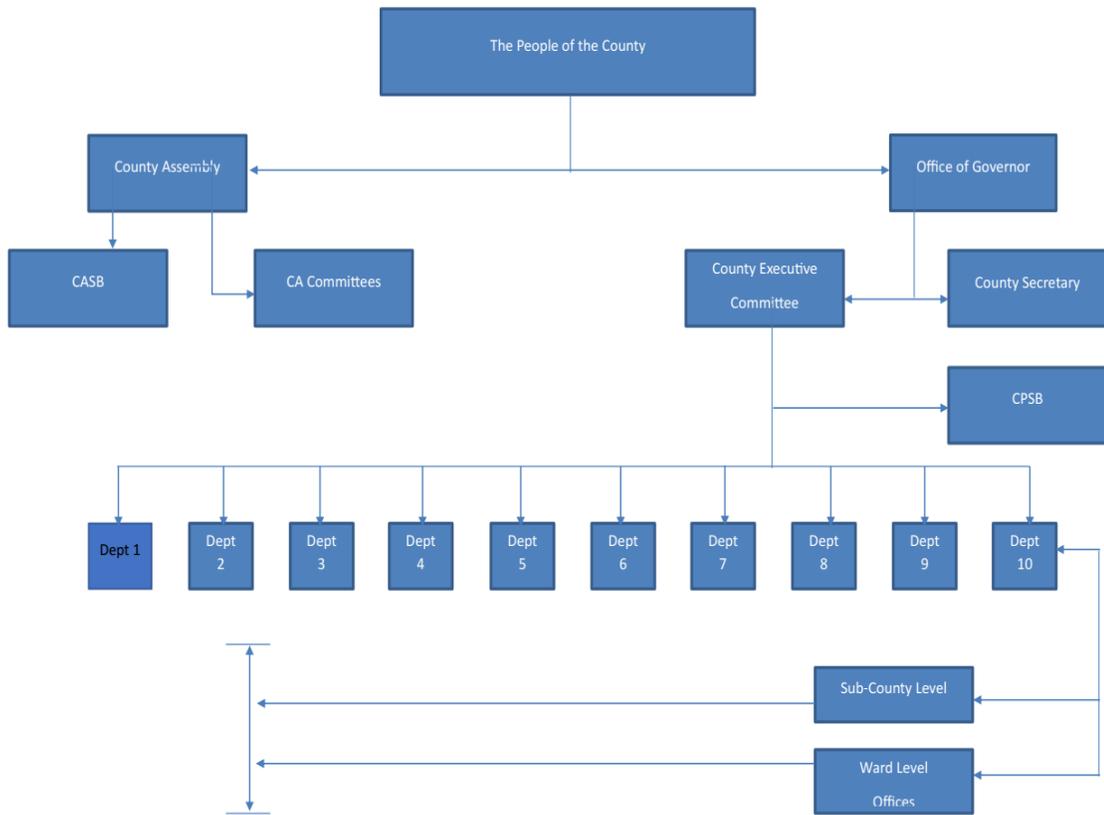
The advent of devolution heralded one of the most significant transformations ushered in by the Constitution of Kenya in 2010, which was ratified following the referendum of 4th August and officially promulgated on August 27, 2010(Onyango, 2013). Over the years, devolved governments have become an enduring feature of Kenya's political landscape, with seamless transitions occurring in 2013, 2017, and 2022 as attested the World Bank (2015). Devolution is protected under Article 255 of CoK 2010 as one of the fundamental norms of the constitution, whose amendment requires the approval of the people in a referendum (Aketch, 2010). Kenya's devolution is founded on the supremacy of the Constitution, sovereignty of the people and the principle of public participation.

The devolved system of governments was aimed at facilitating access to power and move control over resources from the central government to counties (Kinuthia, 2022). The devolved system of governance introduced changes regarding the running and

management of the county's political, social and economic affairs (Juma, 2008). Kenya's devolution as a form of decentralizing administrative, political and fiscal resources from national to sub-national jurisdiction was in response to long standing grievances over highly centralized and persistent regional imbalances in development (World Bank 2022). The establishment of 47 self-governing county governments was thus aimed at mitigating these regional disparities in development.

The objective of devolution as articulated in Article 174 of the Constitution, encompass promoting democratic and accountable exercise of power, fostering national unity by acknowledging diversity, enhancing public participation and self-governance, safeguarding the rights of minority of minority and marginalized communities, ensuring universal accessibility to essential services for all Kenyans, promoting equitable resource sharing, and fortifying the system of checks and balances within governance structures. There are three broad types of counties, namely: Rural Counties, which have predominant rural population and characteristics, Counties with both rural and urban characteristics; and Urban and City Counties. The general structure of county governments in Kenya is presented below:

Figure 2.1: The Legal Structure of County Government



Adopted from Konrad Adenauer Stiftung

KEY

CA-County Assembly

CASB-County Assembly Service Board

CPSB –County Public Service Board

Dep- Department.

2.3.4 County Communication Frameworks

The County Government Act (2012) defines county communication framework as mechanisms that facilitate public communication and access to information through media channels with widest public outreach. The primary objective of county communication include raising awareness about devolution and governance, enhancing citizen understanding to promote peace and national cohesion, advocating for critical development issues, and upholding media freedom. The county communication framework represents a practical approach to communication, enabling a continuous exchange of information between counties and their residents in a language that is easily comprehensible.

2.3.4.1 County communication frameworks for public participation in devolved governments

The County Government Act of 2012 places an obligation on county governments to engage in public communication with several key objectives. These objectives include creating awareness about devolution and governance, enhancing citizen understanding to foster peace and unity, advocating for critical development matters, and upholding the freedom of the media. Section 96 of this Act stipulates that counties must establish dedicated offices responsible for providing information, data, documents, and any other pertinent information related to policy formulation and implementation. Furthermore, Article 35 of the Constitution grants every citizen the right to access information held by the state or by other individuals when necessary for the exercise or protection of any fundamental right or freedom. The Access to Information Act of 2016 firmly establishes

citizens' rights to access information and ensures the regular and periodic publication of vital national information.

Public participation is by law mandatory in the making and implementing policies in devolved governments. There is a growing awareness among Kenyan citizens that effective governance necessitates their active involvement. To improve participation, inclusive ownership, and sustainable engagement of the public, an effective communication framework is imperative. Unfortunately, the information and communication mechanisms in the majority of counties fall short of these expectations, as noted by The Institute of Social Accountability (TISA, 2016). Many counties continue to undervalue and underutilize communication as a crucial element of devolution (Nyabuga, 2018). In some cases, counties lack the necessary tools and techniques to facilitate participation, and the potential of information and communication as instruments of policy making remains largely unexplored, as observed by the Institute of Economic Affairs (IEA, 2015). Additionally, numerous counties offer limited opportunities for citizens to engage in governance (Thomas, Bosire & Eysin, 2018).

It is against this background that this study investigates county communication ecosystems as a pathway to effective public participation in devolved governments. Strategic communication enables county governments share information critical for participation in county process (World Bank 2015). The use of communication as a primary instrument of enhancing devolution and facilitating participation subscribes to broader theory that individuals make informed choices and hold those in power to account when they access information as endorsed by UNESCO (2018). The utilization of

strategic communication serves to promote good governance, enhance transparency, and foster accountability within county governments (KIPPRA, 2021).

Through communication, citizens not only set their own agenda, demand for policy action, but also suggest solutions to challenges they face (Alter, 2020). Communication solutions accompanied by clear strategies are the first steps in ensuring counties are able to underwrite challenges associated with implementing devolution.

2.3.5 Kenya's history with public participation practice

Kenya has a long history of citizen participation, and even direct participation in local government (World Bank, 2013). Local Authorities established immediately after the country gained its independence were the first form of decentralization. Planning and implementation of government programmes institutionalized through session papers. Session Paper No 10 of 1965 premiered the development planning and management at local levels. Further, the Physical Planning Act of 1966 provided for community participation in the preparation and implementation of physical and development plans.

Districts were epicenter of development programmes in early 1970s. In 1971, Special Rural Development Programme (SRDP) was initiated as an experimental programme to test strategies for rural development. The SRDP targeted 15 arid and semi-arid districts but was piloted in only 6 areas namely: Migori, Vihiga, Kapenguria, Tetu, Mbeere and Kwale. The aim of the programme was to facilitate a balanced development among regions through accelerated expansion in the agricultural sector. Since the programme was heavily reliant on donor support, it never went beyond the piloting phase (Wanyande 2016).

District Focus for Rural Development (DFRD) introduced in the 1980s encouraged community participation in the identification, planning and implementation of development at the district level. The provincial administration was the primary agency for executing government decisions that in many ways limited the participation of the public. The DFRD were later replaced with Regional Development Authorities as vehicles for integrated planning and management (Kirori, 2015).

Soon thereafter, in the late 1990s development was coordinated within local authorities and constituencies. In 2001, the ministry of local government through its reform program, the Kenya Local Government Reform Program (KLGRP) introduced the Local Authority Services Delivery Action Plan (LASDAP), to improve participatory planning, governance and service delivery in local authorities. LASDAP provided opportunities for the local authorities to constructively engage with local communities on matters planning, budgeting and development. However, LASDAP lacked a coherent coordinating framework and suffered overlaps, duplication, and effective citizen involvement.

In 2003, the Constituency Development Fund (CDF) was created as the main vehicle of community participation in development at the local level. The objective of CDF was to address poverty at the grassroots level whereby at least 2.5 percent of national's ordinary revenue is devolved to constituencies. Even though the CDF Act provide for mechanisms for public participation, the MPs largely influence decisions and allocation of these funds.

Public participation was entrenched in the Constitution of Kenya 2010 after a national referendum. It is now recognized in Article 10 as one of the country's national values and principles of governance. Further, Article 174 provides that the object of devolution is to

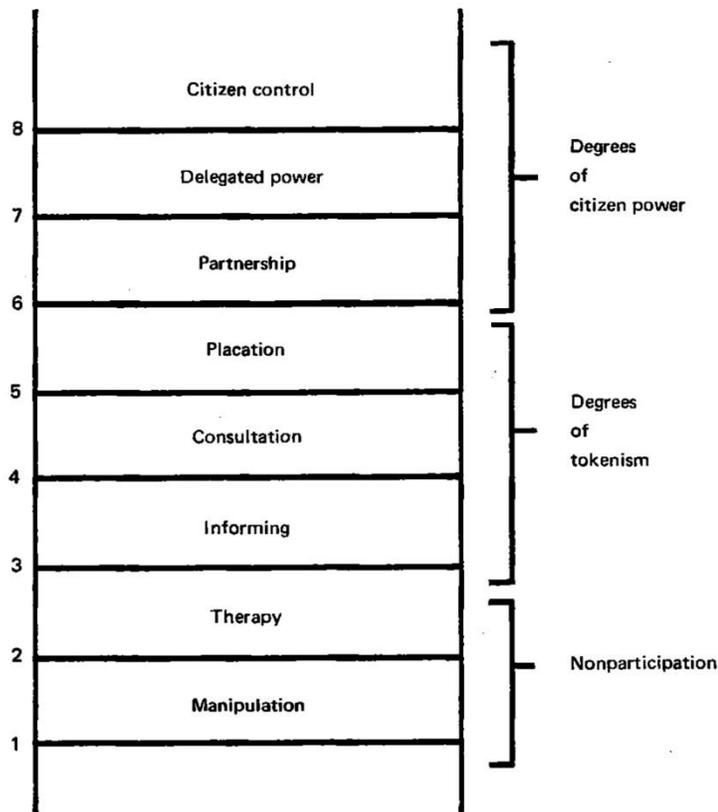
enhance the participation of people in the exercise of the powers of the State and in making decisions affecting them. Therefore, counties have a responsibility to ensure residents are engaged in processes. The supreme law further identifies equitable and sustainable development as a national value and principle of governance. Devolution and sharing of power between the national and county governments is also identified as important democratic value. The CGA, PFMA and UACA give prominence to public participation.

2.3.6 Levels of Public Participation in Kenya's Devolved Governments

The constitution and the law obligate county governments to ensure they set in place structures and mechanisms for public participation (Mbithi, 2018). This implies setting up institutional structures and processes and also committing to those processes religiously by providing resources and legal backing. Public participation in county governments is not unique from models that have been put forth over the years. Most models capture two extremes of citizen and government interactions: completely uninvolved and passive citizens at one end and active and engaged citizens at the other. It is the middle ground, in between these two extremes, where most forms of citizen participation take place.

Sherry Arnstein's Ladder of Public Participation mirror what happens at the county level when it comes to participation. The model is one of the most widely referenced and influential models in the field of democratic participation. Arnstein's typology of citizen participation is presented as a metaphorical "ladder," with each ascending rung representing increasing levels of citizen agency, control, and power (Arnstein, 1969). She equates the levels of citizen participation with the steps on a ladder. The bottom rung

represents no involvement on the part of citizens and the top rung reflects an active and engaged role for citizens. In addition to the eight rungs of participation, Arnstein includes a descriptive continuum of participatory power that moves from nonparticipation (no power) to degrees of tokenism (counterfeit power) to degrees of citizen participation (actual power). Figure 2.2 illustrates Sherry Arnstein's Ladder of Participation as it appeared in the Journal of the American Planning Association



Adopted from Sherry Arnstein Ladder Participation

The eight rungs of ladder of participation are:

2.3.6.1 Manipulation

An “illusory form of participation, manipulation occurs when public institutions, officials, or administrators mislead citizens into believing they have been given power in a process that has been intentionally manufactured to deny them power. In Arnstein’s words, “In the name of citizen participation, people are placed on rubber stamp advisory committees or advisory boards for the express purpose of “educating” them or engineering their support. Instead of genuine participation, the bottom rung of the ladder signifies the distortion of participation into a public relations vehicle by power holders.”

2.3.6.2 Therapy

Participation as therapy occurs when public officials and administrators “assume that powerlessness is synonymous with mental illness,” and they create pseudo-participatory programs that attempt to convince citizens that they are the problem when in fact its established institutions and policies that are creating the problems for citizens. In Arnstein’s words: What makes this form of “participation” so invidious is that citizens are engaged in extensive activity, but the focus of it is on curing them of the “pathology” rather than changing the racism and victimization that create their “pathologies.”

2.3.6.3 Informing

While Arnstein acknowledges that informing “citizens of their rights, responsibilities, and options can be the most important step toward legitimate citizen participation,” she also notes that “too frequently the emphasis is placed on a one-way flow of information-from officials to citizens- with no channel provided for feedback and no power for negotiations. Meetings can also be turned into vehicles for one-way communication by

the simple device of providing superficial information, discouraging questions, or giving irrelevant answers.” In informing situations, citizens are “intimidated by futility, legalistic jargon, and prestige of the official” to accept the information provided as fact or endorse the proposals put forward by those in power.

2.3.6.4 Consultation

Similarly, Arnstein notes that “inviting citizens’ opinions, like informing them, can be a legitimate step toward their full participation.” This rung of the ladder is still a sham since it offers no assurance that citizen concerns and ideas will be taken into account. The most frequent methods used for consulting people are attitude surveys, neighbourhood meetings, and public hearings. When power holders restrict input of citizens’ ideas solely to this level, participation remains just a window dressing ritual. People are primarily perceived as statistical abstractions, and participation is measured by how many come to meetings, take brochures home, or answer a questionnaire. What citizens achieve in all this activity is that they have “participated in participation”. And what power holders achieve is the evidence that they gone through the required motions of involving “those people”

2.3.6.5 Placation

Participation as placation occurs when citizens are granted a limited degree of influence in a process, but their participation is largely or entirely tokenistic: citizens are merely involved only to demonstrate that they were involved. In Arnstein’s words: “A example of placation strategy is to place a few handpicked “worthy” poor on boards of Community Action Agencies or on public bodies like the board of education, police commission, or

housing authority. If they are not accountable to a constituency in the community and if the traditional power elite hold the majority of seats, the have-not can be easily outvoted and outfoxed.”

2.3.6.6 Partnership

Participation as partnership occurs when public institutions, officials, or administrators allow citizens to negotiate better deals, veto decisions, share funding, or put forward requests that are at least partially fulfilled. In Arnstein’s words, “At this rung of the ladder, power is in fact redistributed through negotiation between citizens and powerholders. They agree to share planning and decision making responsibilities through structures as joint policy boards, planning committees, and mechanisms for resolving impasses. After the ground rules have been established through some form of give-and take, they are not subject to unilateral change”. Arnstein does note, however, that in many partnership situations, power is not voluntarily shared by public institutions, but rather taken by the citizens through actions such as protests, campaigns, or community organizing.

2.3.6.7 Delegated Power

Participation as delegated power occurs when public institutions, officials or administrators give up at least some degree of control, management, decision-making authority, or funding to citizens. In Arnstein’s words: At this level, the ladder has been scaled to the point where citizens hold the significant cards to assure accountability of the program to them. To resolve differences, power-holders need to start the bargaining process rather respond to pressure from the other end.”

2.3.6.8 Citizen Control

Participation as citizen control occurs, in Arnstein's words, when "participants or residents can govern a program or an institution, be in full charge of policy and managerial aspects, and be able to negotiate the conditions under which "outsiders" may change them". In citizen-control situations, for example public funding would follow directly to a community organization, and that organization would have full control over how that funding is allocated.

2.3.7 Sherry Arnstein Ladder of Participation in Kenya's Context.

This typology mirrors how people are involved in county governance programs and projects. There is growing evidence confirming genuine citizen engagement help county governments deliver improved public services. Makueni County public participation model was lauded by the World Bank (2016) for allowing citizens to identify their development priorities and involved residents in implementation. However, there are also misgivings about many other county governments' designs and implementation of public participation. There are substantial cases that have been brought before the Courts for determination that touch on public participation. The cases show Kenyans are vigilant and value participation in county governments' affairs. The rulings on these court cases are mixed. Two prominent cases demonstrate this position.

The case of **Robert N. Gakuru & 3 others v Governor Kiambu County & 3 others [2014] eKLR**: The petitioners were seeking a declaration that the Kiambu Act, 2013, gazette vid Kiambu Gazette Supplement No. 8(Act No. 3) violated the various provisions

of the Constitution of Kenya, 2010 and other legislations on public participation. Justice Odunga observed that,

“huddling a few people in a 5 star hotel on one day cannot by any stretch of imagination be termed as public participation for the purposes of meeting constitutional and legislative threshold”. The judge added that “public participation ought to be real and not illusory not to be treated as a mere formality for the purposes of fulfillment of the Constitutional dictates”.

It is also evident Kiambu County did not enable the residents to participate by failing to communicate timeously and effectively. The court observed that,

“Whereas the magnitude of the publicity required may depend from one action to another, a one-day newspaper advertisement in a country such as ours where a majority of the populace survive on less than a dollar per day and to whom newspapers are a luxury leave alone the level of illiteracy in some parts of this country may not suffice for the purposes of seeking public views and participation”.

The court recommended use of other avenues such as churches, mosques, temples, and public barazas, national and vernacular radio broadcasting stations as avenues where the public can converge to receive and disseminate information. Odunga said,

“having considered the foregoing, the inescapable conclusion I come to is that there was no public participation as contemplated under the Constitution and the County Government Act, 2012”

The courts also rejected attempts to impose unreasonable demands for public participation where the interests of those challenging the decision did not seem substantial. This is in the case of Nairobi Metropolitan PSV Saccos Union Limited & 25 Others V County Government of Nairobi & 3 Others [2013] eKLR: The petition was in respect of Clause

6.1 of Nairobi City County Finance Act of 2013 which authorized the County Government to charge motor-vehicle parking of KES 140 which the petitioners claimed to be oppressive and enacted in violence of the principle of public participation. Justice Lenaola ruled that indeed there was public participation. The judge said,

“It is clear that the 1st and 2nd Respondents (County Government of Nairobi & Nairobi City County Board) involved the public in the process leading to the enactment of Nairobi City County Finance Act of 2013. They engaged those who would be affected by their decisions and the latter were given details of the proposals and an opportunity of stating their objections if any. The process was highly public as there were public forums, meetings with stakeholders, media reports and even lobbying and an opportunity to make written representations through written memoranda”. He concluded by saying, “It does not matter how the public participation was affected. What is needed is that the public was accorded some reasonable level of participation.

From the two cases, it is obvious the level of participation is varied in the 47 county governments. It is clear (in Makeni) residents actively participated in crafting solutions tailored to the resident’s needs. On the other hand (in Kiambu) decisions were made on behalf of citizens long before their views were sought. The county governments have a responsibility to adhere to structures and processes of public participation as prescribed in the constitution 2010, CGA 2012 and public participation law passed by each of the 47 county governments. There is a need for county to strive to ensure citizens are partners and not just clients in governance processes.

2.3.8 Forums for Citizen Engagement

Kenya's public participation is premised on democratic idea that citizens in the 47 counties are entitled to have a say in decisions affecting their lives. The constitution assigns county governments the responsibility to ensure, facilitate and build capacity of the public to participate in governance affairs. Most Counties have translated the provisions of the participation by establishing appropriate mechanisms, processes and procedures that allow the citizens to take part in the affairs their respective counties. The forum for participation is based on the framework and guidance provided in the County Government Act 2012. The mechanisms that facilitate consultation between counties and citizens of Kenya include:

2.3.8.1 Citizen Fora

The county Government Act (Section 91 (g)) provides for establishment of citizen fora at county and decentralized units. The Urban Areas and Cities Act (Section 22) reserve a place for citizens' forum to deliberate and make proposal to the relevant bodies or institutions on matter of concern to the citizens. The Second Schedule of Urban and Cities Act gives residents of towns and cities the right to decision making through submission of written or oral presentations or complains to a board or town committee through the city or municipal manager or a town administrator.

The forum affords citizens opportunity to conceive strategies for engaging various levels and units of government and monitor activities of elected and appointed officials of the urban areas and cities, including members of the board of an urban area or city. Citizen fora is strategic acting as a conduit of receiving feedback raised by the county citizens,

from elected and appointed officials. The forum working with Boards receive petitions, implement and monitor implementation of decisions made in respect of matters of concern to citizens. The law requires county governments to establish mechanisms that make community engagement not only desirable, but necessary and viable for sustainable decision making. City or Urban areas are expected to develop a system of governance that encourages participation in their affairs by creating conditions and building capacity of residents to engage meaningfully.

2.3.8. 2. County Assembly Committees

County Assemblies exercise their mandates through Committees and the Plenary (Society of Clerks, 2018). The constitution establishes County Assemblies and defines their composition under Article 176(CoK, 2010). The roles of the County Assembly are provided for variously under the Constitution and the County Government Act, 2012. Article 185 of the Constitution provides for the role of the County Assemble. In addition, to the legislative authority of the County Assembly, the specific mandates of county assemblies are stipulated under Section 9(i) of the County Governments Act.

Committees are mechanisms that enable public engagement and legitimization of the operations of county assemblies. It is a forum for MCAs to interact and involve the public and various stakeholders in the work of county assemblies. Committees hold public hearings and open meetings that provide opportunity for various interest groups (academics, professionals, and individual citizens) with varied expertize to participate by presenting their views on a range of issues.

The relevant committees facilitate public participation by inviting submissions from the public through memoranda, holding public hearings, consulting relevant stakeholders, and consulting experts on technical subjects. Before presenting the bill for debate in the house, the views and recommendations of the public must be considered. Failure to factor in their input exposes the legislative instrument or policy framework to constitutional challenges of legitimacy, making it actionable for unconstitutionality in a court of law.

2.3.8.3. Bunge Mashinani

Bunge Mashinani is an initiative of active citizens spread across the county who congregate informally with their leaders in discussing issues that directly affect them. The movement serves as a platform for ordinary citizens to deliberate on socio-economic and political issues affecting their lives as well as the general citizenry (Gachini, 2014). The sessions are normally held outside the assembly chambers an equivalent of bringing the assembly to the people. Most county governments allow participants in the Bunge Mashinani to engage with Members of County Assemblies directly via their committees. Such initiatives help the people to understand how laws are formulated at the same time making it possible for county government to showcase what the county is doing for them.

2.3.8.4. Town Hall Meetings

Town hall meetings are forums for leaders and their constituents to meet on matters of general interest. The Urban and Cities Act provides how residents of a city, municipality or town may deliberate and make proposal to the relevant bodies or institutions on – (i) the provision of services; (ii) proposed issues for inclusion in county policies and county

legislation; (iii) proposed national policies and national legislation; (iv) the proposed annual budget estimates of the county and the national government; (v) the proposed development plans of the county and of the national government; and (vi) any other matter of concern to the citizens.

The Public Order Act, Chapter 56, regulates public meetings and processions within public spaces. No meeting or procession can be held in the republic except in accordance with the provisions of the Act. All meetings held in public spaces shall be conducted between six o'clock in the morning and six o'clock in the afternoon. Public spaces means any place to which for the time being in the public or any section of the public are entitled or permitted to have access whether on payment or otherwise. Meetings held contrary to the provisions of subsections (1) and (5) shall be deemed to be unlawful assembly. The venues for public participation initiatives should be politically, religious and socially neutral, centrally placed and with provisions for; persons with disabilities and senior citizens (PPG, 2016). The venues for public participation meeting should be accessible and convenient for county residents. They should also be comfortable, have necessary sitting, ventilation, lighting and acoustics.

2.3.8.5. Media

The space for citizen-county government interaction continues to expand through deployment of media to encourage dialogue and engagement in the delivery of services. The media provide reporting and feedback mechanisms which are a prerequisite for transparent and accountable interaction and dialogue between counties and citizens on matters of mutual interest. According to Shramm (1963) the media should carry

information, discussions on agreed upon goals and the reports of progress. The County Government Act contemplates counties using the media to create awareness on devolution and governance. The choice of the medium to facilitate communication and accesses to information is dependent on the reach. The Act states that the form of media should be that with the widest reach in the county. These mediums may include television stations, information technology centres, websites, community radio stations, public meetings and traditional media

Most county governments use the above media for feedback and reporting progress in the implementation of development programs. They have also put in place information, communication technology based platforms for mobilizing citizens. The prominent ones include social media platforms such as Facebook, Twitter and Whatsapp. All counties have functional websites. By embracing multimedia platforms as agents of dialogue and interaction, counties bridge information and communication gap between different categories of the population. The people benefit in the end as the media facilitate public debate and discussion on wide of range of issues affecting them. They look up to the media for news and information about county plans and use such information to hold the leaders to account.

2.3.8.6 Public Hearing

The Constitution and the law foster a culture of inclusive development by engaging citizens across the counties in decision making and project implementation. Open public forums provide opportunity of direct engagement between the county government and the citizens (Muriuki, 2012). All devolved units are required to establish structures,

mechanisms and ways to ensure inclusive citizen participation. The structures address the issue of notice, agenda, place, time and forum participation is conducted. The county structures are supposed to be strong and adequately resourced to facilitate public hearings. Public hearings ostensibly stretch from grassroots Village, administrative Ward, Sub-County, County and even National level. The forums that bring people together to fashion solutions to their circumstances include the sub-county and ward forums, policy development forums, county budget economic forum and so on.

2.3.8.7 Special Interest Groups

The devolved government system was designed to bring services closer to the people and create a platform that would enable women, marginalized communities and minorities to participate more effectively in decisions that affected their economic and political well-being (CMD, 2022). Article 56 provides for the respect of rights of minorities and marginalized groups. Similarly CGA provides for protection and promotion of interests and rights of minorities, marginalized groups. The National Gender and Equality Commission (NGEC) is a constitutional body mandated to monitor and promote mainstream issues of special interest groups in society that include women, youth, Persons with disabilities (PWDs), Children, the older members of society, minorities and marginalized groups.

Since special interest groups (SIGs) are often excluded from meaningful and full engagement and participation in county affairs, the commission and its members have opportunity through this forum to participate in governance within counties. Genuine participation and constant consultations among the members of SIGs is an important

process that will ensure programs in counties are inclusive and give regard persons in this category.

2.3.8.8 Civil society organizations

Public participation involves citizens, civil society and any other interested party in taking part in the forums organized county governments. Civil society organizations hold a very strategic position in county governance. Majority civil society organizations operate on non-profit basis. Due to their diverse interest, mandates and programmes, civil society organization have the power to influence planning, budgeting and implementation of projects within counties. These organizations empower citizens to be able to hold duty bearers in the county governance ecosystem. They are important for citizen and government alike as they foster sustainable public interest decisions. Consequently, civil society organizations are ideal vehicles for public consultations.

2.8 Kenya's Devolution and its Opportunities.

Devolution generated hope and high expectations among citizens on how devolved governments will change the lives of ordinary citizens, provide more opportunities, and improve service delivery (WB 2015). According to Oduol (2021), the opportunities presented by devolution are derived both from expectations and realities. Devolution was introduced as the main solution to the problems of centralization of power which has been long identified as the country's main governance problem (Wanyande and Mboya, 2016). The Kenyan devolution was designed as a political response to the ills such as conflicts, rent seeking, economic stagnation, inequities, marginalization, dominance, inefficiency in utilizing public resources and corruption that had persisted since independence.

The motivation for devolution centred on the need to address past grievances of marginalization and exclusion in devolution. Devolution allow people who previously felt marginalized, neglected and discriminated against to be part of governmental decision making (ICJ Kenya, 2013). County governments' proximity to the citizens, allows direct, more meaningful forms of participation of citizens in public affairs (Greenberg and Mothokho, 2010). The devolved system has provided the levels of government to share resources as provided by Article 202 of the Constitution. The previously marginalized regions receive predictable amount of funds for their local development under devolution (Kanyinga and Michuki 2021). The marginalized areas receive further allocation from the Equalization Fund of 0.5 % of the total annual revenue to bring them at par with other counties. Allocation to counties is done through division of revenue recommended by CRA and passed by the senate. To insulate the process the Controller of Budget and the Auditor General are also involved to provide oversight. County governments are also allowed under the Constitution to raise revenue, and to develop and implement budgets, plans and policies for delivering services at the local levels.

Devolution was intended to bring services closer to the people and create a platform from which women, marginalized communities and minorities could participate more effectively in decisions that affected their economic and political well-being (Kimani, 2020). Devolution is a direct pass to circumvent the limitations and bureaucratic red-tape of central government by empowering local units to make decisions reflecting demand for local services than decisions made by a distant central government. According to CoG Act 2012, determination, planning and budgeting should be executed at the village level,

within wards and finally at the county level. Development planning and budgeting has to respect the principle of sovereignty of the people in Article 1(1) to (4)

Devolution has enhanced nationalism in Kenya by giving numerically smaller groups with counties a chance to have representation in the county governments (Atieno, 2021).

Nationalism refers to a sense of belonging among a group of people who feel united on the basis of some common factors including common historical experience, common culture and have or desire an independent government of their own. Communities that may never win the presidency in Kenya, devolution had given them a chance to win in their own counties. Under the centralized system, particularly with the presidency, Kenyans categorized themselves as either winners or losers, but in the devolved system there is a layer of governance where everyone feels to have won.

Annexure 2.2: Map of Kenya's County Governments



Source: Commission of Revenue Authority

Devolution provides an avenue for self-governance and autonomy through the transfer of power, resources, and decision-making from the central government to the sub-national government. Every county has the right to chart its own destiny. The power is with the people to make decisions and to prioritize their own development needs is also 'de-ethnicizing' development in Kenya (Ghai, 2007). The concern for a majority of Kenyans now is more of what their governors are doing than what the national government is doing

or not doing. Given their close proximity to the people, they have enabled formulation of policies that match delivery of services to local demand.

Devolution has broadened the democratic space where people have opportunities to participate in governance affairs. Participation is a theme that runs through all chapters of the constitution. Participation has given greater political representation of diverse political, ethnic, religious, and cultural groups in structures and processes of decision making (Juma, 2008). Devolution has also given the under-represented groups a chance to be on the decision making table. These groups include women, youth, minorities and marginalized communities. The structures created under devolution has increased opportunities for these groups to be represented in the county executive and county assembly through nominations to take up special seats as prescribed in law.

The devolved system has given birth to inter county cooperation. The constitution emphasizes cooperation and not competition between the two levels of government. Further, county governments are also encouraged to cooperate through the Intergovernmental Relations Act. Already there are formalized joint blocs between some counties as explained in Third Chapter established for the purposes of addressing common challenges and to foster development. The citizens are also encouraged to take cue such efforts to cultivate a sense of belonging and unity among themselves.

2.9. Threats to implementation of devolution in Kenya

While devolution has been credited with a lot of transformations, there are also threats to its implementation. Document reviews show a myriad of threats to devolution that was

designed to give every citizen an opportunity to influence governance decisions according to their assessed priorities. Some of the threats to devolution include:

2.9.1 Rivalry and Turf Wars among Different Arms of Government.

Constant rivalry and bickering between the national government and county governments continue to undermine the spirit of devolution. The rivalry and turf wars between different arms of government are a big blow to devolution. It has been argued that the National Governments lack goodwill to implement devolution (Wanyande and Kibara, 2021). The challenges facing county governments emanate from perceived deliberate efforts by the National Government to frustrate devolution. Some of the tension revolves around jurisdiction. Coordination of some functions by the officers of the central government has been interpreted as usurping the responsibilities of Governors. For instance, the leasing of modern medical equipment by the national government on behalf of county governments without consulting them became a source of conflicts between these two levels. Although counties eventually accepted the equipment, they continued to lament over the lack of consultation and taking over a county function with health being devolved.

Further, laws and policies touching on the functions of county governments have often developed by the national government without proper and sufficient consultation. Josphat Nanok, the Governor of Turkana, and as chair of council of governors shared his frustrations as chair of CoG, accusing the national government of passing laws and policies that bear hallmarks of a state bend on recentralizing devolved functions back to the national government. The counties blame the national government for retaining 85

percent of revenue thereby undermining their ability to deliver equitable services. Prolonged and tedious division of revenue that drag into a new financial year without resolution is interpreted as a way of national government wanting to manipulate counties to comply with central government's priorities.

Then there is Senate and National Assembly who don't see eye to eye when it comes to the amount of money that should be transferred to county governments. At the county level, there are always tussles between the county executive and the county assembly that makes it impossible to pass budgets that are responsible for expenditure. The most recent case is the impeachment of the governor of Meru County, Kawira Mwangaza barely three months after assuming office by CA of Meru. Previously there were attempts to remove the governor of Embu County, Murang'a and Kericho Counties just to mention a few.

2.9.2 Overlapping of functions

There are a lot of overlaps and duplication of roles between the national and county government despite existence of the National Government Coordinating Act (KHRC, 2010). This has given rise to shifting of blame in rendering of services with each level expecting the other to undertake the responsibility. According to Kangu (2016) the duplication of roles has resulted in wasteful expenditure of national resources. Some of regional development and parastatals like Kenya Urban Roads Authority (KURA), Kenya Rural Roads Authority (KeRRA), Tana and Athi Rivers Development Authority (TARDA), Kerio Valley Development Authority (KVDA); Lake Basin Development Authority (LBDA) continue to perform County Government functions. These state

corporations and regional development authorities need to be restructured to align them to devolved system of government

2.9.3 Elusive Accountability

Lack of accountability and transparency that was a characteristic of central government has been devolved to Counties. The manner in which devolution was rolled out in 2013 has been criticized for merely unbundling functions without cogent processes of insulating accountability. The transition was poorly managed and with lack of capacity of the new decision makers at the county level blurred accountability channels (Bigambo and Keya, 2022). The challenges posed by poor governance which have over time resulted in minimal returns of public investment is alive across counties. Corruption is now fully devolved going by numerous cases involving a number of County bosses and employees. It appears devolution has exacerbated corruption as highlighted in reports by independent oversight institutions like the Office of the Controller of Budget and the Office of the Auditor General.

Currently there is too much recentralization at the county level and resources do not flow smoothly to sub county structures (WB, 2022). Counties have made the situation worse by establishing countless programs that are never completed especially with changes in county leadership ends up gobbling billions of tax payers' money that drain to waste. Fundamental values and principles of good governance embedded in the Constitution are alien in county administrations.

2.9.4 Elevation of ethnicity while undermining nationalism

Devolution is threatened by elevation of ethnicity in homogeneous counties and tribalism in ethnically heterogeneous ones. There is tendency in some counties to bypass minority groups when it comes to employment. Communities forming majority exclude those they consider outsiders from development and in so doing, such counties violate the principles of national cohesion and integration and the promotion of unity in diversity as one of the objects of devolution. These practices also offend CGA which recommend at least 30 percent of employment at the county level should not come from the dominant ethnic community. The discrimination against minorities in the counties undermines the spirit of nationalism.

2.9.5 Ineffective Communication Approaches

Successful implementation of devolution is dependent on how well each county government use communication strategically for delivery of public services. As previously stated, CGA provides elaborate communication approaches as well as principles for county communication. Unfortunately it has been observed that communication function in most counties is underfunded and most directorate of communication lack skilled personnel to execute the functions of the office. Whereas counties are free to select information and communication tools for delivery of services, there are concerns about their effectiveness. The World Bank partnership framework for the republic of Kenya for the period FY 23-FY28 identified poor systems for collecting standardized data on service delivery as a key constraint to tracking devolution progress.

2.9.6 Politics of patronage and Corruption

Patronage based politics and corruption are existential threat to devolution (Cheeseman, 2016). . The political elite at the national level and county levels have held hostage the implementation of devolution by their reluctance to relinquish power even though these powers are donated by the constitution. The failure to adhere to the constitution and the rule of law continue to feed the monster of impunity that has blossomed at county level. Some politicians, bureaucrats, business leaders and the ruling class who wield a lot of influence sow seeds of discontentment when they act in impunity and get away with corruption which undermines the spirit of devolution.

2.9.7 Inadequate and delay in disbursement of resources

The resources allocated to counties by the national government are inadequate to run the devolved functions (CoG, 2019). This is as a result of failure to cost county functions at the time they were devolved. Whereas the Constitution recommends a mandatory transfer of at least 15 percent of revenue collected nationally and based on the last audited and approved revenue, disbursements have always been less as the allocation are not based on latest audited accounts. Attempts by counties to generate own source revenue through additional taxes has always been met with anger and fury from the public who decry being overtaxed. There is often a delay of the actual release of money to counties which affect service delivery. The failure of the National Assembly to process the Division of Revenue Bill on time affects county governments' operations as the National Government relies on this bill to allocate funds to devolved government. The law requires a monthly release of money to counties but the National Treasury releases these funds almost at the

end of the financial year making it difficult for counties to absorb the allocation for the development programmes and activities in such a short period of time. A recent case in 2021 saw counties threaten to shut down service delivery due to delayed release of funds for FY 2020/2021. The integrated financial management information system (IFMIS) makes it even harder for counties to use the funds because of the strict accounting processes. Sometimes due to the technical breakdown and issues of access the system, county governments lose out on the funds and some counties are forced to return the allocation to treasury at the expiry of the financial year.

2.9.8 Inconsistent public participation

Another challenge to implementation of devolution is the tendency by governments to overlook constitutional requirements for public participation. Leaders and governance institutions have not genuinely and in good faith sought input of the people in governance decisions. Transparency International-Kenya in a 2014 study found that very few Kenyans were aware or involved themselves in crucial forums to discuss county plans and priorities. The report indicated that only 38 per cent of citizens are aware of county meetings and 15 percent attend such meetings. This has persisted over the years and many people remain unaware of their role in county governance (CMD, 2022). There have been complaints by residents of various counties that they have not been given opportunities to champion what they consider priority to them. For instance the residents of Kiambu County went to court in 2015 to contest the implementation of a finance law passed by CA on the basis that their views were not incorporated in the bill by the county government. The court agreed with the residents and annulled the law.

2.9.9 Legacy of disrespect for the Constitution

Going back to history, Kenya as a nation has suffered the problem of leaders ignoring the constitution and the rule of law. The practice of amending the constitution by leaders who felt constrained by it is a historical fact that persists today. The implementation of devolution has witnessed attempts to ignore or even amend some of the provisions of the CoK 2010. In spite of established institutions, structures and system of implementing devolution, it's not enough to stop bad manners of yester years which seem to have been transferred to devolved units with county executive arbitrarily ignoring the provisions of law when implementing development agenda. There are echoes encouraging building of a culture of constitutionalism among citizens and leaders in general if the country hopes to fully and effectively implement the constitution.

2.10 The processes of county communication for participation

Literature indicates that quality government communication matters a lot for the well-being of citizens. There is a growing recognition that county governments need to engage and co-create policies with citizens through constant exchange of information and communication. The county communications frameworks provide communication protocol that help bring a variety of stakeholders together with the objective of identifying common challenges and implementing collective decisions designed to improve policies and services. The growing influence of various forms of media has increased ways in which citizens access county information and interact with each other. The evolution of technology associated with internet has expanded opportunities for county government to

engineer innovative ways of encouraging citizens to participate in governance. Public participation rides on dynamic information and communication infrastructure.

According to United Nations Communication for Governance and Accountability Program (CommGAP), communication processes refer to information flow described as either one way or two-ways. Contemporary communications have evolved from traditional focus on one-way communication for the purpose of awareness-raising and influencing attitudes, opinions and behaviour, towards a much greater emphasis on more participatory and deliberative processes of dialogue (UNDP, 2011). The CoK 2010 provides citizen-centred model of engagement with communication as an integral factor in the delivery of devolved functions. County government communication process involve ways in which devolved unit have enabled and expanded opportunities for citizens to access clear, reliable and appropriate information for them to make decisions and influence policy that affect their lives. The rapid spread of information and communication (ICTs) in the country has transformed how governments and citizens alike exchange information. Kenya has the most sophisticated and highly competitive mediascape in East Africa. The country leads the region in internet connectivity, mobile phone usage and social media engagement. According to Communications Authority of Kenya, a regulatory authority for the communications sector in Kenya, the broadcasting landscape has undergone significant change in the past two decades including the change from analog to digital modes of delivery. The broadcast media services are mainly radio and TV which are accessible by nearly all Kenyans (CA, 2022). The print media has witnessed a steady decline in newspaper circulation and readership (Internews, 2021).

While the expansion of the media has opened up many opportunities for public participation, they too can serve the gap between those with access and the skills to use the technologies and those without, thus limiting the potential of everyone to participating in governance.

According to the Lake Region Economic Bloc Blueprint for 14 counties that constitute the LREB (Bomet, Bungoma, Busia, Homa Bay, Kakamega, Kericho, Kisii, Kisumu, Migori, Nandi, Nyamira, Siaya, Trans Nzoia and Vihiga) the region has seen an expansion of ICT services and presenting the counties with opportunities to communicate and deliver services to an estimated population of 14.9 million people which constitute about 31.4 percent of the population of Kenya. Most LREB headquarters are completely networked with ICT to drive service delivery.

Jumuiya Za Pwani 2030 Development Blueprint revised in 2021, single ICT as an enabler of participation in socio-economic activities for an estimated population of 4.3 million residents according to the Kenya National Bureau of Statistics. Specifically, telecommunications plays a vital role in enabling participation and provides a technological foundation for societal communication in the mainland Jumuiya Counties or in a more developed Metropolitan County like Mombasa. Currently all Jumuiya headquarters are connected to the National Fibre Optic Backbone (NOFBI) II.

These cases of REBs demonstrate efforts of county governments to embed communication processes in public participation. Generally, a lot of progress has been made by majority of county government relating to public communication and access to information as it relates to public participation (Wambui, 2019). Many counties have

enacted public participation law, established basic citizen forums and county communication frameworks, and piloted innovative initiatives (World Bank, 2015). Public participation guidelines of 2016 propose various communication mechanisms to guide participation. The recommendation mirror what scholars have written about the participatory communication. For instance, Freire (1983) proposes a dual strategy of dialogical communication that emphasizes collective solutions. Waisbord (2005) advances the need to move away from “one-model-fits-all” to inclusive approaches that are open to diversity of insights. Kalugendo and MacLeod recommend a communication process that is not superfluous. Jacobson& Lambino (2008) insist on collective solutions through marshaling of complementary perspectives, knowledge and skills. McLoughlin and Scott (2010) argue for strategic use of communication tools and methodologies that facilitate inclusivity, giving voice to the poor and marginalized groups when citizen participate in governance processes.

Seldom has the critical role of communication and access to information been made so as evident as in recent years (OECD, 2021). Without access to information, it is difficult for the people to participate actively in their society. Information and communication needs are germane requirements for participation rooted in the CoK 2010. Effective public communication is instrumental to rebuilding confidence in governments and institutions. Openness and sharing of important information by counties allow citizens to participate in matters affecting their lives. The right of access to information empowers citizens to obtain information held by public bodies and private entities (with limited exceptions). Communication plays a crucial role in supporting the design and delivery of policies and

services. It is a primary vehicle through which citizens learn about government action and give feedback on policy demands.

Whether counties improve service delivery at the grassroots hinges on the extent to which citizens have access to information plans and programmes, are empowered to participate and in and contribute to decision-making, and have opportunities to hold their leaders to account (World Bank, 2022). According to McLoughlin and Scott (2010) providing citizens with information is a vital government function that underpins state-society relations. County governments are more likely to sufficiently deliver services when the residents meaningfully inform decisions, scrutinize delivery, and incentivize or sanction good over poor performance (Wanyande, 2016).

2.11 Summary

The chapter delved into the concepts of public participation, devolved governments, and county communication, providing valuable insights. The review examined the mechanisms and objectives of county communication, shedding light on the levels of public participation in devolved government and various forms of citizen engagement. Moreover, it summarized opportunities and threats associated with devolution. The chapter concludes with theoretical framework grounded in deliberative democracy theory and functional group communication theory. These frameworks serve as the foundational pillars for understanding the intricate relationship between communication and public participation in service delivery at the county level. It is worth mentioning that the study is situated within the domain of development communication due to its emphasis on providing opportunities for citizens to influence decisions that impact them.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter outlines the research philosophy, design and methodology for this study. It begins by establishing the foundational research paradigm, clarifying the researcher's ontological and epistemological perspective. This is followed by arguments in support of the research paradigm and rationale behind qualitative methodological choice. Research methodology refers to the justification for specific procedures and techniques used to identify, select, and analyze information to address the research problem (Creswell, 2009). Particular focus is given to the selection criteria for study participants, sample size, population, data collection methods, validity and reliability, data analysis, interpretation, and the ethical considerations that guided the study.

3.2. Research paradigm

The present study was based on the relativist-interpretivist philosophical paradigm. A research paradigm constitutes a way of looking at the world and interpreting what is studied. Creswell (2003) suggests that paradigms are a set of beliefs that guide action. A paradigm is a set of assumptions and perceptual orientations shared by members of a research community. Paradigms determine how members of research community studies and the research methods that should be employed to study those phenomena (Given, 2008). Paradigms provide scientists not only with a map but also with some directions essential for map-making. It provides a basis for understanding the nature and reality and provides guidance on how that reality can be known and understood.

The paradigm a researcher chooses is guided by two main philosophical elements namely; ontology and epistemology (Creswell, 2007). According to Anderson (2013), paradigms are defined by the reality of things (ontology), knowledge of that reality (epistemology) and the tools used to know that reality. Therefore, researchers are expected to declare their stance toward the nature of reality (ontology), how the researcher knows what he or she knows (epistemology), the role of values in the research (axiology), the language of research (rhetoric), and the methods used in the process (methodology) (Creswell, 2003). Consequently, the choice of paradigm for this study carries a number of implications with regard to ontological and epistemological orientation.

Social sciences frequently make reference to three paradigms in informing research. These are positivist (and post-positivist), interpretivist and pragmatic paradigms (Creswell, 2003, Lindlof and Taylor, 2011). The positivist's arguments are hinged on social settings and relationship between social phenomena through a cause-effect relationship. Positivists believe in the existence of absolute truth. Consequently, positivists approach research from a predetermined theoretical standpoint explaining connection between social realities, and seek to confirm or dispute the relationship. Positivism is often associated with quantitative research method (Creswell, 2003).

The interpretivist paradigm, also referred to as constructivist seek to understand the world in which individual live and work (Creswell, 2007). Interpretivism emphasizes the ability of individuals to construct (constructivism) meaning through social interaction leading to subjective interpretations of their experiences (Mack, 2010, Crotty, 1998). The meanings are varied and multiple depending on the complexity of the issues and the interpretations

people attach to meanings. The main goal of interpretivist research is get participants' views and generate a theory and/or pattern of meanings. Unlike the positivist paradigm, interpretivist does not begin with a theory in mind. A researcher that adopts the interpretivist paradigm to research does so with an open mind, unclear what it may result in but reliant on the feedback from participants to construct ideas that then explain and support the existence of phenomena. This research approach lacks a hypothesis and a theory to prove or disapprove. Interpretivist paradigm is highly favoured when undertaking qualitative research (Creswell, 2003).

The third paradigm is the pragmatic approach. This research philosophy challenges ideas advanced by the positivist and interpretivist paradigms. Pragmatism combines both positivism and constructivism, and selects what works best. The rationale behind the pragmatic paradigm is that positivist and interpretivist paradigms and their corresponding methodologies(quantitative and qualitative respectively) can be combined to provide a robust and more effective, valid and reliable way of understanding phenomenon without denying the researcher the benefits of either and/or cushion the study from the adverse impacts of both(Creswell & Clark, 2007). The research may use an already existing theory or generate one. It uses methodology that works at a given time to investigate phenomenon. Pragmatic paradigm is the paradigm behind mixed methods research (Creswell, 2003).

The ontological and epistemological arguments for this study (relativist-interpretivist) are that reality is constructed through exchanging and sharing knowledge experiences among individuals. Relativism holds the view that knowledge is relative or subjective and differs

from context to context and person to person. Relativists believe that reality is individually constructed and that there are multiple realities (Creswell, 2003). Meanings are subjective and there is no single, objective and verifiable true reality. There are multiple realities, all equally valid in the eyes of those who profess them. Thus, reality is constructed through the interaction between people and their worlds. The epistemological position in this study was interpretivism which argues that knowledge of reality is socially constructed by the interaction of researcher with the participants.

In the view of the foregoing, the relativist-interpretivist approach is most suitable in the analysis of county communication frameworks for public participation in devolved governments. This is due to lack of theory to test or disapprove making it ideal for the study. The researcher relied on the views of the participants to understand the appropriateness of county communication frameworks in enhancing citizen engagement in the making and implementing policies. Given that there is little empirical evidence about effectiveness of county strategies for participation, relativist-interpretivist paradigm is relevant in generating multiple insights that can be synthesized to make conclusions about the structure, principles and processes of county communication that support public initiatives in decentralized governments.

3.3. Qualitative Research Approach

This study adopted the qualitative research methods approach. Researchers applying qualitative research focus on observing, describing, interpreting, and analyzing the way people experience, act on, or think about themselves and the world around them. The qualitative approach to research is concerned with subjective assessment of attitudes,

opinions and behaviour (Kothari, 2004). Qualitative research focuses on the qualities of things more than their quantity (Bazeley, 2013). According to Dooley (2001) qualitative approach is based on field observations analyzed without statistics. Qualitative analysis involves inferring meanings from data, usually without using numbers (Merrigan & Huston 2004). The qualitative method is used where a researcher seeks to understand phenomenon by gaining illumination of the issues in order to generate meaning or theory based on findings. The methods avoid numerical information (Reinard, 2008).

The nature of the present study influenced the adoption of the qualitative approach because the main objective of the study was to interrogate county communication frameworks by collating views of different participants within and outside the structure of county governments and determine their effectiveness in enhancing public participation. The different perspectives would then be analyzed to advocate for mechanisms of encouraging public participation in governance.

Additionally, because of its emphasis on what Mason (2002) refers to as richness, nuance and multidimensionality, qualitative approach was ideal to provide detailed perspectives on the problem of communication in devolved governments. The characteristics of qualitative research suited this, particularly the flexibility when it comes to data collection and analysis. Qualitative approach allows researchers to collect a wide range of data including interviews, various types of text and images. Further, it doesn't restrict researchers to collect data using all available

Qualitative studies incorporate small sample size that is expected to give varied responses on a phenomenon that may equally elicit varied interpretations of reality. These and many

other characteristics of qualitative research endeared it to this study that sought to analyze county communication frameworks that support county residents to participate in matters that affect them. Based on the findings, the researcher would determine, through interpretation of the views received, how communication frameworks impact public participation in devolved governments and consequently propose ways of improving communication strategies for meaningful citizen involvement.

3.4 Research Design

The term “design” refers to the process of outlining, planning, or organizing details. According to Creswell (2009), research design refers to the “entire process of research from conceptualizing a problem to writing research questions to data collection, analysis, interpretation and report writing”. Research designs are strategies of inquiry being quantitative, qualitative or mixed methods approach. A sample design constitutes the blueprint for the collection, measurement and analysis of data (Kothari, 2004). Research design is the logic that links methodology to specific strategies and methods (White, 2011: 35; Robson, 2002: 81; Manalo & Trafford, 2004). Orodho (2003) defines it as the scheme, outline or plan that is used to generate answers to research problems. Therefore, research design in this study refer to a structured plan and strategy of investigation formulated to address research questions regarding communication frameworks for public participation in Kenya’s devolved governments.

3.4.1 The Case Research Design.

This study employed a multiple case study as a research design. Yin (1994) describes case study as a strategy for carrying out research that involves an empirical investigation of a

particularly contemporary phenomenon within its real-life context using multiple sources of evidence. According to Torrance (2005) case study seeks to engage with and report the complexity of social activity in order to represent the meaning that individual social actors bring to those settings. Creswell (2007) views cases as a methodology, an object of study, as well as a product of inquiry. Case study is a compressive research strategy and a methodology of inquiry which involves a detailed, in-depth data collection from multiple sources of information (e.g., observations, interviews, audiovisual material, and documents and reports (Yin, 1994).

Stake (2005) challenges researchers using case study to seek what is common and what is particular about the case. He further notes that interpretive or social constructivist approach to qualitative case supports a transactional method of inquiry. Case study assumes that social reality is created through social interaction, situated in particular contexts and histories, and seeks to identify and describe before trying to analyze and theorize. It assumes that things may not be as they seem and privileges in-depth inquiry over coverage: understanding “the case” rather than generalizing to a large population.

In this study, the researcher analyzed communication frameworks for county governments spread in existing regional economic blocs. Each county government was an individual case study, but the study as whole covered eight county governments, hence multiple case study. Further, participants responsible for communication and public participation in county governments, and representatives of civil society organizations in respective counties were interviewed on their role and knowledge of communication frameworks that assist residents in making and implementing policies in their counties. The study

targeted directors of communication, sub-county administrators, council of governors, county assembly forum and community based organization officials to share their perspectives and experiences on the broad aims of this study.

The choice of case study for this research is consistent with qualitative approach where the investigator explores a bounded system (a case) or multiple bounded systems over time. The method suited this study because of its use of multiple data collection methods and analysis techniques, which gives researcher leeway to triangulate data in order to strengthen the research findings and conclusions. The study relied on this method to mainly address the research question presented in chapter one. The use of multiple case studies was therefore relevant in this study as the researcher was interested in finding the perceptions on the effectiveness of communications mechanisms put in place by county governments in coordinating public participation. The wide and in depth interviews of the named participants resulted in deeper understanding of the communication strategies county governments ought to use when facilitating participation as provided in the constitution.

The strength of this research method is its ability to discover a wide variety of social, cultural and political factors potentially related to the phenomenon or interest that may not be known in advance (Creswell, 2007). Cases allow multiple methods of data collection, such as interviews, observations, prerecorded documents and secondary data (Rubin, 2005). The case study method helps deriving richer, more contextualized, and more authentic interpretation of the phenomenon of interest than most other research methods. This research selected case study method because of its inherent characteristics,

specifically, consideration to social cultural and physical contexts within which individuals live, work, and interact.

3.5 Study Population

Research population refers to the entire group or set of individuals, objects or events that bear specific characteristics and are interest to the researcher (Creswell, 2009). It represents the complete set of elements that the researcher aims to study and draw conclusions about. The larger population allows the researcher to draw samples that become actual respondents to the study to provide the data for the study. The study population is every citizen of Kenya, represented by elected individuals, appointed personnel, and non-governmental organizations, with the responsibility of communicating and coordinating public participation at the county level.

The target population for the present study was derived from Council of Governors, Sub-County Administrators, County Assemblies Forum, County Directors of Communication and Community Based Organizations. Participants in the study comprised of an official from the Council of Governors (CoG), eight sub-county administrators, an official from the County Assemblies Forum (CAF), eight directors of communication and eight members representing community based organization and non-governmental organizations in respective counties working in areas of governance, communication and public participation.

Table 3.1 Study population

Category/Organization	Population
Council of Governors	47
County Assemblies Forum	47
Sub-County Administrators	60
County Directors of Communication	8
Community Based Organization	8
Total	170

3.6 Sampling Techniques/Procedures

The sampling strategy for this study was purposive. The concept of purposive sampling is used in qualitative research whereby the inquirer (researcher) selects participants for the study because they inform an understanding of the research problem and central phenomenon in the study (Creswell, 2007). In this study, purposive sampling was specifically used to identify participants of the study. The criteria for selecting respondents was predetermined to answer to research questions set out in chapter one. Decisions about participants to be included in the collection of data for this research were vital components of this case study.

Scholars describe sampling as procedures researchers adopt in selecting items for the study. Kothari (2004) defines sampling as the procedure the researcher would adopt in selecting items for the study. This is similar to Mason's (2002) who describes sampling as

principles and procedures used to identify, choose, and gain access to relevant data sources from which to generate data using chosen method. Mugenda and Mugenda (2003) on the other hand suggest that, sampling is the act, process or technique of selecting a suitable sample, or representative part of a population for the purpose of determining parameters or characteristics of the whole population.

Cohen et al(2007) notes that the quality of a piece of research stands or falls not only by the appropriateness of methodology and instrumentation but also by the suitability of the sampling strategy that has been adopted. Kombo & Trump (2005: 78) adds that conclusions and generalizations can only be good as the sample they are based on. Robson (2002) proposes a framework that will have high compatibility among purposes, theory, research questions, methods and sampling strategy.

There are two main methods of sampling (Cohen 2007). Researchers often opt for a probability (also known as a random sample) or a non-probability sample (also known as a purposive sample). A distinction between the two is that in probability sample the chances of members of the larger population being selected are known, whereas in a non-probability sample the chances of members of the population being selected for the sample are unknown. In the former (probability sample) every member has an equal chance of being included; inclusion or exclusion is a matter of chance. In the latter (non-probability sample) some members of the population are definite about their inclusion and others not. Creswell (2007) reckons the importance of sample size when designing strategy in data collection process.

The general guideline in qualitative research is not only study a few sites or individuals but also collect extensive details. The main goal of sampling is to find individuals who can provide rich and varied insights into the phenomenon under investigation. The reason for using purpose sampling was to access a knowledgeable population. Secondly, non-probability sampling is a common technique in qualitative research. The following counties were selected in each of the following blocs for the study: Trans Nzoia, Kisumu, Mandera, Makueni, Meru, Kwale, Narok and Nairobi. These counties represent rural counties, rural-urban counties and urban counties capturing various demography of the Kenyan population.

Table 3.2 Counties in various county economic blocs

Bloc	Number of Counties	Counties
North Rift Economic Bloc (NOREB)	8	Uasin Gishu, Trans Nzoia, Nandi, Elgeyo-Marakwet, West Pokot, Baringo, Turkana, Samburu
Lake Region Economic Bloc (LREB)	13	Bungoma, Busia, Homa Bay, Kakamega, Kisii, Kisumu, Migori, Nyamira, Siaya, Vihiga, Bomet, Trans-Nzoia and Kericho
Frontier Counties Development Council (FCDC)	9	Garissa, Wajir, Mandera, Isiolo, Marsabit, Tana River, West Pokot, Turkana and Lamu
South Eastern Kenya Economic Block (SEKEB)	3	Makueni, Kitui and Machakos
Mt Kenya and Aberdares Economic Bloc	10	Tharaka-Nithi, Meru, Nyeri, Laikipia, Murang'a, Kiambu, Nakuru, Nyandarua, Embu and Kirinyaga
Jumuiya ya Kaunti za Pwani (JKP)	6	Lamu, Kilifi, Kwale, Mombasa, Tana River and Taita Taveta
NAKAEB	2	Narok and Kajiado

Source: Maarifa.cog.go.ke

3.6.1 Sample Size

Sample size in research refers to the number of observations or individuals included in a study or experiment (Creswell, 2009). Many scholars argue about the difficulty of determining the appropriate and optimum size of the sample (Cohen, 2007). The appropriate sample size is dependent upon the nature of the population and the purpose of the study. It is crucial for statistical analysis and drawing inferences about a larger population. In general, it is better to have as large sample as possible in order to reach general conclusion. The sample unit, adopted in this study was various participants working within the structure of county governments and non-governmental organization as described below:

The official(s) from the council of governors (CoG) were interviewed for their role in facilitating and implementing public policies within counties. The body represents the governors who are chief executive officers in their counties. CoG is also a pivotal institution that act as a repository for sharing Kenya's devolution solutions and a custodian of county information in form of reports, policy briefs, newsletters, state of devolution address and many other devolution related knowledge assets. Through Maarifa Centre, CoG shares inter-county learning and exchange of information, best practices and innovations amongst counties which accessible to the public. The Intergovernmental Relations Act (IGRA 2012) encourages sharing of information on the performance of county governors with regard to the execution of county functions making CoG a critical source of information for this study.

Having considered the sampling unit to be the Sub-County level, the Coordinators responsible for management and supervision of the general administrative function automatically became participants of interest. Under the CGA 2012, (Section 50) Sub-County Administrators facilitate and coordinate citizen participation in developing and implementing plans in their jurisdiction which is equivalent to Constituencies established under Article 89 of the Constitution of Kenya 2010. This study selected one Sub County Administrator in each of the 8 region blocks because of their responsibility of coordinating citizen participation at the lower administrative level within the county government structure.

The official(s) of County Assemblies Forum (CAF) were interviewed to provide perspectives how counties promote stakeholder engagement in making and implementing policies at the county level. CAF represent the voice of Members of County Assembly and Speakers of all county assemblies in Kenya. CAF is responsible for strengthening devolution through legislation, oversight and representation. The forum exists to promote networking and synergy among the members, coordinate intergovernmental relations and enhance good practice in legislative development. CAF is the voice of 47 County Assemblies and particularly ensuring compliance with the requirement for public participation (IGTRC, 2019).

The county assembly represents the legislative arm whose function is representation, oversight and legislation. Members of County Assembly elected pursuant to Article 177 of the constitution of Kenya (CoK, 2010) and whose responsibilities defined by the CoK 2010 and CGA 2012, makes them key informants for this study. MCAs represent people

within the ward which is the smallest electoral division in Kenya. They consult their electorate on a regular basis before presenting their views for consideration in the County Assembly. MCAs also exercise oversight over the county executive committee and any other county executive organs. Being the link between the county assembly and the electorate on public service delivery, MCA's are an important information source for this research.

The county directors of communication from each of the eight counties were selected as informants for this study because of their mandate of disseminating county related information to the public. As head of directorate of communication, county directors are at the nerve centre of coordinating internal and external communication, corporate affairs and development among many other functions. They are appointed by the governor after approval by the county public service boards.

The last key informants for the study included eight members from community based organization and non-governmental organization working in the selected counties in areas of governance, communication and public participation to address any biases arising from the aforementioned participants who are all affiliated to county governments. The officials of these organizations were purposefully selected to provide independent perspectives on how county government strives to encourage participation through communication.

In summary, a total of 26 interviews were conducted among different cadres of county personnel and community based organizations for their insight on how to enhance processes, structures and principles of county communication and information access for

public participation. This being a qualitative study, the sample size was kept reasonably small. This was based on Ritchie & Lewis (2003) argument that increasing the sample size does not necessary contribute to new evidence.

Table 3.3 Target Population

The participants selected to represent the listed categories are shown in table below

Category	Population	Sample
Council of Governors	47	1
County Assemblies Forum	47	1
Sub-County Administrators	60	8
Director of Communication	8	8
Non-governmental organizations	8	8
Total	170	26

3.7 Data collection techniques and instruments

This study used both primary and secondary methods to collect data. In-depth interviews and documentary analysis were relied upon to analyze county communication frameworks for public participation in governance in county governments. These methods are widely accepted when conducting qualitative research (Creswell, 2009). The interviews targeted key officials responsible for communication and participation, oversight and representation, and finally civil society representatives working independently to foster good governance in county governments. Secondary data were

collected mainly from national dataset, surveys, and reports from ministries, departments, and agencies. The data generating techniques are described in detail hereunder.

3.7.1 In-depth Interviews

The in-depth interviews were deemed most suitable for the present research. Interviews were used to gain information from participants working in and outside county governments. Prior to these interviews, consent was requested from the individuals and organizations to make sure no organizational policies or regulations would be broken. The face-to-face interviews provided the most appropriate means of engaging directors of communication (County Executive), Sub-County Administrators (County Public Service), Members of County Assembly (County Assembly), and Community Based Organizations (Private Sector) to get a more detailed and in-depth description on the county communication frameworks that support participation. Follow-up questions were asked to the research participants based on the responses to the pre-constructed questions to share subjective views on effectiveness of communication for public participation in devolved governments.

The interviews provided means to evaluate how communication for public participation is aligned to interests and needs from citizens who are primary stakeholders. Where in-person and face to face was not possible, technology mediated interviews were considered, namely telephone interviews and zoom meetings. The interview method had features of both structured and unstructured interviews combining open and closed ended interview approach. Follow up questions were asked for the interviewees to provide more information or clarify any information. Conducting interviews was an effective method of

gaining information that may not be captured using other data collection methods. Because the study was interested in subjective views respondents, interview questions were designed to reflect distinctive role of each respondent. The interviews were conducted in English and where Kiswahili was used, such information was transcribed appropriately. Interviews lasted approximately an hour.

3.7.2 Document Analysis

Document analysis included a review of the constitution and legal framework put in place by national and county governments to facilitate communication and public participation. It also included review of several documents developed by county governments to implement devolution, with a keener interest on those that touch on communication, information dissemination, and public participation. The document analyzed in this study included the CoK 2010, relevant Acts of Parliament, Policy Guidelines, County Public Participation Acts, County Planning Bills and Policies, County Public Communication Bills and Policies, Parliamentary Reports, CoG Reports and Independent Commissions Reports, as well publications by Civil Society Organizations.

The reason for using document analysis as a data generating technique was informed by Yin (2009) recommendation to include the strategy when doing case study. Document analysis suited the evaluation of county communication strategies, documents and policies that enhance participation through communication. Taking advice from Creswell (2007), documents for this study were scrutinized for their representativeness, authenticity and credibility. All data collected were analyzed and presented with respect to qualitative approach.

3.8. Data Collection Procedures

Data collection for the study was mainly done through interviews. Prior to each interview, appointment was sought and engaged them on the appointed dates. Appointments were made by phone, email and in person visits to relevant offices. Face-to-face interviews enabled the researcher to probe, to explain, to follow up important points articulated by participants identified for the study. This approach enabled the researcher to obtain detailed and rich information on communication for public participation in devolved governments in Kenya.

The research began each interview with a brief introduction so as to make participants feel free to discuss issues they felt were important. Each participant was allocated a pseudonym to protect their confidentiality. During the course of the interview the researcher was concerned not only with what was said, but how it was said, and where it was said. The interview guide was instrumental in collecting information on availability and effectiveness of communication frameworks for public participation. Data saturation was reached when there was enough information to replicate the study, when the ability to obtain additional new information had been exhausted, and when further coding was no longer feasible.

3.9 Data Presentation and Analysis

Data acquired from this study were analyzed following qualitative techniques. According to Cohen and Morrison (2007), qualitative data analysis involves organizing, accounting for and explaining the data, in terms of the participants' views of the situation, noting patterns, themes, categories and regularities. Qualitative researches tend to generate extensive amount of data even though few participants often take part in the study (Ngulube, 2015). It is therefore important for the analysis of the data to be carefully done to extract meaning and make sense to the study.

The present study analyzed data collected from interviews thematically. According to Anderson (2013), there are two main approaches to analysis of qualitative data. These are deductive and inductive approaches. In the deductive approach the researcher has a predetermined framework to help in data analysis, the researcher imposes his/her own theory or framework in the analysis. Seemingly this is possible because the researcher is aware of probable responses and is prepared for analysis beforehand. In the inductive approach, there is no pre-determined structure of analysis instead the researcher uses the data collected to derive the structure of analysis.

The inductive approach is widely used in qualitative studies. This being a qualitative study, data collected from interviews was analyzed thematically. Thematic analysis is an inductive approach and is more predominant and common in qualitative studies. Thematic analysis is a method of identifying themes and patterns of meaning across the data collected. Themes in this study were considered to the extent of their importance in relation to the research questions set out in Chapter One. Jwan and Ongo'ndo (2011) refer

this process as transcribing, collating, editing, coding and reporting data for the purposes of interpretation and discussion.

Data presentation was executed according to the research themes derived from the research questions. Thematic presentation was guided by participants' voices verbatim and substantive quotations extracted to mirror participants opinions. The presentation of results was governed by the theories on which the study was founded- deliberative democracy theory, and group functional communication theory. In addition, the results were presented in a manner that aligned with the data collection tools. This was necessary not only to enhance reliability of the data, but also offer a deeper understanding to the phenomenon at the heart of this study.

3.10 Trustworthiness in the study

Trustworthiness can be thought of as the ways in which qualitative researchers ensure transferability, credibility, dependability and confirmability in their research. Trustworthiness refers to a process that ensures phases of the entire research are truthful, careful and rigorous enough to make a claim (Jwan and Ongo'ndo, 2011). Trustworthiness is an important concept in qualitative research as it allows researchers to describe the virtues of qualitative terms outside of the parameters that are typically applied in quantitative research. In the present study, a pilot study was conducted to assess trustworthiness of the research, testing tools of data collection by interviewing individuals working in non-governmental organization around issues of governance. Further, a review was done with the University Supervisors who refined the tools before

data collection. Additionally, the parameters that guide trustworthiness were considered in all phases of the study as explained below.

3.10.1 Credibility

Reference is made to credibility in quantitative research to mean internal validity. Credibility is the methodological procedures and sources used to establish a high level of harmony between the participants' expression and the researchers' interpretation (Givens, 2008). According to (Yin, 2009), credibility is the extent to which the researcher actually investigates what he claims to investigate. Credibility addresses the extent to which the research findings are congruent with reality.

The credibility of this study was guaranteed by following through the research processes faithfully. Literature reviewed was relevant to the study and from reputable sources. Methodology adopted for this study is open for all to see and criticize. Further, research findings are presented convincingly and, in an iterative manner. The researcher followed Litchman (2014) advice of demonstrating what was studied, what was found and how it connects to the body of research. Finally, the expert advice of the University supervisors was considered throughout the stages of the research.

3.10.2 Transferability

Transferability refers to the extent a study's findings can be generalized. To increase transferability, qualitative researchers focus on two key considerations, namely; how closely the participants are linked to the context being studied, and the contextual boundaries of the findings. This implies that the results of the research can be transferred to other contexts and situations beyond the scope of the study context. Qualitative

researcher can use two strategies to increase transferability of a study. The first is thick description. Thick description means that the researcher provides the reader with full and purposeful account of the context, participants, and research design. The other is methodology through purposeful sampling. Here participants are selected because they most represent the research design, limitations, and delimitations of the study (Given, 2008).

To demonstrate transferability in this study, the researcher used multiple cases as recommended by Yin (2009) in which he contends that analytic conclusions arising from two cases are more powerful than those coming from a single case. However, Jwan and Ong'ondo (2011) cautions that there are divergent views as to what sort of generalizations can be claimed from case study research. Citing Richards (2003), they argue that the power of qualitative research lies in its ability to represent the particular and that this distinguishes it from other researches that depend on generalizability. Since the findings of a qualitative research as specific to a small number of particular environments and individuals, it is impossible to demonstrate that the findings and conclusions in the present study are applicable to other situations and populations. However, it may be possible to transfer some understanding more or less analytically to similar context.

3.10.3 Dependability

Dependability in qualitative study recognizes that the research context is evolving and that it cannot be completely understood a priori as a singular moment in time. Dependability addresses the fact that research context is open to change and variation. The researcher must be cautious of the change and must track all the nuances through

relevant methodologies. This principle espouses validation of research finding by multiple researchers arriving at the same conclusions. The researcher guaranteed dependability of the present study by detailing steps in the process of conducting this research. Furthermore, all database, field notes, transcriptions and case study documents are available for evaluation and criticism.

3.10.4 Confirmability

Confirmability is often equated with reliability and objectivity in quantitative research. Reliability and objectivity measures the accuracy of the truth or meaning expressed in the study. Confirmability is an accurate means through which to verify the two basic goals of qualitative research, that is, to understand a phenomenon from the participants and, to understand the meanings people give to their experiences. Confirmability is concerned with providing evidence that the researcher's interpretations of participants' constructions, data analysis and the resulting findings and conclusions, can be verified as reflective of and grounded in the participants' perception (Givens, 2008).

The researcher ensured the tenet of confirmability is guarded through rational decisions and activities in research process. Where there were possibilities of carrying prejudices and experiences, they were explained fully. Jwan and Ongo'ndo (2011) acknowledge this fact and suggest open mindedness and understanding of such influences on the research process. Litchman (2014) similarly argues that researchers need to reveal themselves through a process known as reflexivity. The researcher complied with confirmability by ensuring there was no undue influence on the research by way of background knowledge, beliefs, assumptions, feelings, perceptions and other possible biases.

3.11. Ethical Considerations in This Research

Ethical consideration is a key component for every researcher. Ethics refers to rules of conduct and involves the study of right or wrong, proper or improper, good or bad (Robson, 2002). The nature of all social sciences is a focus on people and their experiences unto which ethics is central. Ethical issues apply to qualitative, quantitative and mixed research and to all stages of research (Creswell, 2009). Miller et al (2012) observes that ethical questions in research, the use of data, and the interpretive and analytical processes have all become significant as the landscape of qualitative research continues to change. Ethical reflections in research are evidenced in growing literature and formulation of regulatory codes of research practice by various agencies and professional bodies.

Researchers are constantly in dilemma as they must strike a balance between the call of professionalism as they pursue truth, and their subjective opinions and values emanating from research exercise (Hammersley and Trauanou, 2012). According to Stevens (2013), ethical considerations are significant in qualitative research given the unstructured nature of interaction between a researcher and the participants are personal and highly interactive. Reinard (2008) writes that research is not only judged by the rigor of procedures and the results obtained but by the ethics of the researcher. The process of planning and designing qualitative studies, researchers need to consider what ethic issues might surface and plan how to address them (Creswell 2009). Using Cohen, Manion and Morrison (2007) parameters of social research, the following considerations were given prominence in all phases of this research:

3.11.1 Informed Consent

Informed consent involves providing the potential participants with information about the purpose of the study, the funder(s), and research team, how data will be used, demands, risks, inconveniences, discomforts, and possible outcomes of research, including whether and how the results might be disseminated (Given, 2008). Bailey (1996) underscores the importance of obtaining the participants' consent before undertaking any study and respecting their choice to withhold any information they aren't comfortable discussing. In general researchers must negotiate consent from all relevant people (as well as organizations, groups and/or community elders) for all relevant matters, and (possibly) at all relevant times (Given, 2008)

This study was approved by Moi University in strict adherence to internal protocol in conducting academic research (See Appendix 2). In addition access to research area and participants was sought by applying for a research permit which was granted by the National Commission for Science, Technology and Innovation (NACOSTI) vide Permit No. NACOSTI/P/22/20842(Appendix 3).The research participants were informed of the purpose and nature of the study in which they were asked to voluntarily take part. This enabled them to evaluate and make informed choice on whether to participate or not. Appointments were secured through personal visits and telephone conversations. Somekh and Lewin (2005) advocates respect for persons and obtaining informed consent as a guiding principle in collecting data. Nachmias (1992) suggest that informed consent is particularly important if participants are going to be exposed to any stress, pain, invasion of privacy, or if they are going to lose control over what happens (e.g.in drug research);

such informed consent requires full information about the possible consequences and dangers. In this study the researcher ensured little interruption of participants schedules as most of the respondents were government officials with full time jobs.

3.11.2 Confidentiality and Anonymity

Respect for confidentiality is an established principle in research ethics codes and professional codes of conduct. Confidentiality enhances the quality and validity of data. More broadly, in many cultures, confidentiality is also considered a fundamental human dignity. Confidentiality means avoiding the attribution of comments, in reports or presentations that identify participants (Ritchie & Lewis, 2003). Respect for confidentiality protects people from embarrassment, harm or even stigma. Promises of confidentiality are usually necessary when researchers seek sensitive data.

Anonymity is most desirable to protect participants from harm that arise from the disclosure of their identities. Anonymity means the identity of those taking part not being known outside the research team. Most research ethical codes require that researchers protect participant's privacy through strategies that safeguard anonymity and confidentiality. In qualitative research, anonymity can facilitate candid disclosure of sensitive information, while also protecting the privacy and safety interests of participants. The proposed conditions for anonymity and confidentiality were communicated clearly to participants. The researcher observed confidentiality and anonymity in collecting and reporting research findings. Every effort was spared to reduce the participants' fear and generally encourage them to take part in research with a promise of not publishing material in a manner that can identify them.

3.11.3 Risk of harm

According to Halai (2006) researchers must ensure the interests of those participating in a study are not harmed. Ritchie & Lewis (2003) recommend participants to be given a clear understanding of the issues a study will address before asked to take part. This is because some studies may touch on sensitive topics which may uncover painful experiences. This research work was be guided by the truth as an ethical principle expected of researchers. Caution was undertaken to eliminate risks of harm, either physical or psychological to participants, the institutions or any other person.

3.12 Summary

This study adopted the relativist-interpretivist philosophical paradigm and employed qualitative research approach. The research method used in this study was a multiple case study. Eight county governments were purposively selected for the study, with 26 participants chosen based on their roles and expertise in communication and coordination of public participation. Both primary (in-depth interviews) and secondary (document analysis) were used to collect data. Data analysis followed qualitative techniques, with findings presented according to themes derived from the research questions. Ethical considerations included obtaining relevant permissions and authorizations, informed consent, risk of harm, confidentiality and anonymity. The subsequent chapter presents findings generated from the research questions guiding the study.

CHAPTER FOUR

COUNTY COMMUNICATION FRAMEWORKS FOR PUBLIC PARTICIPATION

4.1 Introduction

This chapter presents the study findings on the first research question, mainly: What communication frameworks are in place at the county level to promote public participation? The section reviews county communication framework necessary in managing and coordinating citizen participation. It also presents data in expository form where respondents are quoted depending on the relevance and usefulness of the information shared. Table 4.1 gives a summary of the symbols used to represent participants. The use of codes was meant to ensure the names of participants are concealed for the sake of anonymity. The interview guide (see appendix 2) was designed to inform the discussion undertaken in the proceeding chapters.

Table 4.1: Symbols Representing Organizations and Participants

Organization	Symbol	Respondent
Council of Governors	CG	CG1
Community Based Organizations	CB CF	CB1, CB2, CB3, CB4, CB5, CB6, CB7, CB8 CA1
County Assemblies Forum	DC	DC1, DC2, DC3 DC4, DC5, DC6, DC7, DC8
County Director of Communication	CA	CA1, CA2, CA3, CA4, CA5, CA6, CA7, CA8
Sub-County Administrators		

4.2 Communication Framework for Public Participation

Communication structures are fundamental to complete the circuit of public participation. Analysis of documents indicates that county governments have implemented a structured framework for communication and public participation as stipulated in the County Government Act of 2012. Each county has decentralized communication to urban areas and cities within its jurisdiction, adhering to the guidelines outlined in Urban Areas and Cities Act 2011. Moreover, Sub-Counties, Wards and Villages play are critical links for communication and promoting public participation. Sub-Counties are overseen by Sub-County Administrators, Wards are led by Ward Administrators, and Villages are managed by Village Administrators. As mentioned earlier, these officials are tasked, among other responsibilities, with communication and coordinating participation at their respective levels.

Additionally, every county has county intergovernmental forum, chaired by the governor or designated representative, responsible for coordinating development activities and intergovernmental functions. Moreover, county governments have enacted public participation laws, mandating the establishment of the Office of Public Participation under the supervision of county executive committee member. This office is tasked with facilitating and promoting public participation initiatives within the counties.

Each county government utilizes structured communication channels, both internal and external, to disseminate information to citizens. Focusing on the executive arm of county government, which is the subject of this research, internal communication occurs through various departments, while external communication extends to shareholders such as other

levels of government, development partners, and the general public. The Governor's offices are equipped with designated offices and officials, as outlined in section 96 of the CGA 2012. Additionally, all county governments maintain directorates of communication and Governor's Press Services, mandated to share information regarding government initiatives, programs, and services with residents.

Data gathered from interviews collaborate finding from document analysis that county governments have county communication and information framework. When asked whether communication and information systems have been integrated in county structure, one interviewee (pseudonym DC6) observed that:

The county governments' responsibilities in relation to communication are regulated by the laws and policies. Each county has legislation and policy guidelines for internal and external communication. The communication function is coordinated at various levels. That is, directorate of county communication, governor press team, the secretary of the county and the speaker of county assembly. The unfortunate bit about these teams is that more often than not they are disjointed yet they serve the same government.

Participant (pseudonym CB) observed that the communication function in county governments is too fragmented making its coordination difficult. He added that:

The rivalry between Directors of Governors Press, Directors of Communication, Communication Officers, Public Relations Officers and a host of other officers in the County Service Board and County Assembly often hinder comprehensive and coordinated communication in decentralized units. Majority of these officers are unaware of their obligation to provide information to the public.

Reflecting on whether counties have integrated information for the sake of promoting good governance and as an investment in better policy making, participant (pseudonym CB) observed that:

county communication is indeed part of the county structure of government. Directorate of communication, press teams and departments are focal points to access county information. However, what makes them ineffective is poor coordination among the various personnel and departments. The requirement to have County Secretary to approve any communication released by different departments undermines their independence to make decision. Lack of proactive strategy across county departments and among leadership decreases the level of trust in information coming from the devolved governments.

Another participant (pseudonym DC4) commended that:

every employee of the county right from the Governor, Members of County Assembly, CECs, Chief Officers, Heads of Departments, Ward-Administrators, Sub-County Administrators, Boards of Cities and Towns and Village Administrators are obligated to involve the public when formulating and interpreting policy. As such, the office they represent is structured to provide information and communication to citizens. There are also other community liaison officers and information desks in all sectors that are responsible for communication on behalf of the county government.

County governments have an obligation to provide citizens with adequate information on programmes and activities whereupon they can contribute their needs and priorities. For counties to have legitimacy, they must develop and maintain effective communication capacity that fosters a more inclusive public space for multi-stakeholder participation (GSDRC, 2009). There have been notable efforts towards ensuring every citizen in Kenya accesses government information. Such initiatives include the rollout of e-government in July 2011 where the national government launched the Kenya Open Data Initiatives (KODI). The efforts to expand access to ICTs has seen establishment of digital hubs across counties making services more accessible to citizens. Additionally, Kenya joined Open Government Programme (OGP) in April 2012 with a commitment to promote transparency, empower citizens, fight corruption and harness new technologies to

strengthen governance. Other initiatives include the development and launch of the national broadband strategy in 2014, which was revised in the 2019 strategy document, along with public service centres, dubbed “Huduma Centres”, and e-procurements. As a result of these initiatives, Kenya is considered an ICT hub in the region and scores highly in the global e-government survey (Article 19, 2014).

The role of information and communication in counties should be strategic. It starts with empowering the directorate of communication with the right tools to disseminate information and monitor its impact at various levels. Secondly, hire competent line officers for execution of responsibilities that come with their offices. Holders of the roles must uphold professionalism.

While the selection to this role is always a governor’s prerogative it is important that those appointed also understand the so-what of the office. These sentiments are shared with (pseudonym CO3) who stated that:

I suggest that county staff at every level should be properly inducted to appreciate the importance of communicating to the public. Professionalizing public communication should be given the utmost attention.

4.3 Media and Information Ecosystem for County Governments

The methods used by counties to disseminate information for participation vary. Most counties have robust ICT and Non-ICT for public communication needs. Kenya has the most sophisticated and highly competitive mediascape in East Africa. The country leads the region in internet connectivity, mobile phone usage and social media engagement. The growing influence of various forms of media has increased ways in which citizens

access county information and interact with each other. The evolution of technology associated with internet has expanded opportunities for county government to engineer innovative ways of encouraging citizens to participate in governance. Public participation rides on dynamic information and communication infrastructure. The media and information structures in place for county government communication involve several channels and mechanisms:

4.3.1 Radio

Radio serves as an important tool for information and communication in Kenya, with a significant portion of the population relying on it for news and entertainment (BBC, 2018). Recognizing its potency, county governments have embraced radio as a mean of public engagement, leveraging its extensive accessibility, affordability, and capacity to reach diverse demographics. Approximately 87 of Kenya's populace are covered by FM radio broadcasts, often conducted in local languages (Internews, 2021). This widespread penetration is attributed to the liberalization and privatization of both the economy and the media sector (CA, 2022). By June 2022, Kenya had licensed 164 commercial radio stations, along with 52 community radio stations (CA). A majority of these stations operate in vernacular languages, thereby constituting a significant public platform through which county governments can effectively communicate with residents.

Many county governments frequently enter into agreements and partnerships with radio stations to air programs dedicated to governmental updates, community information, and public service announcements. Makueni County for instance sponsors various radio talk shows on Musyi and Mbaitu radio stations. This partnership cuts across counties having

established partnerships with local and community stations for their communication needs. Notably, community radio stations assume a crucial role in facilitating public participation at the county level. Their organizational structure, managed by local communities, enables them to address grassroots issues directly, thereby providing residents with a platform to voice concerns in a language that resonates with all stakeholders.

4.3.2 Television

Television is an important medium for county public participation initiatives. Just like radio, television has a wide reach in Kenya, making it an effective tool for public participation. Both public and private television stations broadcast news and interview debates on various issues of governance, allowing citizens to stay informed about issues affecting their counties and the nation as a whole. County governments have also partnered with TV stations to air programmes on various subjects, including health, agriculture and civic education. Some of these programs empower citizens with knowledge and skills, assisting them to influence decisions that their governments make regarding their lives.

The liberalization of the airwaves in the 1990s ushered in a proliferation of broadcasting service in Kenya. The transition from analogue to digital TV further catalyzed this growth, with television station increasing from 14 to 135 in 2022(CA, 2022). Among the widely watched television stations include Kenya Broadcasting Corporation (KBC), serving as the national broadcaster, Multi-Choice Kenya Limited and Star Times as prominent commercial TV stations. Royal Media Services (RMS) has popular channels

such as Citizen TV, Ramogi TV, and Inooro TV, while the Nation Media Group operates Nation TV. Additionally, the Standard Media Group manages KTN Home and KTN News, while Media Max has K24. Notably, Kenya also hosts independent international TV channels, such as the BBC, China's CCTV, and Al Jazeera. The transition to digital broadcast formats has guaranteed that all TV stations enjoy near national coverage, accessible across the country. However, TV market is not popular in rural areas where poverty levels and electricity penetrations is low.

4.3.3 County Government Websites

Official county government websites play a vital role in enhancing public participation where residents can access information, services, and opportunities for engagement at the grassroots level. Websites serves as repositories of information regarding county structures, county leadership, policies, projects, and other initiatives at the local level. Most counties have also opened the sites for online services such business registration, payment of taxes and fees, application for permits and licenses, and accessing government documents.

Websites fosters civic engagement and public participation through interactive function. Public service policy requires all government services to be availed online. Websites allow the public to access information and transact business in a safe and convenient electronic environment. They have become a popular platform for citizens to take part in debate and deliberation on critical matters of concern. Websites convey important messages to citizens while at the same time accepting feedback from the public.

The CGA and PPG provide that all county governments should have a website. The ICT policy of 2009 provides a roadmap that ensures all government services are available online. County government websites offer new possibilities for public participation. Specifically, makes it possible for county governments to reach a large group of citizens without major effort. Websites are a cheaper way of providing information electronically. Kenya Investment Authority considers county government websites as a critical tool for investment promotion efforts and the window to the outside world and a key marketing tool.

Counties are expected to have websites that are prominently located on global search engines, fast to download, and immediately recognizable for services, well organized information shared in a consistent manner, easy to read information written in a web friendly format. According to the Ministry of Devolution, each county has set up a website as part of e-government effort to facilitate better and efficient services to citizens (See Annex1). The leverage on technology has made it possible for citizens to access services at their convenience without requiring physical visits to county offices. However, most of county websites are not well organized and some information shared on the platform is less helpful or even interactive (Kimemia, 2022). They lack detailed and up-to-date information, which impacts input and engagement with citizens.

4.3.4 Social Media Platforms

Social media have emerged as dynamic avenues for public participation in county governments, offering citizens diverse functionalities for accessing and retrieval of information without necessary logging to specific portals (Browne, 2015). Social media

play a major role in county public participatory processes. They contribute to establishment of trust and the cultivation of enduring social capital between county administrators and citizens. Moreover, they are instrumental in fostering good governance by providing inclusive forums for stakeholders to participate in collaborative initiatives.

Social media have ushered in novel modes of interaction between counties and their constituents, potentially transforming the dynamics of grassroots discourse. When effectively harnessed, these platforms possess the capacity to revolutionize the manner in which local concerns are deliberated upon and addressed. Within this digital space, social media platforms witnessed substantial growth, with approximately 11.8 million users recorded as of January 2022. The Media Council of Kenya (MCK) 2021 report reveal that WhatsApp, Facebook, and YouTube emerged as the frontrunners, commanding usage rates of 27%, 26% and 16% respectively. Statcounter Global Stats documented over 12 million Facebook users by January 2023, while YouTube boasted over 9.29 million users as of 2022. Additionally, Twitter(now X) registered 1.35 million users, with Kenyans frequently engaging in topical discussions through the popular #KenyansOnTwitter (KOT) hashtag. LinkedIn is another significant platform in Kenya, primarily facilitating professional networking and career development, with membership surpassing 2.90 in 2022. Instagram too, saw a notable increase, with 2.50 million users.

Leveraging these digital technologies, county governments have a myriad of options to engage the public on matters of mutual interest, fostering inclusive dialogue and collaboration for the collective benefit of residents. Given the widespread use of social media among Kenyans, county governments are now compelled to embrace these

platforms as indispensable channels of public communication. A close examination of the 47 county governments reveals that majority maintain active Facebook and Twitter accounts, underscoring the recognition of social media's utility in facilitating communication with citizens.

4.3.5 Newspapers

Newspapers serve as an additional platform through which county governments communicate important matters that resonate with people's needs and priorities. Widely acknowledged for their role in dissemination public information, newspapers are esteemed medium for communication, particularly at the local level. The most widely read newspapers in Kenya are Standard, Sunday Standard, and The Nairobiian under the Standard Media Group, and the linked to standard media group, and Daily Nation, Business Daily, Saturday Nation, Sunday Nation, East African, and Taifa Leo associated with Nation Media Group. Other notable publications include: The Star, The East African, People Daily, and Business Daily. Through these newspapers, county governments engage citizens, share information, and encourage dialogue on matters of public interest, contributing to informed decision-making and participatory governance (Nyakundi, 2018).

4.3.6 Public Meetings and Forums

Public meetings bring together individuals and diverse groups of stakeholders for consultative meetings in counties. The forum provides an opportunity for face-to-face engagement between county government's officials and citizens. Most public consultations are done pursuant to the law requiring all the 47 counties in the Republic of

Kenya to prepare County Integrated Plans (CIDPs). CIDPs guide the development agenda by integrating economic, physical, social, environmental and spatial aspects of counties and form the basis for appropriating devolved resources.

The CGA and Urban and Cities Act are silent on the number of people who should attend public meeting. It can be assumed therefore, all willing participants should be accommodated. To this end county governments are to create safe venues and avenues for attendees to speak freely and jointly pursue solutions for community challenges. The law contemplates that devolved units will be innovative in setting up community forums that can be instrumental in providing information and receiving feedback on issues such as legislation, development plans and the county budget.

While organizing public participation, county governments should ensure it is structured to give opportunity to every attendee; regardless of age and gender have equal opportunity to contribute ideas and opinions on important discussions. The forum may also benefit from the services of facilitators well versed in areas of policy, legislation or development. The county official in charge of such meetings shall mitigate any conflict arising out of the deliberations.

4.3.7 County Government Publications

County governments frequently publish and distribute periodic newsletters, magazines and other publication on key activities and events. These publications serve a number of purposes including providing updates on county activities, achievements, events other information about county government initiatives. For instance, Makueni has a quarterly newsletter known as ENE. The Makueni People's Magazine provides information on

what the county is implementing in various sectors. The magazine also provides sections for the public letters and views.

Brochures and other printed literature remain popular and effective in stimulating citizens to engage in county affairs. When displayed in public places with lots of foot traffic, brochures can be highly effective tool for publicizing public participation processes. These materials are often distributed in meetings, made available for the public to pick at county offices and distributed through in public meetings. Additionally, they have been included as inserts in local newspapers. Through these printed materials, county governments share information, stimulate interest, and encourage participation in governance processes.

4.3.8 County Information Resource Centres

The County Government 2012 under Section 119 obligates Counties to establish citizens' service centres at the county, sub-county, ward and any other decentralized levels. Governors are expected to ensure that these centres have appropriate information and communication technologies for the provision of timely and efficient services to the county citizens. These resource centres may be public libraries or resource centres at County Assembly or County Executive Offices. Further, county governments are required a resource centre in at least each ward which may be situated in the ward administrators' offices. The information to the public should be availed in a format suitable to county residents both in hard copy and electronic form and should also be posted on county websites (PG, 2016).

4.3.9 County Information Offices

County Governments have designated offices for communication and access to information as provided for in CGA 2012. The directorate of communication is responsible for formulating and monitoring public communication policy within county governments. The policy detail strategies each county use to coordinate, manage and respond to communication demands from different stakeholders, internal and external. The typical directorate of communication is headed by a director, assisted by deputy directors, information officers, communication assistants, and other support staff.

Additionally, within county communications arm, there are teams tasked with public relations and communication. The officers are responsible for the managing county's public image and reputation. These units are also responsible for handling media relations and facilitating communication on key county initiatives and programs.

4.3.10 E-Participation

Kenya is the regional ICT hub of East Africa, with the country being a leader in broadband connectivity, general ICT infrastructure, value added services(VAS), mobile money, and mobile banking and FinTech services(ITA, 2022). According to the Ministry of ICT there are 300 Constituency Innovation Hubs (CIH), which are technology centres with free Wi-Fi connections across the country.

The centres are a resource that enable the youth to access training, digital devices, mentorship and job opportunities. They are publicly accessible to any person who wishes to use computers, internet and other digital technologies for information and communication. ICTs have been identified as a key enabler of development in Kenya.

They are taunted as powerful tools that will transform the country into a knowledgeable and information based economy by enabling access to quality, affordable and reliable services (Ministry of Devolution and Planning, 2013).

The country has positioned itself as an ICT regional hub with robust internet coverage, excellent mobile penetration and a leader in mobile money services regime (Thomas, Bosire & Eysin, 2018). The Communication Authority of Kenya, a regulatory body for the communication sector, has been at the forefront in facilitating the development of the information communication sectors including broadcasting, cyber security, multimedia, telecommunication, electronic commerce, and postal and courier services(www.ca.go.ke accessed on 18/12.2022).

ICT can be used in diverse applications to accelerate information dissemination, improve efficiency of public services, increase the transparency and accountability of governments, and facilitate citizen participation in local governance (Bhavnagar, 2014). With advancements in ICTs, e- participation has become a new phenomenon in governance. Key e-participation and communication channels include: websites, SMS, Telephone/ Call Centres, Social Media, E-petition.

E-participation gives citizens the opportunity to take part in county governance processes without having to be present physically. E-participation has the potential to reveal the diversity of voice and range of opinions (Omolo, 2013). ICT facilitates pro poor policies and enable the marginalized to speak to policies that affect their situation. Bearing in mind that not all county residents would physically attend county initiatives, it is for these

counties to develop elaborate e-participation platforms to cater for this critical mass if their voice to be heard.

4.3.11 other mechanisms

In general, county employ a variety of communication channels to engage with citizens. These include the use of SMS and email alerts, for timely notifications and announcements. They also use Huduma Centres to provide citizens with information and services. Additionally, counties have put in place inter-county communication networks to coordinate communication between different county departments, as well as fostering collaboration between counties and regional blocs. Counties often organize outreach programmes and roadshows as part of their effort to raise awareness about specific issues, promote government programmes and services, and educate the public their responsibilities in good governance. Through these diverse communication channels and mechanisms, devolved government reach and engage citizens, on issues that matter to them as provided in CoK 2010 and the law.

With ever so enlightened citizens and expansion of media platforms, counties have diverse and sophisticated media to select from for communication. The basis for selecting media for communication should account of people living with disabilities, senior citizens, marginalized and less educated residents of the county (PPG, 2016). To meet these needs, counties are required to consider communication in the following forms: publications for persons with hearing impairments; braille, local language publications; popular versions; or large print publications. They are also required to identify media that

is most effective in terms of reach and cost. Public and private media for county communication include:

4.4 Obligation of Media and Communication in County Administration

County governments exist to deliver on the functions under the constitution and the law. As noted elsewhere, delivery of these functions is reliant on effective, integrated and coordinated communication. County communication framework exists to disclose a strategic approach of sending and receiving information across a broad range of media. The objectives of county communication is to: a) create awareness on devolution and governance; (b) promote citizens understanding for the purposes of peace and national cohesion; (c) undertake advocacy on core development issues ; and (d) promotion of the freedom of the media.

Media and communication are appreciated as the main vehicles for public participation. The media provide an arena and channel for wide debate, distributing diverse information and opinion. For instance, the activities of the county executive and the assembly are open to public scrutiny. Proceedings of assemblies are held in plenary and before the media. The activities of the county governments are broadcasted to the public for comprehensive scrutiny and robust engagement. Media boosts legislative openness as part of the effort toward securing open and accountable governance. Parliamentary openness enables citizens to be informed about the work of parliament, empowers citizens to engage in the legislative process, allows the public to hold MCAs to account and ensure that citizens' interests are represented.

Effective utilization of the media leads to an informed citizenry capable of engaging meaningfully and holding the county leadership to account. A system of checks and balances, in which communication is key and properly designed, fosters accountability among and within various agencies of county governments. Therefore the role of the media in championing accountability in the county government's administration cannot be gainsaid. The media guards against abuse of power and mismanagement of national resources. Communication enhances the potential of citizens and civil society to hold government authorities accountable. Since the advent of devolved governments, media have helped expose the wastefulness of public resources (OAG, 2016). The audit reports have been instrumental in exposing malfeasances.

Effective communication for county governments is the pathway to opening up citizen involvement in public affairs. Media facilitates the practice of democracy by allowing expression of popular will and public opinion (McNair, 2006). Communication plays a key role in enabling county governments to disseminate decisions and information on policy and legislation, civic education, public participation and debate for both the County Executive and Assembly (KSG, 2015). Without proper communication framework, key county processes such as budgeting and planning cannot take place effectively (KSG, 2015).

County communication provides the foundation for facilitation of good governance contributing to an informed and an empowered citizenry. In prioritizing communication, counties can significantly improve outcomes of policy formulation when they effectively involve the public in making decisions. Communication serves as a strategic tool in the

implementation of people centred resolutions. Observers contend that multi-actor decision making helps articulate a common set of priorities for the society. Media and communication are allies in making and implementing development policies.

The rapid development of information and communication technologies has made it possible for citizens to take part in county governance. Media acts as a catalyst for democracy and development. The media play a critical role in contributing to democratic capacity of devolved governments. The platforms serve as communication instruments as well as monitoring device to measure progress of devolution in the country. The media publishes and publicizes county government reports. The media also sets agenda for public debate on accountability of devolved governments (OAG, 2016). The press comments on issues of the day and advocates improved democratic practices and good governance. The public supports media that reports accurately and provides reliable news and information about matters of public concern. Thus the media pay an important role of creating awareness among the people on government plans.

County governments use media and communication to convey their policies to the public (Irwin and Kiereini, 2021). Citizens generally learn about public policies mostly through the media. The media is a useful tool for policymakers to inform the public about public policy and also inform policymakers about public opinion. Media helps set and build agenda, mobilize the public (and public opinion) for various causes, and provide the platform for articulation, aggregation and formation of public opinion (Nyabuga, 2017). The ideas are assembled through consultative forums like citizen and village councils (CGA 2012). Making communication part of strategy in service delivery, counties have a

unique opportunity to engage citizens on aspects that match their expectations through fairly developed information and communication frameworks.

Communication serves as a strategic tool in the implementation of people centred resolutions. Observers contend that multi-actor decision making helps articulate a common set of priorities for the society. It is an important ally in the quest of bringing together an array of actors involved in the making and implementing development policies. Counties can significantly improve outcomes of policy formulation when they effectively involve the public in making decisions

Good governance revolves around accountability and responsiveness to public expectations. Strategic communication allows participation of all stakeholders in monitoring government activities. The success of devolution requires greater engagement and demand for accountability from the county governments. The communication techniques has vital role to play in contributing to general democratic capacity of devolved governments.

Scholars acknowledge the centrality of mass communication as a tool of good governance. Nyabuga (2017) argues that debates over the media's roles and responsibilities are couched in its and journalism's professional ideology that they serve the truth and public interest by acting as both watchdog against official excesses, and spaces for construction, dissemination and sharing of important information. Apart from promoting good governance, Mamokhere (2020) adds that it is a stabilizer of democracy. Ismail (2009) avers that media provides an important government function of public communication. Media promotes accountability, openness, receptivity, public order,

solidity, value and integrity, empowerment, and broad participation (McLoughlin, & Scot, 2010).

According to Deane (2015), the primary role of the media is to disseminate information about governments' programmes, policies and activities while also carrying out a watchdog function. Effective government communication leads to more favourable media coverage of government and ultimately greater trust in government among the public (Liu et al, 2012). Media and communication create mechanisms that broaden public access to information (Panos, 2007). They strengthen citizens' ability to negotiate favourable outcomes in order to improve their own lives. In vibrant democracies, media is considered as one of the most powerful agent of democratic accountability (UNESCO, 2005).

Scholars argue that use of communication process and media to support policy making and public participation has a great impact on social, economic and political development of the people. Communications under right conditions foster good governance and support development (Servaes, 2009). Communication enhances the potential of the public and civil society to hold government authorities accountable (Mefalopulos, 2003). Communication serves information exchange, establishing consensus among divergent opinions and interests (McLoughlin and Scot, 2010). Communication empowers citizens with essential information that facilitates the building of know-how and decision making which are the heart of cooperation between government, civil society groups and the people (Panos, 2007).

The CoK 2010, and relevant Acts provide for communication and access to information as a fundamental right that a defining human characteristic. The Access to Information

Act 2016, County Government Act 2012, Urban Areas and Cities Act 2011 and Public Participation Guidelines emphasize the need for the public to access information as a prerequisite to maintaining the social contract between county government and the people.

Citizens realize their potential when they have access to information and communication (Singhal, 2001). County governments and all its entities are obligated to furnish the public with information in accordance with Article 35 of CoK 2010 and Access to Information Act, 2016. It is an ingredient of, and a principle of participatory democracy (UNDP, 2009). Prof Levy Obonyo, a communication expert and a University Lecturer advised counties to build communication frameworks that strengthen the devolution value chain using multiple tools that are accessible by every citizen.

Public participation is both a key promise and provision of the Constitution of Kenya (PPG, 2016). The standards and mechanisms for coordinating participation are prescribed in law and guidelines. The government of Kenya developed public participation policy in 2016 as the country's overarching framework for public participation. Most counties have enacted laws, policies and adopted guidelines which provide a framework for citizen engagement to ensure attainment of effective public participation. However, there is a general consensus public participation contemplated by the Constitution and the laws have not fully achieved (GoK, 2018). One of the challenges to effective participation is lack of a standard participation model to guide citizen involvement in governance affairs.

The national policy of public participation provides a general framework for the management and coordination of public participation. Developed in 2018, the policy

establishes a foundation upon which public bodies in Kenya are required to use when implementing constitutional requirement on citizen engagement. Most county governments have adopted this framework for their own legislation that enable citizens participation in decision making processes that include planning, service provision, budgeting, implementation and policy making.

Public participation in most counties is executed at three levels. The first level is the ward or village level. Ward or Village public Participation Forum is open to all residents who have a desire to attend. Such meetings are convened by the village administrator or a member of a county assembly in consultation with the office of public participation. The next level is Sub-County Participation Forum coordinated by county departments or the county assembly to discuss issues of interest in the sub counties. The last level is the County Public Participation Forum. The meetings at this level are meant to discuss matters of importance affecting the public by the county government.

Makueni's public participation model is lauded one of the best models of participation. The key highlight of the models is that involves the public in developing policies, identification of projects and are also involved in implementation. Residents are furnished with information to help them understand issues, options and solutions, are consulted regularly to obtain feedback on alternatives or decisions, they involved to ensure their concerns are considered throughout decision making processes, and are empowered to develop decision criteria and identify the preferred solutions. The final decision making authority lie in the hands of the public.

What make the model even exceptional is the frequency of the meetings and the composition of the participants. The Village Peoples Forum holds meetings quarterly with an elected or selected committee of 11 person's members. The Village Cluster Forum meets at least once quarterly and coalesces to form Sub Ward Peoples Forum which holds meets bi-annually. This consists of eleven persons elected from the Ward Development Committee members and 20 people nominated to the forum by the Sub-County Administration. At the tail end of consultative process is The County Peoples Forum consisting of 11 members from each Sub-Ward Development Committee. The Governor and the Deputy Governor co-chairs the forum. Other elected leaders in the county attend this forum which is convened once annually.

Nominations from which participants are drawn include: The Kenya National Union of Teachers (KNUT), The Union of Post Primary Education Teachers(KUPPET), Kenya Secondary School Teachers Association(KESSHA), Kenya Primary School Head Teachers Association(KEPSHA), Maendeleo ya Wanawake Organization(MYWO), National Youth Council(NYC), Established Community Based Organizations(CBOs), Kenya National Chamber of Commerce and Industry(KNNCCI)-County Chapter representatives, Hawkers representatives, Faith Based Organizations(FBOs) Farmers groups representatives, Boda boda groups, Most Affected Persons(MAPS), Professionals in the Diaspora, People with Special Needs(PWSN), Children representative, Parents Teachers Associations(PTAs), Town committees, Project Management

Structured way of consulting citizens, groups and entities in counties is designed to give voice to the public to influence decisions that affect them. Each county established the

Office of Public Participation responsible for facilitating and coordinating participation of citizens in the governance of county governments. More importantly the office is tasked with communicating to the public concerning matters with regard to which their participation is required. When communicating to the public, county governments are required to take into account language preferences (English or Kiswahili), persons with special needs, and preference to the different mediums of communication. When publishing notice for participation, counties are required to do so in daily newspapers, official websites, radio broadcasts covering the area of county, and in any other media with a wide reach to interested persons, including but not limited to social media.

Even with such an elaborate participation framework, there are no standards for engaging the public in decision making, and gives no guarantee for consideration to public input. The uneven operationalization of laws, regulations and guidelines negatively affect public participation processes. It violate participation principles which require counties to ensure communities, organizations and citizens affected by a decision have a right to be consulted and involved in the decision making process, and their contribution taken into account as a means to promote sustainable decisions.

4.5 Summary

This chapter presented and discussed findings of the study, focusing on the first question, which sought to elucidate the nature of communication approaches for public participation at the county level. The objective was achieved by examining information and communication structures, processes, and obligations within county communication frameworks. The results indicate that all county governments have established

communication systems in accordance with County Communication Act of 2012. The legislation mandates the creation of structures for citizen participation. While county governments have implemented mechanisms to facilitate communication and access to information through private and public media, the full potential of communication processes for effective public participation remains underutilized. Newspaper and ICT driven platforms are predominantly favoured by county governments, yet they are often inaccessible to majority of citizens. Nevertheless, the media is acknowledged as the primary avenue for public participation.

CHAPTER FIVE

EFFECTIVENESS OF COUNTY COMMUNICATIONS FRAMEWORKS

5.1 Introduction

The primary focus of this chapter is to present the findings and analysis of the second research question which sought to establish the effectiveness of county communication in delivering the objectives of devolution as well as public participation. The assessment of county communications was conducted in line with Section 94 of County Government Act 2012, which outlines the objectives of county communication. These objectives are at the heart of participation processes in devolved governments. They include creating awareness of devolution and governance, promoting peace and cohesion, advocating for developmental issues, and promoting freedom of the media. Additionally, strengthening communication for participation and principles of county communication has also been explored. Interviews and document analysis yielded data that was interpreted based on each of these stated objectives. The interviews provided data whose interpretation has been done according to each of the stated objectives.

5.2.1 Creating Awareness on Devolution and Governance

For successful public participation initiatives to take root, counties should satisfy themselves that the matters to be considered are clear to the public. With this understanding they can establish realistic and practical goals acceptable to all stakeholders. When asked about effectiveness of county communication in creating awareness on devolution and governance, there was consensus among participants that

little success has been achieved by counties to inform citizens on this important objective.

One participant (pseudonym C8) stated that:

County governments have done little to create awareness on devolution and good governance. Much of this work is done by civil societies and other actors outside county governments. For instance my organization provides civic education to citizens and we also facilitate them to engage in governance processes. When you look at the constitution it focuses more on public participation. So we go beyond civic education to give citizens tools and skills to ensure they participate meaningfully. We empower them to engage in things like planning and budgeting processes for instance developing county integrated development plans. We also teach them on how to write petitions and memoranda. We train them on how to contribute their views and opinions on legislation and policy when being developed both at the county level and the senate. This is the work of counties which they have failed to do.

The County Governance Act 2012 under Section 100 provide for designing and implementation of civic education in county governance. The objective is advocacy geared towards improving service delivery. This is expected to be achieved by establishing a civic education unit to implement a civic education program. However, since devolution was rolled out in 2013, majority of counties neither have specific personnel to run the unit or an active program to help champion public participation in governance. This observation is backed by participant (pseudonym DC6) who added that:

We need to do more for to have citizens embrace the principle of participation as a civic responsibility. There need have more public awareness programs. The programs implemented should be in response to what people prioritized. The leadership in developing their manifesto should be developed along what people want to that it is in sic with what people want. So that by the people get into offices they know what the people want. However, sometimes the conflicting interests impede delivery at the local level.

According to the devolution report of 2016, the success of devolution is pegged on two things: civic education and participation of citizens. The counties shoulders the responsibility of ensuring citizens are adequately empowered to participate in governance affairs. There are also many NGOs that support participation initiatives.

5.2.2 Promoting Citizen Understanding of Peace and Cohesion

When asked about effectiveness of county communication in promoting citizen understanding of peace and cohesion, the findings show that this objective receive less focus and not such a big priority for a majority counties except few in FCDC which have a long history of ethnic conflict, violence and marginalization. When asked about effectiveness of communication in promoting cohesion, participant (pseudonym CG) stated that:

Counties are doing all they can to promote peace and cohesion. There can be no development if citizens and communities are engaged in conflicts. That is why as council of governors together with other government agencies we come together time to time to encourage peaceful co-existence of our people. The media, as we you may be aware, is an important partner in cultivating tolerance among our people. If this objective was be realized, counties perennially afflicted by conflict must do more to address that which tear people apart.

Another participant (pseudonym CB4) observed that:

One objective of devolution is to promote peace. Generally speaking, there is perceived failure by the national government and county governments to unite Kenyans. Even with an independent commission tasked to promote peace and cohesion, there is generally perceived failure by governments to unite the people. The counties, in my view are the new hotspots for new conflicts where people fight over resources, leadership positions and so on.

One objective of devolution is to promote peace. Generally speaking, there is perceived failure by the national government and county governments to unite Kenyans. Even with an independent commission tasked to promote peace and cohesion, there is generally perceived failure by governments to unite the people. According to the National Economic and Social Council Annual Report (NESC 2010), polarized political issues, socioeconomic disparities and lack of economic opportunity, security's use of excessive and lethal force in actual or apparent endeavors to quell violence, culture of impunity, feelings of marginalization arising from inequities concerning the allocation of resources and desperate unemployed youth joining militias and organized gangs, endemic corruption are causes of repeated flashes of ethnic violence.

Apart from politically instigated violence during elections, community clashes are a common happening especially in the northern part of Kenya. The inhabitants of this region have historically clashed over scarce resources; historical rivalries between communities; traditional practices such as cattle rustling; disputes over territorial boundary claims; proliferation of small arms and light weapons; weak state security and governance structures and lack of clear land ownership policies.

The National Cohesion and Integration Commission (NCIC) established in 2009 after the disputed election works to encourage national cohesion by outlawing all forms of discrimination, encouraging dialogue and amicable resolution of conflicts through non-violent means. The Commission continues to champion reconciliation, peaceful coexistence marked by trust, openness, mutual caring, cooperation, and respect. Public participation as provided in the CoK 2010 promotes national dialogue process, promote

social and ethnic cohesion, protect civic and democratic space, and monitor the implementation of strong governance practices.

5.2.3 Advocacy of County Development

Devolution constitutes one of the most important and decisive factors for the future development of Kenya. Communication is a crucial analytical device and an important government tool for promoting sustainable county development. When asked how effective county communication in advocating for county development, findings show that majority of indeed promote investment opportunities locally and internationally through communication. One participant (pseudonym CG) that:

The Constitution of Kenya provides for the transfer of a minimum of 15 percent of shared revenue to the 47 counties. County governments also generate own source revenue from taxes and levies for the provision of devolved services. Further, county governments are allowed to attract investments both local and foreign. Increasingly, most county governments acknowledge that the media sector is an important ally in their development efforts. They understand that information and communication support sustainable development. This is only possible when majority of the people access information to allow them make informed economic, political and social decisions

The annual council of governor's devolution conferences provides a forum for county governments to reflect on the year before and assess achievements, discuss challenges and re-strategize with all stakeholders. It is the biggest forum for taking stock of the progress towards realizing the objects of devolution. Thus the conference provides opportunities for counties to publicize successful programmes, policies and initiatives that promote development.

The second way through which county governments advocate for development is through regional economic blocs (REBs) bringing together groups of counties to catalyze development by identifying synergy between them, spur investment and trade for the benefit of their residents. Most of the counties in respective REBs share similar ecological zones, natural resources, and cultural histories, making a partnership a natural occurrence (Wanyande and Mboya, 2016). The common REBs include: Frontier Counties Development Council (FCDC) comprising of seven Counties namely; Garissa, Wajir, Mandera, Isiolo, Marsabit, Tana River and Lamu. The regional bloc share similar history with largely economically marginalized people. The objective of the bloc is to promote cooperation, coordination and information sharing between these counties with a view of strengthening devolution, enhancing socioeconomic development and promoting peaceful coexistence among its members.

The second regional bloc is North Rift Economic Block (NOREB) representing the geographical area on the northern –most part of the Rift Valley known for outstanding natural beauty. The block is made up of 8 counties namely: Uasin Gishu, Trans Nzoia, Nandi, Elgeyo Marakwet, West Pokot, Baringo, Samburu and Turkana. NOREB, too, boasts of natural resources, and seeks to encourage investment within the region. The region such as wildlife, beautiful scenery and agricultural potential remain largely untapped, presenting great opportunities for the region. Third bloc is Lake Region Economic Bloc(LREB) that comprise fourteen counties of Migori, Nyamira, Siaya, Vihiga, Bomet, Bungoma, Busia, Homabay, Kakamega, Kisii, Kisumu, Nandi, Trans Nzoia and Kericho.

The fourth bloc has Jumuiya ya Kaunti Za Pwani that has six counties namely, Tana River, Taita Taveta, Lamu, Kilifi, Kwale and Mombasa. These counties are largely coastal counties with historically marginalized populations but abundant in natural resources. The Governors of the six counties were motivated by a desire to seek meaningful sustainable development and equitable economic growth. The Fifth bloc is the South Eastern Kenya Bloc comprising three counties of Kitui, Machakos and Makueni. The sixth bloc is the Mt. Kenya and Aberdares Region Economic Bloc comprising ten counties namely Nyeri, Nyandarua, Meru, Tharaka Nithi, Embu, Kirinyaga, Murang'a, Laikipia, Nakuru and Kiambu. The economic bloc seeks to address employment creation and economic growth, tariff reconciliation and attraction of foreign investment.

The last bloc is NAKAEB which has Narok and Kajiado counties. The bloc is meant to strengthen both counties' economic, industrial, social, technological and other ties for sustainable development. Nairobi was purposely added to the list as it did not fall into any of the listed regional blocks but importantly because of its strategic importance. It is the capital city of Kenya and seat of National government that is supposed to be a working model for other counties within the republic.

5.2.4 Promotion of the Freedom of the Media

When asked about how counties have promoted freedom of the media through their pronouncements, the findings were mixed. One participant (pseudonym DC5) observed that:

The counties have the obligation to promote freedom of the media under article 34 and right to access information under article 35 of the constitution. Counties have to ensure all communication respect the public's right to information. Public officials, whether elected or appointed, communicate decisions that affect millions of people and communities in which they live. They have a responsibility to promote media in their jurisdiction. A free and pluralistic press is an indispensable element of good governance in our devolved governance which has to be supported everyone. From where I sit, county governments continue to partner with the media and to me, this is an indicator of them supporting freedom of the media.

From public sphere perspective, media represents an open and autonomous forum for public debate, and it is considered an important space for citizens to share information. The different media broaden public access to information that strengthens citizens use to negotiate favourable outcomes to improve their own lives. County communication architecture is the foundation upon which public consultation takes place. When asked about how counties are assisting the media to broaden their mandate, participant (pseudonym CA) said that:

County communication processes involve actions and steps devolved units take to ensure residents effectively send and receive information. Given the diversity of residents across counties, creating one size fits all model of communication is not possible. That's why counties are encouraged to look beyond newspapers, radio and television as tools of communication. Already, some are using drama, art, roadshows, sporting activities and live talk shows to convey key messages. Some also use opinion leaders for passing important information to community members.

Another participant (pseudonym CG) has this to add:

I am happy more and more counties use public meetings and briefings to provide information to the public. As a county, we have never hesitated using public announcements and posting information in our county offices and even the markets. We also partner with artists that include musicians, actors and social media influencers to share information with the public.

However, there are those who also feel county governments have not done enough to promote freedom of the media in the counties. According to Reporters without borders many media are owned by politicians or people close to the government. These individuals wield a lot of power and are able to influence the appointment of media managers and editors, and those tasked with regulation of the media industry generally. The incessant interference has seen media operating in some of the counties work under difficult environments and often encouraged to self-censor which is against the provisions of the constitution. One participant (pseudonym CB3) averred that:

freedom of the press is guaranteed in the constitution, but in practice, journalists working in counties across the country face political pressure in their work. This is due to fact that owners of these media are friends with the politicians. This makes it hard for media to amplify voices of communities that remain marginalized.

This position is supported by Nyabuga (2017) who argues that evidence suggest that the democratic space, and the freedom of the media have been impacted by recalcitrant political actors including governors, members of county assemblies and official kens on maintain the status quo by limiting civic space which would have allowed people to organize, participate and communicate freely and thus influence the political and social structures around them.

5.3 Communication Processes for Public Participation in Devolved Governments

The objective of assessing whether county governments have streamlined communication processes for participation, document analysis and interviews of key informants, reveal that communication processes for citizen engagement exist and are strongly supported by media. However, effectiveness of the process of communication differs from county to

county. Study findings show that county governments have not been successful to foster meaningful two way communication and engagement with citizens. Frameworks that create awareness on governance and promote citizens' understanding of devolution while at the same time insulating views on policy outcomes in most devolved units are either weak or incapable of birthing democratic opportunities for participation.

Communication processes refer to communication and information flow described either as one way or two ways. Participatory communication is mostly associated with community-driven development, but it could be used at any level of decision making (local, national, international) regardless of the diversity of groups involved. Effective county communication matters a lot for governance and is more than simply informing stakeholders and community about public policy decisions but using a communication approach where the county and citizens engage productively for the good of communities. When asked about communication processes for public participation, participants gave mixed assessment about county communication processes. One respondent (pseudonym DC 2) made the following observation:

One of the primary objectives of county communication is to give every citizen an opportunity to participate in governance. As a county we recognize that for people to engage, they need information. That is why we have accepted the responsibility of providing information regardless of geographical location or mobility of the residents. We use all forms media to achieve this objective. To specifically answer your question, our approach to information and communication is designed to promote two-way interaction between the county and the electorate.

Another participant (pseudonym CO 3) commented that: the aim of county communication is to enable citizens' exercise their right to communicate with and receive information necessary to influence policy. Public participation of citizens, civil society organizations and other legal entities in affairs of counties requires them to access information in order to meaningfully engage. Though counties may

have communication frameworks, they have not been properly used to support participation. Presently most counties have not adequately responded to people's needs. Communication is largely one sided with outdated practice of top-down communication.

Success of public participation initiatives relies on strong information and communication frameworks. The constitution and law obligates county governments to establish mechanisms that allow citizens to access information when making critical decisions affecting their wellbeing. Public-sector communication is about engaging citizens and communities at all levels and providing them a platform to voice their views and opinions. The participant's views on county governments' efforts to engage citizens in delivering development priorities were expressed by (pseudonym CA 1) who stated:

there is no one size-fit all strategy for county communication. Each county strives to reach each resident on the available media. I am aware rural counties mostly engage citizens through the old traditional media, while those in cities and urban areas incorporate the newest media technologies. It is important to acknowledge these efforts on part of county governments. I am also aware the communication in most counties is largely linear limiting feedback from the public. The culture of secrecy and withholding information public service is being practiced at the county level. It appears majority are not familiar with the law that requires them to proactively share information of interest with the public.

Kenya is internationally celebrated for digital innovation and a burgeoning information and communication sector (Internews, 2021). These emerging technologies have become a great enabler of good governance and tool for public participation. Digital tools and social media have increased citizens' access to information to information for public engagement. Innovative hybrid media (a combination of traditional and digital media production and distribution tools) continue to remodel the media environment. Collectively, the new media have broadened the reach and access to information, as well as inspire more citizens to be involved in governance. These views are shared by another

participant (pseudonym CA) who spoke highly of social media as a blessing to wean counties of private media and government controlled media by stating:

Kenya is tanked highly for adoption of technology which has broadened the reach and access to information for a lot of people. The once hard to reach areas and communities are now connected. The young and the old use these technologies in one way or another. It is for county governments to use these technologies to promote interactive participatory processes. Many counties have adopted these technologies in provision of services. Most counties have mobile applications and social media platforms like Facebook twitter, blogs, and Instagram for information and communication

These views are shared by respondent (pseudonym CA 5) who stated:

The use of information communication technologies in counties is a growing trend. Most counties have embraced these technologies for communication, information and participation. However, their potential remains untapped within our counties. This is because of a wide range of challenges. The obvious one is lack of access for underrepresented communities and geographically isolated areas. There are also affordability barriers among other reasons which make these tools unattractive for participation.

Deducing from the responses, information and communication technologies exist across counties to guarantee mutual exchange of information between county residents and the county government. While some counties have established robust communication approaches, others have not fully exploited existing communication ecosystem to aid public participation. The fragmentation of media has made coordination of communication difficult leading to information gaps. ICTs remains underutilized in counties because of digital divide, lack of capacity in the use of these technologies and insufficient investment in ICT infrastructure. Budget constraints with competing priorities within counties has restrained adoption of ICT based tools and platforms.

5.4 Strengthening Information and Communication for Participation

The findings on ways counties can use as gateway to strengthen information and communication for public participation varied. Strengthening public participation is critical for effective service delivery at the county level. One participant (pseudonym CA) observed that:-

County governments are required to create mechanisms of citizen involvement first by ensuring structures are available and secondly coordinate the process of participation. There is need for county communicators to work independently and not be influenced by the politics of the day. Communication processes should be within the law and grounded in the principles of transparency and accountability. Counties should listen to people's concern and promote their policies. This is the only way the public can have faith in public participation.

Effective communication is both a function and proof of good governance. Communication policies and guidelines are invaluable tools for coordinating county communication. As county governments strive beyond simple sharing information to strategically using it as a catalyst for governance and development, participant (pseudonym CB 2) added:

counties should devote their energies to promote different forms of information and consultation mechanisms. They need to deal with hindrances that make it difficult to communicate with citizens. Counties need to invest in time, resources and commitment to building legal, policy and institutional frameworks to make public participation relevant. Good systems are as good as the personnel who use them. There would need for counties to empower communicators across county departments with knowledge and skills in communication and public relations. More importantly, establish mechanisms of monitoring their performance and reward those who excel in set parameters.

County governments looking forward to improve participatory communication, they need to re-examine the “how” to communicate. Governments succeed or fail because of the

way they communicate policies. This opinion is shared with (pseudonym DC7) who stated that: -

County governments have a key and prominent role to communicate effectively to citizens. This is an enormous responsibility that requires consistency of communication across county departments. Counties need to be proactive in the way they communicate and engage with citizens on important policy matters. Synchronizing communication of all departments and on all media platform is the first step towards acceptability and legitimacy of communication.

Majority of respondents praised county governments for the strengthening systems needed for public participation. Many counties have adopted innovative ways of communicating and providing information to residents. Some of the strategies are collaborated by Maarifa, an initiative of CoG meant to share devolution success stories on the Council's website. For instance the counties of Uasin Gishu, Kitui, Nyeri and Nakuru incorporate brochures, newsletters and flyers for public communication. Bungoma County rely on local leaders to share pertinent information with the residents Homa Bay and Kakamega Counties are known to use roadshows, music, art, and sports to spread important information. Majority of county governments simplify and amplify critical information on live talk shows, particularly community radio stations.

To strengthen communication from merely tools of disseminating information to inclusive and responsive two-way communication, participant (pseudonym CO 6) stated that: *Counties need to develop communication strategies that prioritize information sharing. This includes embracing a mix of online and offline public participation that gives equal opportunity for those who may not participate in face-to face sessions. This*

approach addresses realities of our counties where digital divide is evident particularly in rural communities.

To strengthen communication participant (pseudonym D4) stated recommended that:

County government's information officers should endeavour to work with the media to tell stories of devolution from a more localized perspective as opposed to leaving the obligation to the media who may tell the story using secondary information.

To strengthen communication for public participation, OECD (2022) proposes several recommendations. The first is transparency, where governments are encouraged to communicate in an honest, clear, and open manner, disclosing information, decisions, processes and data within the limitations of relevant legislation and regulation. The second principle is inclusiveness, where interventions are designed and diversified to reach all groups in society. Thirdly, official information should be relevant and easily understood, with messages tailored for diverse publics. Finally, channels and messages should be appropriate for intended audiences, and communication initiatives should be conducted with respect for cultural and linguistic differences and with attention paid to reaching disengaged, vulnerable, underrepresented or marginalized groups. County governments have an opportunity to establish effective communication through public-interest driven, institutionalized and evidence based approaches if the citizens are to benefit from decentralized governments.

World Bank through CommGap Program supports nations to apply innovative communication approaches in amplifying citizen voice; promoting free, independent media and plural media; and helping government institutions communicate better with

citizens as remedy to elusive development. Governance and Social Development Report of 2011, advocate for communication opportunities for the public to communicate their perspectives into policy debate. Through such engagements UNDP (2009) notes it helps in transforming public disillusionment into a more positive engagement in policy developments.

5.5 The Principles of County Communication

The analysis of the County Government Act 2012 under section 93 indicates cardinal principles of county communication. These principles are: integration of communication in all development activities, observation of access to information by county media, and observation of media ethics, standards and professionalism. Commitment to these principles legitimizes county government actions in planning and implementing policies.

5.5.1 Integration of communication in all development activities

Integrating communication in development has both instrumental and intrinsic value in county government. From an instrumental perspective, evidence shows that communication structures and processes empower citizens to hold leaders accountable for public funded initiatives. Knowledge and information are essential for people to participate meaningfully in development activities within their locality. On the intrinsic value, communication processes gives every citizen regardless of their social statuses, to voice their opinions and priorities which county governments have an obligation to implement.

The United Nations recognizes the need to support two-way communication systems that enable dialogue and allow communities to speak out, express their aspirations and

concerns and participate in the decisions that relate to their development (Resolution 51/172, December 1996: Report of the 11th United Nations Inter-Agency Round Table on Communication for Development). Communication for development amplifies voice, facilitates meaningful participation, and foster social change (GSDRC, 2011).

A critical determinant of the success of devolution is how well counties develop systems that ensure they are responsive and accountable to the needs of the public. And as stated severally, this cannot be achieved without proper and structured and effective communication. Sustainable development will be realized by counties that are responsive to the needs of their residents and willing to involve them in decision making processes.

5.5.2 Observation of access to information by county media according to Article 35 of the Constitution of Kenya

The right to information is now recognized and codified under the Constitution of Kenya. Right to access to information is a cornerstone of democracy and basis of enjoyment of other rights such as participation, freedom of association, openness and accountability in the delivery of public services (KHRC, 2019). Article 35 provides for the right of citizens to access information held by the state and information held by another person and required for the exercise or protection of any right or fundamental freedom.

The same is articulated in various human instruments and charters. By virtue of Article 2 of the CoK, Article 19 of the United Nations Universal Declaration of Human Rights (UDHR), and Article 19 of the International Conventional on Civil and Political Rights (ICCPR), United Nations Convention against Corruption (UNCAC) and the African

Charter on Human and People's Rights are applicable in Kenya. It is therefore arguable that the right to information in Kenya is governed by the provisions of both Article 35(1), and Article 33(1) of the Constitution.

Article 33 provides for freedom of expression. The right to freedom of expression is generally held to include the right to know or the right to information. Therefore persons engaged in a participatory process have the freedom to communicate information and ideas in an open forum. Public participation should respect the freedom of expression of all participants. However, expression is limited in 33(2) to the extent that it doesn't include propaganda for war; incitement to violence; hate speech; or advocacy of hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm; or based on any ground of discrimination specified or contemplated in Article 27(4). The Article provides that: The state shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth.

Further, the Access to Information Act of 2016, gives effect to the right of access to information as provided under Article 35 of CoK. The Act provides a framework for public entities and private bodies to proactively disclose information in their custody on request. Section 3 (d) promotes disclosure of information within constitutional provisions of accountability, transparency and public participation. Section 5 (2) require sharing of information to take into consideration persons living with disabilities, the cost, the local language and the most effective method of communication in that local area, and the

information to be easily accessible and available for free or at a cost taking into account the medium used. These provisions are fundamental to complete the circuit of public participation as it allows participants access meaningful information that allow them make reasonable decisions but importantly hold those in government to account.

In addition, Article 232(1) (f) provides for values and principles of public service which include transparency and provision to the public of timely and accurate information. The public service and values act 2015 gives effect to this article. Under section 8(2) of the Act, the public service, a public institution or, where permitted, an authorized officer shall develop guidelines for the provision to the public of timely and accurate information, and the promotion of transparency and accountability

The other legislation on communication and allow access to information for participation include CGA 2012, PFMA 2012 which have been discussed. They both recognize timely access to information, data and other documents as necessary in formulation and implementation of citizen participation in the management of county governments. The information prepared and published should be in a form that is clear and easily understood by, and readily accessible to members of the public. Public Archives and Documentation Service Act, 2012 establishes the Kenya National Archives and Documentation Service for the preservation of public archives and public records. Section 6(1) states that: Subject to any written law prohibiting or restricting the disclosure of information obtained from members of the public and to the provisions of this section, the public archives which have been in existence for a period of not less than thirty years may be made available for public inspection, and it shall be the duty of the Director to

provide reasonable facilities at such times, and on the payment of the prescribed fees, for members of the public to inspect or obtain copies of, or extracts from, such public archives.

The PFM Act 2015, section 10 provides that the Parliamentary Budget Office shall subject to Article 35 of the Constitution, ensure that all reports and other documents are prepared, published and publicized not later than fourteen days after production. Public access to government information is a principle as well as a strategy for good governance

5.5.3 Observation of media ethics, standards and professionalism

Media ethics, standards and professionalism is the third principle that guides county communication. Promotion of participatory initiatives is hinged upon media practitioners and institutions adhering to professional ethics, standards and professional tenets. The Media Council of Kenya, an independent institution established by the Media Council Act of 2013, sets media standards and professional practice as envisaged by Article 34(5). The MCK has fifteen functions outlined in Section 6 of the MCK Act. The Second Schedule of the MCK Act lists code of conduct for the practice of journalism in Kenya (See Annexure).

County communication and messaging should be reliable, ethical and open to encourage public participation, be transformative, professional, credible, effectively managed, impactful and meet the needs of all citizens. Being the funders of counties, they have a greater stake in governance. It is incumbent on counties to listen to the people, answer to their concerns and give timely feedback about program outcomes. Key to this is well-

integrated, coherent, coordinated and consistent communication from every arm and sector of county administration.

5.6 Summary

The chapter presented and discussed findings related to the second research question, which aimed to evaluate effectiveness of county communication in line with the objectives of county communication outlined in the CGA 2012. These objectives serve as the foundation for participation processes in devolved governments and include creating awareness of devolution and governance, promoting peace and cohesion, advocating for developmental issues, and promoting freedom of the media.

The findings reveal varying levels of understanding of devolution among citizens, with a significant portion, particularly in rural areas, lacking adequate knowledge of devolution, devolved functions, and role in participating in county matters.

Counties have not sufficiently promoted cohesion and integration, except for frontier counties which have prolonged history of ethnic conflict, violence, and marginalization, indicating a failure to address root causes of conflicts.

Moreover, findings show that counties actively promoted themselves locally and internationally as investment destination recognizing that they have a responsibility to encourage activities that stimulate economic growth for wealth creation. Additionally, county governments play an important role in ensuring freedom of the media, with partnerships and sponsorships serving as indicators of this commitment.

CHAPTER SIX

OPPORTUNITIES AND CHALLENGES IN IMPLEMENTING PUBLIC

PARTICIPATION

6.1 Introduction

This chapter presents finding of the study on the third research question: What opportunities and challenges exist in implementing public participation in decentralized governments? The findings were drawn from interviews and document analysis to identify opportunities for citizens' involvement in governance affairs and the challenges experienced thereof. To fully appreciate the concept of participation, a historical review and state of participation is presented. The opportunities and challenges public participation are also presented in the pursuit of implementing the principle and value of governance that is public participation.

6.2 Opportunities for Public Participation in County Governments

Fundamental to public participation are opportunities for citizens to engage. Effective public participation in devolved governance implies that citizens are at the centre of planning and implementation of policies. There are many participatory mechanisms spanning full gamut of governance and service delivery that provide opportunities for citizens to express their needs, priorities, and preferences regarding government decisions and actions. County governments have made progress on implementing citizen participation mechanisms across development chain. The constitution and relevant law

define opportunities for citizens to offer their perspectives into public policy debates.

Some of the opportunities include:

6.2.1 Planning and Budgeting

Public participation is mandatory when county governments are preparing development plans to fulfill Article 220(2) (a) of the Constitution. The Article states that, “National legislation shall prescribe the structure of the development plans and budgets of counties”. It is mandatory for county governments to involve citizens in designing and implementing County Integrated Development Plans (CIDPs) as required by Section 115 of the County Government Act 2012 and Section 207 of the Public Finance Management Act 2012.

The CIDP is 5-year plan that informs the development vision of a county and identifies all development priorities and attendant strategies required to achieve the county’s development agenda (CoG, 2017). They are equivalent of the Medium Term Plans (MTP) at the National level. Each of the 47 counties is expected to provide a platform for unifying planning; budgeting, financing programs, implementation and performance review (WB 2015). County Government Act under Section 108 highlights key components of a CIDP that include; clear goals and objectives; an implementation plan with clear outcomes; provisions for monitoring and evaluation; and clear reporting mechanisms.

The importance of CIDPs is summed up in Section 104 of CGA which states that a county government shall plan for the county and no public funds shall be appropriated outside a planning framework developed by the County Executive Committee and

approved by the CA. CIDPs should be aligned to national government plans and programs such as Kenya Vision 2030, Medium Term Plans and the National Spatial Plans as well as international commitments such as the Sustainable Development Goals.

Apart from CIDPs, counties also develop County Sectoral Plans based on a 10 year plan put together by each county department. It provides the basis for budgeting and performance management. It is reviewed every five years and updated annually. County governments also develop Spatial Plans as provided for under Section 110 of the CGA. Spatial plans provide the social and economic development programme of the county land use for a period of 10 years. To implement these plans, counties develop Annual Development Plans (ADPs) which form the basis of budgeting for development projects (Tro'caire, Kenya 2019). The constant characteristic of these plans is that they should be wrapped in an inclusive and participatory process (TISA, 2020).

6.2.2 Elections

Elections as a form of participation provide an opportunity to every citizen to exercise their political right to choose their leaders. Elections in Kenya are held pursuant to the CoK 2010, The Elections Act 2011; The Political Parties Act 2011; and The Independent Electoral and Boundaries Commission Act, 2011(Ongoya and Otieno, 2012). Kenya has held regular and periodic elections since independence in 1963. There have been thirteen elections in independent Kenya- in 1963, 1969, 1974, 1979, 1983, 1988, 1992, 1997, 2002, 2007, 2013, 2017 and 2022. County government elections are held at the same time as those for the president and the national assembly.

Citizens participating in an election, elects members of legislative assembly from each ward, with additional number nominated to ensure no more than two thirds of the assembly compromises one gender. They also elect the governor and deputy governor who are head the executive arm assisted by chief executive committee members appointed by the county governor with the approval of county assembly (Wanyande and Mboya 2016). The mandate of these office holders is renewed every five years based on the extent to which they met the aspirations of the people.

6.2.3 Public Finance Management

Public participation in financial management both at county and national level is guided by Article 201 of the Constitution and the Public Finance Management Act 2012. The CoK and the Act provides mandatory extensive public participation in the management of public finances. Section 35(2) of PFMA obliges the Cabinet Secretary of the National Treasury to ensure public participation in the budget process. At the county level, Section 125(2) of PFMA obligates the County Executive (CEC) member for Finance to ensure there is public participation in the county planning and budgeting process. Further, Articles 221 and 232 require that public participation is integrated in budget making process. Citizens also participate in public finance management through various forms of social accountability, such as social audits, public expenditure tracking surveys and citizen report cards among others to monitor the social impact of public spending (ICPAK, 2015).

The PFMA 2012 establishes the County Budget and Economic Forum as a platform for consultations in preparing county plans, the County Fiscal Strategy Papers and Budget

Review and Outlook Papers for the county. The forum also discusses matters related to budgeting, the economy and financial management at the county level. The membership for the this consultative body is drawn from organizations representing professionals, business, labour issues, women, persons with disabilities, the elderly and faith based groups at the county level(ICPAK, 2015). The public should thus lobby for inclusion or actively engage this body to influence matters finance to ensure accountability. According to IMF (2012) participation can help shine light on leakages and improve efficiency in public expenditure. Strictly adhered to, the principles of openness and accountability strengthen policy formulation and management of public resources for the improved livelihoods of county residents.

6.2.4 Public Procurement

The Constitution of Kenya gives a lot of lee way for the public to determine how their taxes are used. Article 227 introduces principles when a state organ or public entities contracts for goods or services. The conditions for transactions include a system that is fair, equitable, transparent, competitive and cost effective (CoK, 2010). The public Procurement and Asset Disposal Act of 2015 establishes procedures for efficient public procurement and for the disposal of unserviceable, obsolete or surplus stores, assets and equipment. It also guarantees fairness and integrity to processes of procurement. Since procurement involves substantial amounts of taxpayer's money, the people have a say on how the funds are applied. They need to satisfy themselves that the money is put to good use. This is realized when they take part and interact with public procurement systems.

6.2.5 Implementation and Monitoring Delivery of County Public Services

The Constitution of Kenya 2010 and law contain multiple provisions that require the 47 county governments to consult citizens in planning and budgeting. The County Performance Management Framework (CPMF) provide for monitoring and evaluation of counties (CoG, 2017) The CGA calls for participation in integrated development planning and throughout the four stages of budget cycle, that is, formulation, approval, implementation and oversight (WB 2015). The County Integrated Monitoring and Evaluation System (CIMES) provide a framework to evaluate projects, programmes and policies of CPMF against pre-set targets objectives.

The Monitoring and Evaluation reports inform citizens on the achievements or lack thereof of investments made in a financial period. Counties in collaboration with the office of public participation are expected on regular basis give information about implementation of development plans. Through quarterly implementation reports, counties are required to provide financial and non-financial information on their performance. When citizen participate in tracking the implementation of county programmes, they make their leaders accountable.

6.2.6 Selection of County Officers

Public vetting is among the most revolutionary aspects of the Constitution of Kenya 2010. Vetting procedure is mandatory for all persons appointed to cabinet positions at the national level and CECs at the county level before they can be sworn into office. Public vetting was intended to ensure the most suitable candidates become public servants assessed directly by the people or indirectly through elected representatives.

Citizens participate directly in vetting through oral submission, sworn affidavits or written memoranda about the integrity and suitability of individual presented for various appointments by the governor. The County Assembly indirectly participates on behalf of the people by approving or rejecting the nominees presented by the Governor. During the vetting process Chapter Six lays out the leadership and integrity requirements expected of public officers. Emphasis is on Article 73(2) (a) that provides for the criteria of selecting public officers. The Public Officers Ethics Act, 2003(POEA), which is part of the Leadership and Integrity Act vide Section 6, also emphasize the participation of the public in vetting public office holders(Nyotah, 2012).

6.2.7 Legislative Process

The Constitution of Kenya requires county assemblies to involve the public in their legislative processes. County legislation is critical in the implementation of devolved functions. According to the NA Fact Sheet No. 27, parliamentary legislative process is open to all members of the public, individually or as legally recognized organized groups. The county assemblies exist to make, amend or repeal the law (Kenya Law Reform Commission 2015). The constitution binds all persons and state organs at both levels of government to allow meaningful participation in the legislative process.

In respecting and upholding the constitution, executives at the county level, civil society organizations, the private sector, professional groups and any other person or entity engaged in the legislative process must ensure that the instrument in question(whether a policy, bill, order, or a set of rules or regulations), conforms to the letter and spirit of the constitution, respects the functional demarcations in the Fourth Schedule, respects the

legislative competencies of state organs mandated to make laws, respects and upholds the Bill of Rights and fundamental freedoms and lastly upholds the values and principles of the constitution provide in Articles 10, 129, 174, 175, 201 and 232 (Kenya Law Reform Commission 2015).

6.2.8. County Referendu

The county government act provides for county referenda. Section 70 states that a county government may have a local referendum in situations where a petition has been made and duly signed by at least 25 percent of the registered voters in that county. Though expensive, referendum remains the best process of upholding democracy in decision making (Muriuki, 2012). No county government has held a referendum so far, however there have been two referendums in the history of the republic of Kenya. The first referenda was held 21st November 2005 on proposed change to the constitution in a bill that was commonly referred to Waki Bill that ended up being rejected by 57 percent of the votes cast . The second time was 4th August 2010 for the current constitution which was resoundingly endorsed by 67 percent of Kenyans.

6.2.9 Petitions

The Constitution of Kenya in Article 37 give right to every person to peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities. Petition to County Assemblies (Procedures) Act of 2020 provide right to petition a county assembly and provide the procedure for the exercise of that right. The County Government Act, 2012(Section 15) gives every person a right to petition a county assembly to consider any matter within its authority, including enacting, amending or

repealing any of its legislation. Further, in Section 88 together with relevant standing order of county assembly assigns the people the right to petition the county government on any matter under its responsibility. Section 89 obligates county government authorities, agencies and agents to respond expeditiously to petitions and challenges from citizens. Importantly, section 90 of CGA allows conduct of a referendum on local issues such as county laws and petitions; or planning and investment decisions affecting the county for which a petition has been raised and duly signed by at least 25% of the registered voters.

6.3 Benefits of Public Participation in County Governance.

Ensuring that county government work for the public good requires informed, structured and organized active citizen participation. Public participation in making decisions that affect individual and collective interests of the people at the county level is a basic component of citizenship that has considerable benefits.

When asked about benefits of public participation, participant (Pseudonym CG1) said:

The general feeling that people have been involved brings about satisfaction. When genuinely involved people benefit from what we call social capital. There is evidence that people and countries that enjoy high levels of social capital tend to be more developed. They tend to be better in so many ways whether it is in health outcomes, educational outcomes, security and so on and so forth. They also tend to have high levels of cohesion. People need to feel they are stakeholders and drivers of their destiny.

Another Participant (Pseudonym CA 4) added:

There are many benefits of participation. To county governments, they benefit from expert knowledge beyond their immediate realm of information, expertise and advice, while creating at the same time opportunities to educate residents in their counties about policy. Through participation, county governments develop better appreciation of public opinion, and use the occasion to inform and shape

people's perspective. The county officials are also able to get feedback on policy proposals.

Scholars advocate for public participation because of the many benefits it brings to individuals, communities, organizations, and the society. Some of benefits accruing from citizen engagement are as follows:

First, the rationale of participation is based on the constitutional foundation which reserves sovereign power in the people exercised by them directly. Public participation strengthens governance and democracy. Citizen engagement broadens and deepens democracy (Friedman 2006). Participation reinforces the link between governments and people at grassroots by eliminating possible divisions (Casula, 2015). By engaging in public participation, citizens exercise their constitutional right and the decision making process becomes more representative. This simply means people are at the centre of critical discourses with the power to recognize and promote their own needs and rights. Participation rights play an important role in the promotion of democratic governance, the rule of law, social inclusion and economic development.

Secondly, public participation builds constructive relationships between the people and county governments that make engagements not only desirable, but necessary and viable as it leads to more equitable, sustainable public decisions. Participation produces civility and builds relationships by developing strong community bonds and networks. It is a way of breaking down barriers between "us" and "them" that allow access to once faceless bureaucracies. Timely and well planned and appropriately implemented participation initiatives contribute to fruitful outcomes for county activities and programmes.

Specifically, citizen participation is a valuable source of information that ultimately improves efficiency, legitimacy and transparency of decisions. When the county leadership embrace and encourage everyone to participate, they benefit more from ideas, opinions and information that address the needs and visions of the people. Participation creates an environment in which people come up with ideas for new actions and initiatives.

As a key element of good governance, participation provides people with the opportunity to influence, inform, monitor and evaluate government decisions, processes, and actions. Global experience shows that building bottom-up participatory initiatives is good for sustainable development (World Bank, 2015). Participation works to strengthen the bond between county residents and county governments. The synergy in decision making builds democracy when policies implemented at the grassroots is based on the active participation of citizens and communities. Participation makes paves way for local skills and experiences to be tapped to greatly enrich decision making process.

Public participation enhances the process and legitimacy of decisions taken by county governments. Participation increases acceptance of decisions and commitment to outcomes from such a process. It increases the likelihood that actions taken or services provided by counties adequately reflect the needs of the people. This enhances public trust in government when people are given a chance to contribute to decisions rather such decisions made solely by counties or behind closed doors. Trust works two ways. For county governments to engender trust among the people, they must in turn trust the people by expanding opportunities for them to contribute in decision making.

Meaningful public participation is a key to successful devolution and good governance at the county level (Mbithi, 2018). This is seen as a basic condition for local democracy. Public participation promotes transparency, encourage openness and build ownership of development decisions (IEA, 2015). Citizen involvement foster and encourage dialogue between county leadership and the people. Every decision county governments make should be undertaken with population participation and for the wellbeing of the people (Sihanya, 2021). Participation facilitates comprehensive reviews and revisions of policies before they are approved. It also provides additional knowledge, concerns and ideas that might have been overlooked had the process been limited to county government officials and officers. Overall participation leads to better decisions and greater ownership by all stakeholders.

Carpentier & Ribeiro (2009) argue that participation enhances trust and inclusion of deprived whose voice also matter. Public participation has the capacity to alleviate social conflicts in communities. The people won't be suspicious and feel manipulated when they are genuinely engaged. It makes decision making more acceptable when everyone is involved. When majority are involved, transparency and accountability is improved. Public confidence and support for decision making processes is enhanced when the voice of the public is respected. Participation results in better decisions when different opinions and concerns are part of the process. The exchange enriches policies and plans when they are subjected to a comprehensive review and revision by different individuals and interest groups. Ultimately such decisions are likely to be owned by the stakeholders.

Public participation in institutionalized settings has the capacity to consolidate and stabilize society (Olurunnisol (2009). Participation activates local development when communities are facilitated to drive their own development agenda. Peoples' participation greatly impact exchange of views and mutual attempt to identify fair and just solutions (Laura, 2019). Public participation enables people to become active participants in processes that affect them, rather passive recipient (or non-recipients) of services. Public participation gives people at the grassroots the opportunity to contribute towards identifying, planning and managing their development. . Active participation enables people to realize their power in making changes (Greenberg & Mathoho, 2010).

The main goals of public participation are inform, engage, consult and empower the citizenry (Mbithi, 2018). Citizen engagement provides opportunity for county residents to contribute to public decision making processes, and informing and educating them on policy issues that impact their everyday lives. The CGA provides for civic education. The purpose of civic education is to have an informed citizenry that actively participates in governance affairs. Participation helps duty bearers to respond to the needs of the people rather than imposing their ideas on the public. Participation allows concerns, needs and values of the public incorporated into government and corporate decision making (Creighton, 2005). Through feedback, county governments build deeper, stronger and more trusting relationships for well-being of the country.

6.4 Challenges of Public Participation

Implementing public participation is one of the most important obligations of county governments. Existing evidence suggest that, under the right conditions, meaningful forms of public participation result in better governance, improved public service delivery, and ultimately, enhanced development. However, there are factors that impede effective citizen involvement. Some of the factors include:

6.4.1 Financial Factors

It is the duty of counties to facilitate public participation. Organizing participation initiatives require financial and human resources. Monetary costs include: staff expenses, allowance to participants, participant's expenses, training expenses, venue for hire, and other event costs like refreshments, equipment, literature and monitoring and evaluation fees. Non-financial costs include time and energy to organize participation. Most devolved units have limited budget for organizing participation initiatives (Greenberg and Mathoho, 2010). Inadequate funding for public participation and other financial and budgetary constraints reduces the frequency and quality of participation. Financial implication has a bearing on the availability of materials, documents and support for logistics for public participation.

For instance, participation meetings are mostly held at the sub county level as opposed to the ward or even village level disenfranchising section of communities who may lack the resources and time to attend such meeting held far away from their homes. Some of these venues are difficult to access or locate. It is also common to find meetings scheduled

during working days- denying those who must eke a living to make a choice between the meetings and attending to personal business.

6.4.2 Social Factors

The social factors that affect people's participation in governance processes are broad. Majority of citizens are unaware of their rights and responsibilities in participatory processes. It is the mandate of counties to carry out civic education. However, most civic education initiatives have been largely inadequate. There is a correlation between public participation and literacy background of the public. People with higher level of education participate more readily and actively than those with low education levels. Kenyans categorized as illiterate, particularly, from hardship areas and urban poor are a disadvantaged lot when it comes to participation. Other segments like special interest groups, minorities and marginalized lack proper representation on decision making table.

Lack of cooperation and competing interests among individuals and communities is to blame for dismal public participation in county affairs. Exclusionist tendencies that discourage the public to the point of giving up are common in most counties. Hostility towards those considered 'outsiders' by dominant indigenous population, negatively impacts participation (Kanyingi, 2014).

Most participation initiatives are poorly coordinated, and at times subject to parallel processes that often lead to contested outcome (World Bank, 2022). Most county public participation takes place as a formality of meeting the minimum required constitutional dictates (Judicial Review Miscellaneous Application 61 of 2014). Nyabuga (2018) says that some public participation initiatives seek public opinions without intention of making

them count. These processes are a smokescreen to the law's spirit, only fashioned to meet the letter of the law. Participation as contemplated in the constitution and the law has not been effectively implemented. The inconsistency in applying best participation practices is the reason why counties have been inconsistent in promoting active civic engagement.

Additionally, some participation initiatives are poorly structured, inconsistent, and subject to corruption. Often, leaders resort to bribery to control sections of the population, which rendered genuine participation irrelevant. Shockingly, some members of the public also demanded payment before participating in these initiatives. The expectation of compensation for attending public participation events undermines the objective of promoting transparent and meaningful discussion and decision-making processes (Ministry of Devolution, 2016).

6.4.3 Cultural Factors

Culture has different meanings for different people. Generally, it refers to the character of people who share a common history and perception of appropriate normative behaviours, values and beliefs (Glazer and Karpati, 2014). Cultural practices are very important element of any nation. A nation's cultural values represent desired principles that guide individual's' behaviours, feelings, and thinking. Ultimately, public participation is rooted in positive cultural practice. However, retrogressive culture denies individuals and communities opportunity to influence governance decisions. For instance, there are communities in Kenya that don't allow women to speak in men's gathering. Discrimination is also common against people living with disabilities, youth and sexual orientation. The exclusion tendencies against these individuals and groups overly affect

their involvement in governance affairs. Additionally, bureaucratic procedures and process involved in organizing participation can slow the pace at which citizens pursue critical issues, thereby affecting participation.

6.4.4 Political Factors

Scholars also point to inequality between influential individuals and ordinary when making decisions. Politics negatively impact public participation processes in most counties. Politicians and their cronies, acting in their interests, often dominate meetings and conferences, relegating voices of common citizens to the periphery, and ultimately negating the principle of fair representation. Public participation is often conducted to legitimize decisions already made by politicians. Ronoh etl (2018) argues that participation in most counties often fall into the hands of a small and self-perpetuating clique, rendering the process to largely what elected and appointed officials think, say and do. The elites have also captured participation processes in some counties and thereby influencing direction of local decision making for their own benefit at the expense of the common good of the majority.

The leadership and organizers discriminate against those who didn't vote for them or those with contrary ideologies. The majority of those who participate in these initiatives are often rented and ferried to public forums to shout down their perceived political opponents. At the same time, some attend with an expectation of compensation which undermines the objectives of transparency and meaningful engagements (MoDP, 2016). In other cases, the process is often rushed as an attempt to fulfill statutory demands rather promoting genuine engagement (Mokku, 2018).

6.4.5 Behavioral Factors

The public have a civic duty and responsibility to voluntarily attend participation forums. Attitude influences how citizens respond to public participation invites. Public participation in counties is hampered by lack of interest from government actors in creating meaningful spaces for participation. Nyabuga (2018) argues that where participation is cosmetic, and with no projected dividends, citizens will not want to be involved. Failure to implement citizens' proposals discourages many Kenyans from engaging in public participation processes. The public lose trust and get discouraged from future participation if there is no insurance to ideas contributed. It also creates a perception that their involvement in such events is not helpful to their situations. There are many incidences where the relationship between the county and citizens is strained particularly when the people feel the government does not understand their issues and not providing room in addressing their concerns.

6.4.6 Communication Factors

Communication relevant for effective public participation is still a challenge. The Report on the Third Annual Devolution Conference in 2016, flagged ineffective communication initiatives are the reason for lack of optimal participation in county governance. For instance, newspapers and websites are preferred channels of communication yet inaccessible by majority of citizens. The organizers shift dates or venues without notifying or consulting citizens. They often fail to share in advance relevant information and documents about participation. Language and sometimes nature of documents for participation remain bulky and too technical for citizens to understand. Absence of

documents in local languages impedes participation for those with difficulty reading English or Kiswahili.

6.4.7 Absence of Standard Meaning of Participation

There are different views of what constitutes effective participation (Mbithi, 2018). Despite the importance of public participation, there remains controversy surrounding its meaning and forms. Adede (2017) argues that there is a lack of clarity on what constitutes adequate participation across different counties, and each county has its own methods, processes, and frameworks for citizen engagement that can be susceptible to manipulation (Muhia and Nganyi, 2020). The level and nature of citizen participation in both county and national governments have been deemed unsatisfactory by the Interrelations Government Transition Committee (IGRTC, 2019). Moreover, the interpretation by Kenyan courts regarding citizen participation lacks consistency, as each county has its own standards and frameworks.

6.5 Summary

This chapter elaborated on the findings regarding the third question of the study, which aimed to describe opportunities and challenges of public participation in county governments. The findings illustrate a spectrum of opportunities for citizens to voice their needs, priorities, and preferences regarding governmental decisions and actions. These opportunities encompass various domains such as planning and budgeting, elections, public finance management, public procurement, implementation and monitoring of delivery of services, selection of county officials, legislative processes, county referendum, and petitions.

Advocates for public participation often emphasize benefits it brings to individuals, communities, organizations, and the society at large. Existing evidence suggest that, executed under favourable, meaningful forms of public participation leads to better governance, improved public service delivery, strengthened governance and democracy, establishment of constructive relationships between the people and county governments, enhanced processes and legitimacy of county governments decisions, alleviation of social conflicts, and societal consolidation and stability. However, alongside these opportunities and benefits of participation, there exist challenges that hinder fruitful participation. These challenges encompass financial, social, cultural, political, behavioral, and communication factors. It is incumbent upon county governments to address these challenges so as to reap the benefits of making policies that have the blessings of citizens.

CHAPTER SEVEN

CONSTITUTIONAL AND LEGAL FOUNDATION FOR PUBLIC PARTICIPATION IN DEVOLVED GOVERNMENTS

7.1 Introduction

This chapter devotes attention on the fourth question outlined in chapter one, which explores the constitutional and legal framework governing public participation in Kenya's devolved governments. It delves into key provisions within the Constitution of Kenya 2010, Acts of Parliament, and Public Participation Guidelines pertaining to institutionalization of participation in county governments. Further, it examines the constitutional threshold for public participation based on judicial interpretations. The chapter concludes by providing an inventory of regulations that govern communication and information access in county governments.

7.2 Legal Regime for Participation in County Governments.

The Constitution of Kenya 2010 provides a robust legal framework for public participation in devolved governments. The CoK places extensive requirements for public participation upon county governments as enshrined in Article 1 (1), (2), (3) and (4) that vests all sovereign power to the people. This power can be expressed directly by the citizens. County governments as a creature of the Constitution exercise donated powers from the people. Article 10(2)(a) of the Constitution states that 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 devolution laws have multiple provisions that county governments are required to implement including timely access to information, public involvement in planning, budgeting, in the establishment of performance standards and involvement in county decision making (WB, 2015).

The delivery of services both at the national and county level is based on devolution as provided in Article 6 of CoK 2010. Article 10 (2), (a) of the Constitution states that public participation is a national value and principle of governance. State organs and state officers are bound by this provision in making and implementing public policy decisions. Article 174 provide for objectives of devolution giving powers of self-governance and participation of the people in making decisions that affect their lives. Article 184 (1), states that national legislature shall provide for governance and management of urban areas and cities. Article 196 (1) states that a county assembly shall conduct its business in an open manner and hold its sittings and those of committees in public and facilitate public participation and involvement in the legislative and other business of the assembly and its committees. The constitution further in Article 201(a) elaborate that public participation will be key, guiding all aspects of public finance.

Article 213 provides that it is the fundamental duty of the state and every state organ to observe, respect, protect and fulfill the rights and fundamental freedoms. The right of citizens to engage in affairs affecting them is considered in a majority of jurisdictions as an important right and principle of governance. Article 232 (1) provides for values and principles of public service to include: (d) involvement of the people in the process of

policy making and, (e) accountability for administrative acts and (f) transparency and provision to the public timely and accurate information.

Fourth schedule part 2 (14) stipulates that the functions and powers of the county are to ensure and coordinate the participation of communities in governance. The spirit of the constitution under Article 3 (1) requires citizens to play an active role in ensuring the tenets of the constitution are upheld. Counties are therefore to assist communities to develop the administrative capacity for the effective exercise of the functions and powers and participation in local affairs.

Article 21(4) obligates the state to enact and implement legislation in respect of human rights and fundamental freedoms. Similarly, Article 2(5) and (6) recognizes and provides for international law enforceability in the country. These obligations are stipulated in international instruments which the state has ratified or committed to. Kenya is a signatory to Universal Declaration of Human Rights Treaty (UHDR), International Convention on Civil and Political Rights (ICCPR) and The African Charter on Human and Peoples Rights. What is common in these agreements is provision participatory government. For instance, Article 21 of the UHDR states that everyone has the right to take part in the government of his country and everyone has the right to equal access to public service in his country. Article 25 of the International Convention on Civil and Political Rights (ICCPR) reinforces the position by providing that everyone has a right to take part in the conduct of public affairs, directly or through freely chosen representatives. Article 1 of The African Charter on Human and Peoples Rights provides the right for citizens to participate in governance.

The African Charter on Democracy, Elections and Governance (ACDEG) provides for principles of good governance among being the right to public participation. The charter under Article 34 provides that the right to public participation is better realized through devolution. The East African Community Treaty has a number of provisions in regard to public participation. Importantly, Article 127 and 128 require public participation through involvement of civil society and the private sector organization. Each member states are obligated to provide an enabling environment for the public to operate and take part in the EAC matters. Public participation being one of the edicts of CoK 2010, there are multiple statutes that foster its implementation with the aim of promoting transparency and accountability of public resources to the people of Kenya. These laws include the following:

7.2.1 County Government Act 2012

The objective and purpose of County Government Act 2012 is to give effect to Chapter Eleven of the Constitution. The Act makes it possible to operationalize Article 176 (2) of the Constitution in respect of further decentralization. It states that “Every county government shall decentralize its functions and the provision of its services to the extent that it is efficient and practicable to do so”. Participation shall be based on the following principles: timely access to information, data documents, and other information relevant or related to policy formulation and implementation. Importantly, it also provides for public participation in the conduct of activities of the county assembly as required under Article 196 of the Constitution which anticipates facilitation of public involvement in the legislative and other business of the assembly and its committees. The act is expressive in

clause (6) for Counties in exercising their powers or performance of their functions to ensure efficiency, effectiveness, inclusivity and participation of the people. Members of county assemblies are expected to maintain close contact with the electorate and consult them on issues before and under discussion. Their opinions and proposals are then presented in the assembly.

Section 87 of the Act provides for the principles of citizen participation in county governance. These include:

- (a) timely access to information, data, documents, and other information relevant or related to policy formulation and implementation;
- (b) 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;
- (c) protection and promotion of the interest and rights of minorities, marginalized groups and communities and their access to relevant information;
- (d) 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;
- (e) 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;

(f) promotion of public-private partnerships, such as joint committees, technical teams, and citizen commissions, to encourage direct dialogue and

Section 115 of the Act provides that public participation in the county planning processes shall be mandatory and facilitated. Further the Act calls for the provision to the public clear unambiguous information on any matter under consideration in the planning process. Each county shall also develop laws and regulations giving effect to the requirement of effective citizen participation.

7.2.2. Urban Areas and City Act 2011

The Urban Areas and Cities Act of 2011 is another important law that give effect to Article 184 of the constitution. The objects of the Act are to establish a legislative framework for: classification of areas as urban or cities; governance and management of urban areas or cities; participation by residents in governance; and other matters for the attainment of purposes of the Act. Section 11 of the Act provide for rights and principles of governance by obligating the county in performance of their functions to institutionalize active participation of its residents in the management of urban area and city affairs. Second Schedule of the Act in upholding provisions of participation as provided in the Constitution accords residents right to contribute to the decision-making process of the city or urban area. The public in return are to be furnished with responses to their written or oral communications, promptly be informed of decisions of boards, regular disclosure of the state of city affairs. The Act further expects counties to create appropriate conditions for participation in the preparation, implementation and review of the integrated development plan, the establishment, implementation and review of its

performance management system, the monitoring and review of its performance, including the outcomes and impact of its performance, the preparation of its budget and making of strategic decisions relating to delivery of service.

7.2.3. Public Finance Management Act 2012

This Act of Parliament provide for the effective management of public finances by the national and county governments; the oversight responsibility of Parliament and county assemblies; the different responsibilities of government entities and other bodies. The objective of the Act is to ensure that public finances are managed at both the national and the county levels of government in accordance with the principles set out in the Constitution; and public officers who are given responsibility for managing the finances are accountable to the public for the management of those finances through Parliament and County Assemblies.

Under Section 36 (5) The Cabinet Secretary Finance is required to prescribe procedures specifying how, when and where members of the public shall participate in budget making processes at the national level. The Public Finance Act 2012 require each County Government to adhere to the principles of public finance set out in Chapter Twelve of the Constitution and national values prescribed in Article 10 of the Constitution, that include public participation.

While preparing County Fiscal Strategy Paper; The County Treasury is mandated to take into consideration the views of the public under Section 117 (5) of the Act. (PFM 2012). Section 137 of the Act establishes County Budget and Economic Forum (CBEF) chaired by respective Governor with membership drawn from county executive, nominated

representatives from organizations representing professionals, labour issues, women, persons with disabilities, the elderly and faith-based groups at the county level. The purpose of the Forum is to act as a means for consultation by the county government on preparation of county plans; County Fiscal Strategy paper and the Budget Review and Outlook Paper for the County; and matters relating to budgeting, the economy and financial management at the County level. CBEF assists the County to analyze and identify its priorities as they budget for programs, improve coordination between the citizens and government (TI, 2018).

7.2.4 County Assembly Services Act 2017

This is an Act that provide for County Assembly Service Board and the County Assembly Service as established under the County Government Act in relation to each county; and for connected purposes. The objective of the Act is to provide a framework for the establishment and effective operation of the service with respect to each county; provide for further functions and powers of the Board pursuant to section 12(7) (e) of CGA; provide for the application of, and give effect to, the values and principles of public service set out under Article 232 of the Constitution in respect of the Service among other purposes. In performing function set out in this Act, the Board shall apply national values and principles of governance set out in Article 10.

The Board is mandated to direct and supervise the administration of the services and facilities, determine and review the terms and conditions of service of persons holding or acting in the offices of the Service, initiate, coordinate and harmonize policies and strategies relating to the development of the Service, initiate programmes for the training

and capacity building of the members and staff of the county assembly, promote public awareness and participation in the activities of the county assembly and do such other things as may be necessary for the well-being of the members and staff of the county assembly. The Board under this Act is expected to prepare and lay before the county assembly, a report of its operations during that year. The annual report shall in respect of the year contain an evaluation on the extent to which the values and principles referred to in Articles 10 and 232 of the Constitution are complied with in the public service and provide information relating to performance of the service and attendant challenges.

7.2.5 The Intergovernmental Relations Act 2012

This Act of parliament establishes the framework for consultation and co-operation between the national and county governments and amongst county governments. This law also seeks to anchor mechanisms for the resolution of intergovernmental disputes pursuant to Article 6 and 189 of the Constitution, and for connected purposes. The objects and purposes of this Act are to establish institutional structures and mechanisms for intergovernmental relations; provide a framework for the inclusive consideration of any matter that affects relations between national government and county governments and amongst county governments; and give effect to Article 187 and 200 of the Constitution, in respect of the transfer of functions and powers by one level of government to another, including the transfer of legislative powers from the national government to county governments and provide mechanisms for the resolution of intergovernmental disputes where they arise. The intergovernmental relations structures with the Act are based on various principles. Some of these principles include recognition of the sovereignty of the

people as provided for under Article 1 of CoK; inclusive and participatory governance; promotion of national values and principles of governance provided under Article 10 among others.

The Act establishes the Council of Governors (CoG) that brings together the governors of the forty seven counties. The Council provides a forum for consultation amongst county governments; sharing of information on the performance of the counties in the execution of their functions; considering matters of common interest to county governments; dispute resolution between counties; facilitating capacity building of governors and receiving reports and monitoring implementation of inter county agreements. Section 29 of the Act provide framework for public participation in the transfer or delegation of powers, functions or competencies by either level of government. Further the Council is expected to submit an annual report to the Summit, the Senate and the National Assembly. Such report(s) shall also be transmitted to the county assemblies within three months after the end of every financial year.

7.2.6 The National Government Co-ordination Act 2013

This Act of Parliament establishes administrative and institutional framework for co-ordination of national government functions at the national and county levels of governance. This Act facilitate the exercise of executive authority pursuant to Articles 131 (1) (b) and 132 (3) (b) of the Constitution. This law is instrumental in ensuring citizens access services in all parts of the Republic. In executing its mandate, the national government shall act in accordance with the national values and principles of the Constitution in particular, those set out in Articles 10, 189, 201(d) and 232

7.2.7 Public Appointments (County Assemblies Approval) Act 2017

The Acts passed by each of the forty seven counties provide for the procedure for the approval of public appointments by County Assemblies and for connected purposes. The exercise of this power is conferred by the provisions of Section 58 (a) of the County Government (Amendment) Act 2020. The objects and purposes of the Acts are to provide for the procedure for the approval of public appointments by County Assemblies and to provide clarity and guidance to the County Assemblies. All appointments for which the approval of a County Assembly is required cannot be made unless the appointment is approved by the relevant County Assembly in accordance with this Act. Approval hearings for the nominated individuals by the appointing authority are communicated through media and platforms established under Section 91 of CGA 2012. Subject under this Act all committee proceedings on public appointments are open and transparent. The committee on vetting has the power to summon any person(s) to appear before it for the purposes of giving evidence or providing information during the approval hearing. The public have an opportunity under this Act prior to the approval hearing, and by written statement on oath, provide the clerk with evidence contesting the suitability of the nominee to hold office to which the candidate has been proposed. At the conclusion of an approval hearing, the committee prepares a report on the suitability of the candidate(s) to be appointed to those offices and shall include recommendations on whether or not the nominee(s) should be approved for appointment to public office. Being representatives of the people, MCAs debate on the committee report to either approve or reject the nomination(s).

7.2.8 Public Service (Values and Principles) Act 2015

This Act gives effect to the provisions of Article 232 of the Constitution of Kenya 2010 regarding the values and principles of public service and for connected purposes. The objects and function of this law is to provide for a general code on the values and principles of public service; public participation in the promotion of values and principles of, and policy making, by the public service; and reporting on the status of the promotion of values and principles of public service. The Act applies to the public service in all state organs in the national and county governments; and all state corporations. State and public officers cited in the Act are required to ensure transparency and accountability in their conduct and provide to the public timely accurate information on the activities of their office. Part III of this Act calls for public participation in the promotion of values and principles of public service. Public participation and involvement may be through (a) citizens' for a; (b) village councils established under section 53 of CGA 2012 or (c) elected leaders (3) the citizens' fora. The fora shall include: (a) faith-based organizations or groups; (b) boards of management of learning institutions (c) welfare associations; (d) residents' associations; (e) market-users' committees; (f) self-help groups; and (g) such other registered or unregistered groups organized at the sub-county level. The public service is allowed to develop guidelines for involvement of the people in policy making. The guidelines developed should ensure that the public is given adequate opportunity to review draft policies and make comments on it. The final policy draft must then be shared with the public on whether their views were incorporated or not.

The citizens are allowed under this Act to make complains about violations of the values and principles by a public officer to supervisors, head of departments or institutions in which officers serve; the department in charge of public complaints or the person in charge of the values and principles committee where established. The people registering complaints may do so in person, through a relative or personal representative; through a legal representative; through a citizens' forum; through a village council; through the relevant member of a county assembly; or through the relevant Member of Parliament. Where any person feels unsatisfied with the disciplinary action taken against any officer(s), the aggrieved person can also seek judicial redress. Further reports of public institutions and organs are open to public scrutiny after their tabling in parliament or county assemblies.

7.2.9 County Assemblies Powers and Privileges Act 2017

This is an Act of parliament that gives effect to Article 196(3) of the Constitution. It provides for the powers, privileges and immunities of county assemblies, their committees and members. Further, this law makes provision regulating admittance to and conduct within the precincts of county assemblies. The precincts of county assembly comprise the area of land and every building or part of building under the county assembly's control. Under this Act, each county assembly shall set up a committee known as the Committee of Powers and Privileges consisting of the speaker, who shall be the chairperson and such other members of the county assembly as Members of the public are allowed under this Act, the Standing Orders and with permission of the Speaker access places within the precincts of a county assembly as may be specified. The Speaker may

also designate areas within or outside the precincts of a county assembly where members of the public may, pursuant to Article 37 of the Constitution, assemble, demonstrate, picket or present petitions or memoranda to the county assembly. Citizens have the right of access to information under Article 35 of the Constitution. However, this right shall be limited to the nature and extent specified in the Act for purposes of facilitating freedom of speech and debate in the county assembly as contemplated under Article 33 of the Constitution.

The business of a county assembly or its committee is open to the public under County Assemblies Powers and Privileges Act 2017. Therefore an assembly or its committees may invite or summon any person to appear before it for the purpose of giving evidence or providing any information, paper, book, record or document in the possession or under the control of that person and in this respect, a county assembly and its committees shall have the same powers as the High Court as specified under Article 195 of the Constitution.

7.2.10. Public Participation Guidelines

The county public participation guideline of 2016 is a resource meant to inform public participation in County Governments in line with Part VIII of the County Government Act 2012. The guidelines follow a logical path to understand, plan and implement public participation. They offer a practical approach for county governments to actively engage the public in; policy making and planning, budgeting, implementation, monitoring and evaluation and seeking redress through public petitions and referenda. The guidelines further layout the duties and responsibilities of members of the public in participation.

The guidelines are designed to set minimum standards and principles that should be observed whenever a county facilitates public participation. The guidelines may be adapted to fit county contexts and circumstances in respect of their different political, economic, social, cultural and religious environments.

Public participation guidelines operate at the heart of deliberative process of involving people, civil society organizations, and government's actors in policy generation and implementation. The guidelines consolidate key processes and procedures of public participation. They legitimize the process of implementing devolution. Participation is mandatory and interactive processes that infuse citizens' values and priorities throughout policy cycle. The guidelines offer a practical approach for county governments to initiate participation. They are a recipe for strengthening democracy and governance. These guidelines list the duties and responsibilities of members of the public in a participatory process. Public participation guidelines set standards and principles that should be observed whenever county governments facilitate public participation. They are meant to be adopted to fit every case and circumstance.

The Guidelines forms a standard aimed at supporting public engagements and decision making in devolved government. The guidelines do not replace the public participation laws enacted by each of the 47 county governments. However, they create a standard and provide ways for institutionalizing public participation. According to Kenya Policy on Public Participation of 2018, its implementation is earmarked to achieve the following nine specific objectives:

- 1) Ensure citizens continually access timely information on public issues in a language and format that is easy to understand;
- 2) Provide a framework for coordination and enabling environment for non-state actors involved in civic education;
- 3) Undertake coordinated and integrated capacity building towards empowering responsible citizens and public institutions
- 4) Promote effective public participation in planning, budgeting and implementation of approved plans and budgets;
- 5) Promote effective participation of minorities and marginalized groups at all levels;
- 6) Guarantee adequate, secure and sustainable funding for public participation;
- 7) Promote well-resourced, updated and effectively implemented monitoring, evaluation and learning systems for public participation;
- 8) Promote responsive, functional and timely feedback and reporting mechanisms in order to build confidence in public participation process and;
- 9) Promote effective handling of complaints.

7.3 Implication of public participation law and regulation in Kenya

The concept of public participation is deeply rooted in the constitution of Kenya 2010. The CoK which is citizen-centred requires all institutions of government at national and county level to ensure citizens are involved in decision-making through public participation. There have been many cases filed before the Courts touching on public participation for the period the constitution was promulgated in August 2010. Majority of these cases have challenged lack of participation in appointments, legislation, budgets,

development projects, impeachments among other issues. The most prominent cases include the Nairobi Metropolitan PSV Saccos Union Limited & 25 Others v County Government of Nairobi & 3 Others [2013] eKLR a petition in respect of Clause 6.1 of the Nairobi City Finance Act of 2013 which authorized the County Government to charge an motor-vehicle parking fee of KES 140 which the petitioners claimed was done in violence of the principle of public participation. Justice Lenaola ruled that indeed there was public participation. He went further to state that, “it does not matter how public participation was effected. What is needed is that the public was accorded some reasonable level of participation”. It is clear from this case that the threshold for public participation is that the public should be given a reasonable opportunity to understand the issue and reasonable opportunity to have an adequate say (Eredi, 2021).

The second case is the Kiambu case that involved Robert N. Gakuru v Governor of Kiambu & 3 Others [2014] eKLR: The petitioners sought a declaration on the Kiambu Finance Act, 2013 violated the Constitution of Kenya, 2010 and other legislation on public participation. Justice Odunga in his judgement stated “in my view to huddle a few people in a 5 star hotel on one day cannot by any stretch of imagination be termed as public participation for the purposes of meeting constitutional and legislative threshold”. Justice Odunga concluded that there was no public participation and granted the prayers of the petitioners by declaring the Kiambu Finance Act unconstitutional.

The third case is involved Thuku Kirori & 4 Others v County Government of Murang’a [2014] eKLR which sought for declaration that proper governance and constitutionalism requires the participation of the people in matters affecting them directly both at the

National and County levels of government. Even though the Judge dismissed the petition, he stated that “ my understanding of the concept of participation as contemplated under articles 10 and 174 of the constitution is that the participation of the public in affairs that concern them should not be narrowly interpreted to mean engagement of a section of the people purporting to be professionals who are out to reap maximum profits out of services for which they are neither registered nor qualified to offer; the ultimate goal for public engagement as envisaged in the constitution is for the larger public benefit. In my view such benefit would include county government’s provision of the basic infrastructure at the minimum cost for the economic empowerment of its people; this is certainly consistent with the national values and principles of governance enshrined in article 10 2 (d) of the constitution and the actualization of the promotion social and economic development which the same constitution subscribes to in article 174 (f) thereof.”

The fourth case filed in Embu involving Andrew Ileri Njeru & 34 Others v County Assembly of Embu & 3 others[2014] challenging the impeachment of the Embu Governor on grounds that among other things there was no public participation. The judge ruled that “from the principles that are disclosed in the foregoing discussion, I have come to the conclusion that on the basis of the material presently before me, a prima facie case has been established for a finding that there was scant public participation in respect of the removal of the Governor and the Petitioners’ rights were violated”

Based on these cases, jurisprudence on public participation in Kenya is still in its nascent stages. However, in Judicial Review No 387 of 2017-Republic of Kenya v Independent Electoral and Boundaries Commission(IEBC) Ex parte National Super Alliance(NASA)

& 6 others, the court emphasized the importance of participation by stating that the people of Kenya did not intend for the provisions on public participation be merely suggestions or ornamental. Rather, they intended for participation to have substantive meaning and to be enforced and implemented. As a result, the enforcement and implementation of public participation must pass two tests:

The first test is quantitative. This threshold requires proper notification through a combination of extensive fora including places of worship, public barazas and other avenues where the public are known to converge. The idea is to reach as many people as possible. The courts have severally invalidated policies and legislations for failure to meet the quantitative aspect.

The second test is qualitative. This aspect questions whether invited participants are given sufficient information and enough time to prepare for meaningful involvement. The qualitative test revolves much around access to information rights and the citizen's right to timely access to information and documents for fruitful engagement from a point of knowledge. The aspects seek to establish whether the people had an adequate time to prepare and make meaningful contribution to policy formulation and implementation. Similarly, the courts have set aside legislation and policies that did not give the people opportunity to input ideas and opinions on matters of their well-being.

7.5 Summary

This chapter emphasized the constitutional and legal frameworks that govern public participation in Kenya's devolved governments. The Constitution of Kenya 2010, along with various Acts of Parliament, establishes a robust legal basis for public participation in

country. Articles 1 and 10 of CoK 2010 serve as the anchor law for citizen involvement in governance affairs. The County Government Act 2012 specifically addresses decentralized governments, with Section 87 outlining principles of citizen participation in county governance.

Additionally, The Urban Areas and Cities Act of 2011 complement Article 184 of the Constitution. Section 11 of the Act provide for rights and principles of governance by obligating the county governments in performance of their functions to institutionalize active participation of its residents in the management of urban area and city affairs. Other pertinent laws requiring public participation in decision making include the Public Finance Act 2012, County Assembly Services Act 2017, The Intergovernmental Relations Act 2012, The National Government Co-ordination Act 2013, Public Appointments (County Assemblies Approval) Act 2017, Public Service (Values and Principles) Act 2015, County Assemblies Powers and Privileges Act 2017 and Public Participation Guidelines 2016.

These legislations make it mandatory for all institutions of government at national and county levels to involve citizens in the execution of their functions. Furthermore, legal precedents established by the courts define participation as providing genuine opportunities for citizens to engage, ensuring their participation is substantive rather illusory.

CHAPTER EIGHT

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

8.1 Introduction

This chapter presents a summary of research finding and conclusions derived from a study aimed at examining communication frameworks that foster public participation within Kenya's devolved governments. The research was guided by four key questions, including: existing communication frameworks at the county level that promote public participation, the effectiveness of communication frameworks in delivering the objectives of devolution, the opportunities and challenges inherent in implementing public participation, and the constitutional and legal frameworks governing participation in Kenya's devolved governments. The chapter concludes by offering recommendation on how county governments can strengthen their communication strategies to effectively engage citizens, who hold constitutional authority to participate in governance.

8.2 Summary of Key Findings

The research reveals that principle of public participation is deeply rooted in the Constitution of Kenya 2010. According to CoK 2010, sovereign authority resides with the people, who exercise it directly or through elected representatives. The chapter on devolution empowers citizens with the right to self-governance, granting them the opportunity to influence decisions. It is incumbent upon the people to ensure that effective public participation occurs within their respective counties. Whether acting individually or groups, the people are expected to devise methods of engagement with

county governments. Once policies are endorsed, citizens are obligated to monitor their implementation.

8.2.1 Communication frameworks are in place at the county level to promote public participation

The findings for the first question validate the previously discussed information from Chapter 2, which highlighted the presence of a robust media ecosystem within counties for facilitating public participation. The identified media include traditional print, broadcast, and emerging digital platforms. These media formats satisfy the criteria outlined in the CGA 2012, which mandates counties to use media that have the broadest public outreach. The county communication frameworks adequately facilitate two-way communication strategies for citizen engagement.

Furthermore, county governments have incorporated communication into their organizational framework that corresponds with the structure outlined in the CGA 2012. Villages, Wards and Sub-Counties serve as vital channels of communication within this framework. County internal and external communications have designated offices and officials as delineated in Section 96 of the CGA. Internal communication occurs across multiple departments, whereas external communication extends to stakeholders such as other levels of government, development partners, and the general public.

County communication frameworks embed strategic communication approaches for policy making and implementation in devolved governments. They refer to a range of mechanisms and practices that collectively define the role of communication within county governments conducted according to principles provided in the County

Government Act 2012. Section 93 lists provides principles of communication and access to information to include integration of communication in all development activities, observation of access to information by county media in accordance with Article 35 of CoK, and observation of media ethics, standards and professionalism.

8.2.2 Effectiveness of county communication strategies in facilitating public participation

The results of the second question, which evaluated the effectiveness of communication strategies for public participation, indicate a mixed outcome. As previously noted, counties have access to a combination of traditional and new media, both private and public, to address their communication requirements. The main players are Royal Media Services (RMS); the Nation Media Group (NMG); the Standard Group, Radio Africa Group; MediaMax, and the Kenya Broadcasting Corporation (KBC). Each of these media houses owns a combination of media across the print, broadcast and the digital sectors. They also operate online extensions of their legacy media, either in form of blogs and/or websites. Further, having embraced new media technologies, they operate vibrant social media platforms which have allowed them to do live streaming. Except KBC which is mainly funded by the national government and additional income from advertisers, the rest are all for profit commercial media organizations.

Due to the multitude of media outlets and dispersion of citizens across these platforms, it has proven challenging for counties to effectively communicate with each individual resident. Although many counties have multipronged approach to communication, a significant number are yet to leverage ICT for public participation processes. This is due

to widening digital divide, limited digital literacy, and inadequate investments in communication infrastructure. Consequently, many counties are compelled to depend on newspapers, which unfortunately remain inaccessible to a considerable segment of Kenya's population.

Another aspect of assessing effectiveness of county communication was conducted in accordance with communication objectives outlined in the CGA 2012. These include creating awareness on devolution and governance, promoting citizen understanding of peace and cohesion, advocacy on developmental issues, and promotion of the freedom of the media.

The findings reveal that the level of understanding of devolution among Kenyans varies significantly. Residents of urban and city counties have a greater appreciation of decentralization, whereas those in rural counties have limited understanding of devolution and its implications. A majority of Kenyans have difficulty distinguishing functions of devolved governments and those assigned to the national government by the CoK 2010. This is an indictment on counties who have an obligation to carry out civic education about their role, functions, and responsibilities to the public. They are required to educate citizens about principles of devolution, the structure of county government, and how it differs from the national government. Further, they are required to empower citizens with information, knowledge and skills to actively participate in matters that affect them.

Moreover, county governments are mandated to promote peace and cohesion among their residents. However, findings show that this objective receives less emphasis and is not a priority of counties, except frontier counties. The counties in this category have prolonged

history of ethnic conflict, violence, and marginalization. They include Baringo, Samburu, Garissa, Wajir, Mandera, Isiolo, Marsabit, Tana River, West Pokot, Turkana and Elgeyo Marakwet. Numerous initiatives by counties themselves, the national government, and NGOs are underway to promote peace and cohesion among communities. The National Cohesion and Integration Commission (NCIC) also play a significant role in encouraging national cohesion and peaceful coexistence among Kenyans. Counties grappling with conflicts recognize the importance of economic empowerment, inclusion, and peace. As a result, they invest in policies and programs aimed at reducing poverty to mitigate the escalation of conflicts.

Regarding advocacy on developmental issues, findings show that all counties promote themselves as investment destinations. They do it locally and internationally. This stems of recognition that counties have a responsibility to stimulate economic activities that create jobs, especially for thousands of unemployed youth. Increased investments in counties hold the potential of improving living standards of residents. Some of the strategies used include advocacy for development include tax waivers, attractive land leases, simple licensing processes and infrastructure projects. These efforts are often communicated through websites, brochures, trade fairs, and investment forums.

The final objective of county communication is the promotion of the freedom of the media. The findings regarding this objective were varied. While the primary responsibility of guaranteeing free press lies with the national government, county governments play an important role in ensuring media practice remain free from any interference. Some of the ways in which counties are seen to promote include

partnerships with local stations and newspapers, advertising and sponsoring programmes. However, there are also incidences that demonstrate county governments are against freedom of the media. These include making it difficult for the media to access documents, reports, and data critical for public discussion and decision making. There have been cases where journalist have been intimidated, harassed and even assaulted during the course of reporting. There was consensus that county governments can champion freedom of the media by supporting policies, practices and partnerships with the media at local and national level.

8.2.3 Opportunities and challenges in implementing public participation in decentralized governments

The third question in this study aimed to document opportunities and challenges of public participation in devolved governments. The findings reveal that the Constitution of Kenya 2010, County Government Act, 2012, Urban Areas and Cities Act 2011, policies enacted both at the national and county governments identify priority areas for citizen participation. The key areas include: planning and budgeting, election of different cadres of leaders every five years or during a by-election, public finance management, public procurement, implementation and monitoring of delivery of county public services, selection of public officers, legislative processes, county referendum, petitions and more. The challenges associated with public participation in county governments are diverse and numerous spanning financial, social, cultural, political, behavioral and communication factors.

8.2.4 Constitutional and legal framework that guide public participation in devolved governments in Kenya

The concluding inquiry of this study centred on the constitutional and legal framework governing public participation. The findings reveal that the Constitution of Kenya and relevant laws lay a strong foundation upon which public participation springs. Article 1 stipulates that all sovereign power belongs to the people of Kenya exercised directly or through elected representatives. Article 10 lists public participation as a national value and principle of governance.

Additional laws emphasizing public participation include: County Governments Act 2012, Public Finance Act 2012, Urban Areas and Cities Act 2011, Intergovernmental Relations Act 2012, National Coordination Act 2013, Public Appointments (County Assemblies Approval) Act 2017, Public Service (Values and Principles) Act 2015, County Assemblies Powers and Privileges Act 2017 among others.

8.3 Conclusions

Each county government has implemented communication frameworks in accordance with the CGA 2012, which adequately facilitates two-way communication, between counties and residents. Additional organizational structures in form of Sub-County, Ward and Village levels ensure communication reaches the grassroots level effectively. The Directorate of Communication, Public Relations and Governor's Press play crucial roles in disseminating information, both internally and externally, and utilizing a combination of private and public, ICT and Non-ICT tools to inform the public about county activities and programmes.

Effectiveness of county communication for public participation varies. Despite the availability of diverse media channels for public information, dispersed audiences makes it difficult to access important communications. Many counties predominantly rely on newspapers as a medium for public announcements, yet a majority of Kenyans don't have access to them.

The primary avenues for public participation predominantly occur during planning and budgeting, elections, public finance management, public procurement, vetting processes, legislation, referenda and petitions. The challenges associated with public participation primarily revolve around financial constraints, social dynamics, cultural influences, political complexities, behavioural tendencies, and communication factors.

The Constitution of Kenya 2010 along with related laws explicitly enshrines public participation as a principle and value of governance. These legislations include the PFMA 2012, UACA 2011, CGA 2012, IGA 2012, NGC, 2013, Public Appointments Act 2017, County Assemblies Act 2017, Public Services Act 2015, among others. Additionally, various laws enacted by county governments further public participation within their jurisdictions. Overall, public participation in Kenya is grounded in a robust legal framework that obligate citizen involvement in decision making processes at both the national and county levels.

8.4 Recommendations.

Drawing from analysis of literature alongside the findings of this research, this section proposes potential strategies for enhancing county communication that would facilitate effective public participation. As underscored throughout the study, devolved

governments bear the ultimate responsibility of stabilizing robust information and communication as provided in the CGA 2012 and best practices. The ensuing recommendations are tailored to address specific questions together within findings gleaned from the study.

8.4.1 Integration of communication in county governance structure.

The study findings revealed that county governments are exposed to adequate media and information mechanisms for facilitating public participation. Specifically, the county directorate of communication and governors' press teams are tasked with disseminating information about county activities and programs that necessitate citizen input. However, it was observed that these entities often operate independently, leading to conflicting efforts. Moreover, despite clear structures (Sub-County, Ward and Village) outlined in the CGA 2012, majority of participation efforts are concentrated at the Sub-County level, excluding many individuals in the rural areas from influencing policies that affect them. Therefore, it is recommended that county governments ensure communication and information is diffused to villages, which represents the lowest administrative units. To enhance effectiveness, such information should be disseminated in small groups akin to the Nyumba Kumi structure.

8.4.2 Effectiveness of information and communication within devolved governments

This study explored strategies counties use for communicating with both internal and external audiences. Chapter 2 provided literature that revealed county governments possess diverse information and communication infrastructure for communication. Effective public participation is reliant on meeting the information needs of all citizens and amplifying the voices of those most impacted by policy decisions. The chapter notes that clear, reliable, and appropriate information is essential for citizens to make informed choices and exert influence on policy processes that directly impact their lives. However, despite availability of multiple media platforms, counties were found not to have fully exploited these channels for public participation. Newspapers are predominantly used yet majority of citizens can't access them. It is recommended that county governments embrace communication mechanisms that are accessible by majority of citizens. These would include county media and word of mouth targeted at people in the villages.

Additionally, counties should use traditional channels like posters and notice boards strategically placed in public places like shopping centres, markets, religious establishments and other public places frequented by county residents. Moreover, prior notice should be given and special attention extended to the marginalized, vulnerable, and people living with disabilities. The county documents and information should also be translated into local languages where literacy levels remain low.

8.4.3 Opportunities and obstacles to public participation in devolved governments.

Public participation as provided in the Constitution of Kenya 2010 grants every citizen an opportunity to actively involve themselves in matters that affect their lives and circumstances. Opportunities for citizen participation were delineated in Chapter Six of this study. Building upon these findings, it is recommended that county governments and their agencies adhere to the constitution and the law requiring them to involve citizens when formulating policies.

To address hindrances to public participation, county governments should take proactive corrective measures. Firstly, they should allocate adequate resources to mitigate financial constraints, which often impede participation. Secondly, counties should intensify civic education efforts to inculcate a sense of civic responsibility among citizens, acknowledging and respecting social and cultural diversities. Thirdly, counties should encourage citizen-driven assemblies to identify needs and priorities, which should then be effectively communicated through various multimedia platforms. Finally, counties should stimulate greater interest in participation through strategic planning and coordination of county communication, minimizing controversies and ensure professionalism in communication efforts.

8.4.4 The legal framework for communication and public participation

This study proposes several legislative and policy recommendation based on the finding and conclusion. This include each county to enact legislation to guide public participation and communication in accordance with the CGA 2012, operationalize the Public

Participation Guidelines of 2016, that advocates for access to information in county policy-making processes, ensure implementation of the Public Participation Acts passed by each county, and implement fully the UACA 2011, CGA 2012 and CoK 2010 all of which underscore citizen participation when they access information, empowered via civic education, and granted opportunity to influence decisions affecting them.

8.4.5 Recommendations for future Research

The findings of this study highlight several critical concerns that necessitate further research. Public participation, particularly its implementation strategies, remains a subject of ongoing debate. There is a need for a comprehensive assessment of the impact of various public participation approaches on policy formulation and implementation to enhance their effectiveness. This is crucial in promoting inclusivity and equity in participatory governance, an area that requires deeper investigation. Marginalized groups, including women, youth, and persons with disabilities, are often excluded from decision making processes. Therefore, identifying barriers to their participation and developing strategies to enhance inclusivity is more urgent than ever.

Furthermore, it is essential to explore the role of both mediated and unmediated communication tools in public participation. In the era of digital communication, this area presents a significant opportunity for research to determine how technology can facilitate engagement in governance. Lastly, there is a need to examine the level of public awareness regarding citizen's rights and responsibilities in governance. Particular emphasis should be placed on assessing the effectiveness of civic education programs and their role in fostering public participation initiatives.

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APPENDIX I: INTEVIEW GUIDE

SECTION A

This section deals generally with aspects of devolution

Have you been involved with county governments particularly in implementing devolution? If NOT go to section B. If YES when and in what capacity?

What is your understanding of the object and functions of a devolved system of governance?

What is your assessment of devolution now having been implemented for over a decade now?

What can be done to promote people centred devolved government in Kenya going into the future?

What are some of the recommendations that you would make to improve/strengthen devolution?

SECTION B

This section deals with the communication and access to information within county structures.

To your knowledge, have counties integrated communication within their administration? If YES what modes of communication are counties using?

Are the modes of communication effective in disseminating county planning information for public participation?

In your view are structures of communication within county governments well positioned to assist in planning and implementing county government programmes?

Have the county governments encouraged and facilitated other means of mass communication?

Have counties established mechanisms to facilitate public communication and access to information as provided under Article 35 and the Access to Information Act 2016

Has the county communication arm been empowered to disseminate and provide access to information for the public to participate effectively?

Have the county governments legislated to provide a framework for public communication and access to information?

What do you think to be the main advantages/strengths of communication frameworks within counties?

What changes would you propose to be part of mechanisms that would improve county communication and access to information?

SECTION C

This part deals with public participation

What does public participation entail in county governance?

Do the people and the profession you represent participate in county government planning?

From your experience, how would you describe/characterize current public participation in county governments?

What are the modes /avenues/methods in which people participate?

What is the focus- quality or quantity of participation?

Do ideas/opinions of citizens' count in county government planning and governance?

In your view, has the processes of public participation been institutionalized and reinforced to achieve its objectives?

What changes can you propose to strengthen/ improve modes of public participation at the county level?

What are the main factors that influence public participation in the making and implementing policy at county levels?

How can the public be inspired to take part in county planning going in the future?

Finally, do you have any suggestion about document I could review and persons who would be relevant to my research?

APPENDIX II: SAMPLE OF INTERVIEWS

(INTERVIEW WITH CB2)

Do the people and the profession you represent participate in county government initiatives?

The short answer to your question is yes. As a non-governmental organization our key focus is civic education and public engagements. We provide civic education to the citizens of Kenya and we also facilitate citizens to engage in governance processes. When you look at the constitution it focuses more on public participation. So we go beyond civic education to give citizens tools and skills to ensure they participate meaningfully. We empower them to engage in things like planning and budgeting processes specifically in developing county integrated development plans. We also teach them on how to write petitions and memoranda. We train citizens on how to contribute their views and opinions on legislation and policy when being developed both at the county level and the senate. We also work with national government agencies and county governments in areas of good governance and civic education.

From your experience, how would you characterize current public participation in county governments?

In most counties across the republic, public participation is not an inclusive process but...an engagement where a few known people are handpicked to either approve a legislative process or to give a green light to already identified development project or policy.

What are the main factors that influence public participation in the making and implementing policy at county levels?

Public participation starts with awareness. It begins with questions such as: What are county governments? What are my rights? What are my responsibilities? Which services are offered by the county government? This initial awareness sets the foundation for participation. Secondly, citizens deserve opportunity share their ideas and opinions. It is crucial that citizen feel their contributions count for something. If they lose trust, their future engagement becomes uncertain. Thirdly, access to information is another important factor. Effective communication serves as the bloodline of public participation. To county governments' advantage, there is an avalanche of media at their disposal. Fourthly, undeniably, civic education is crucial for people to participate as it empowers them to understand their responsibility and issues for meaningful engagement. These are just a few of the factors that influence participation of citizens within their counties.

What impede public participation processes in devolved governments?

The key challenge to public participation in county governments is finance. There is limited funding towards the devolved functions. The bulk of allocation pay salaries and very little is left for initiatives like the one you refer to. This has been a perfect excuse for county officials to disregard participation seen as another expensive venture and total waste of time.

Poor communication is another challenge. When it comes to citizen engagement people are not given proper notice to participate. It is worse when citizens are handed already prepared voluminous documents by technocrats. Firstly, majority of the people may not

understand the contents based on the language. Secondly, they are asked to provide feedback on a very short notice about issues they may be struggling to comprehend. Mind you, accessing documents for this process remains a big impediment. Therefore access to information and communication is a hindrance, particularly in rural areas where media may be scarce.

From where I sit, the biggest obstruction to public participation is literacy and capacity level of citizens. It may not be a big problem to do public participation in urban areas but imagine carrying out public consultations in places like Mandera and remote places of Turkana where citizens in these areas have to content with high levels of poverty, illiteracy, and even their nomadic lifestyle. Today they are here. Tomorrow they are 10 kilometers away. All these problems when you look at them in totality, contribute to inadequate public consultation processes.

The feeling that people's ideas and opinions won't matter in a participatory process discourages many to engage in future initiatives. This has been demonstrated many times in this country where legislations and policies have been executed, and which are contrary to what people proposed. It is true, sometimes citizens lack knowledge about aspects issues on which they have been asked to be involved in. However this should not mean they are sidestepped when making and implementing policies.

(INTERVIEW WITH CF1)

What is your assessment of devolution now having been implemented for over a decade now?

It is difficult to answer this question without carrying out a survey. Therefore there is need to have a proper empirical study to establish with data that devolution is working. However, if we have to use anecdotal evidence, it is true devolution is indeed being felt across the country. Nowadays if you go to rural areas, you will find roads being done. If look at a service like health and holding all factors constant, health facilities have been built, even though they have not been fully equipped with drugs and personnel. County have also erected classes for Early Childhood Education programs. They have employed ECD teachers. If you look a service like water, visiting counties you will find piped water and storage tanks, and even some have sank boreholes. Unfortunately some of these services are concentrated in urban centres. From where I sit devolution is working even though not hundred per cent.

Have the county governments legislated to provide a framework for participation?

All county governments are required by law to establish public participation structure. Indeed, county governments have enacted legislation for participation and communication as provided in the County Government Act.

(INTERVIEW WITH DC 5)

To your knowledge, have counties integrated communication within their administration?

Yes. Communication is big part of county administration. Most county governments have structured communication for internal and external audiences. The director of county

communication and governor's press teams are in charge of communication. The media for such communication are diverse. These include print and broadcast media. When it comes to public participation, newspapers often are used to disseminate notices than any other medium.

Have the county governments encouraged and facilitated other means of mass communication?

There are quite a number of ways counties have initiated for their communication apart from print and broadcast channels. They include meetings and barazas where citizens engage with government officials directly. Some have short message services (sms) and mobile apps for public information and communication. The services include alerts, reminders, and public announcements about government services and events. Taita Taveta County is a good example of a county that reaches to the public through SMS. What is interesting about this county is that Twitter messages are converted to SMS before being forwarded to citizens. Town hall meetings are also very common. Time to time, counties consult residents in scheduled meetings as a way of getting to understand what people want. It is through these engagements that policies are developed and consensus about their implementation reached. ICTs have broadened avenues for county communication. They have made it easier for hard-to-reach communities to now engage their leadership at the grassroots through digital technologies. ICTs are now fully integrated into every operation of government. Websites and social media are now fully integrated as county communication infrastructure. For instance, Vihiga County website allows people with disability to navigate through JAWS program. Other avenues include

printed materials such as posters, flyers and brochures distributed in public places, governments' officers and community centres.

Has county communication and access to information met the purpose for which they were set?

The strategic potential of communication for public participation in county governance cannot be gainsaid. The County Government Act 2012 outlines the objective of county communication to include creating awareness on devolution and governance; promote citizens understanding for purposes of peace and national cohesion; undertake advocacy on core development issues; and promotion of the freedom of the media.

Has communication created awareness about devolution and governance?

County governments have done little to create awareness on devolution and good governance. Much of this work is done by civil societies and other actors outside county governments. For instance my organization provides civic education to citizens and we also facilitate them to engage in governance processes. When you look at the constitution it focuses more on public participation. So we go beyond civic education to give citizens tools and skills to ensure they participate meaningfully. We empower them to engage in things like planning and budgeting processes for instance developing county integrated development plans. We also teach them on how to write petitions and memoranda. We train them on how to contribute their views and opinions on legislation and policy when being developed both at the county level and the senate. This is the work of counties which they have failed to do.

Has it promoted peace and national cohesion?

One objective of devolution is to promote peace. Generally speaking, there is perceived failure by the national government and county governments to unite Kenyans. Even with an independent commission tasked to promote peace and cohesion, there is generally perceived failure by governments to unite the people. The counties, in my view are the new hotspots for new conflicts where people fight over resources, leadership positions and so on.

Has communication advocated for development in the counties

The Constitution of Kenya provides for the transfer of a minimum of 15 percent of shared revenue to the 47 counties. County governments also generate own source revenue from taxes and levies for the provision of devolved services. Further, county governments are allowed to attract investments both local and foreign. Increasingly, most county governments acknowledge that the media sector is an important ally in their development efforts. They understand that information and communication support sustainable development. This is only possible when majority of the people access information to allow them make informed economic, political and social decisions.

Has it promoted freedom of the media?

The counties have the obligation to promote freedom of the media under article 34 and right to access information under article 35 of the constitution. Counties have to ensure all communication respect the public's right to information. Public officials, whether elected or appointed, communicate decisions that affect millions of people and communities in which they live. They have a responsibility to promote media in their jurisdiction. A free and pluralistic press is an indispensable element of good governance in our devolved

governance which has to be supported everyone. From where I sit, county governments continue to partner with the media and to me, this is an indicator of them supporting freedom of the media.

What changes can you propose to strengthen/ improve modes of public participation at the county level?

There is need to safeguard public participation to be meaningful. This can be achieved through civic education, media sensitization, public awareness and increasing access to basic education. This multi-pronged approach is the way to strengthens public participation. There is even need to introduce public participation in the curriculum in order to inculcate civic duty among young Kenyans to know that they have a responsibility to take part in the affairs of their local communities. There is also need to have goodwill. The citizens should be made to feel their ideas will count. Anything less, majority will not find need to engage next time they are called to participate. Counties need to make people feel they are valued. That they are appreciated.

What are the main factors that influence public participation in the making and implementing policy at county levels?

There are many benefits of participation. To county governments, they benefit from expert knowledge beyond their immediate realm of information, expertise and advice, while creating at the same time opportunities to educate residents in their counties about policy. Through participation, county governments develop better appreciation of public opinion, and use the occasion to inform and shape people's perspective. The county officials are also able to get feedback on policy proposals.

APPENDIX III -LIST OF COUNTY WEBSITE

County Code	County Name	County Website Universal Resource Locater (URL)
01	MOMBASA	http://www.mombasa.go.ke/
02	KWALE	http://www.kwalecountygov.com/
03	KILIFI	http://www.kilifi.go.ke/
04	TANA RIVER	http://www.tanariver.go.ke/
05	LAMU	https://www.lamu.go.ke/
06	TAITA TAVETA	http://taitataveta.go.ke/
07	GARISA	http://garissa.go.ke/
08	WAJIR	http://www.wajir.go.ke/
09	MANDERA	http://www.mandera.go.ke/
10	MARSABIT	http://marsabit.go.ke/

County Code	County Name	County Website Universal Resource Locator (URL)
11	ISIOLO	https://isiolo.go.ke/
12	MERU	http://meru.go.ke/
13	THARAKA NTHI	http://www.tharakanithi.go.ke/
14	EMBU	http://www.embu.go.ke/
15	KITUI	https://www.kitui.go.ke/
16	MACHAKOS	<a href="http://www.machakosgovernm
ent.com/">http://www.machakosgovernm ent.com/
17	MAKUENI	https://www.makueni.go.ke/
18	NYADARUA	http://www.nyandarua.go.ke/
19	NYERI	http://www.nyeri.go.ke/
20	KIRINYAGA	http://www.kirinyaga.go.ke/
21	MURANGA	http://muranga.go.ke/

County Code	County Name	County Website Universal Resource Locator (URL)
22	KIAMBU	http://kiambu.go.ke/
23	TURKANA	https://www.turkana.go.ke/
24	WEST POKOT	http://www.westpokot.go.ke
25	SAMBURU	http://www.samburu.go.ke/
26	TRANS NZOIA	https://www.transzoia.go.ke/
27	UASIN GISHU	http://uasingishu.go.ke/
28	ELGEYO MARAKWET	http://www.elgeyomarakwet.g o.ke/
29	NANDI	http://nandi.go.ke/
30	BARINGO	http://www.baringo.go.ke/
31	LAIKIPIA	http://www.laikipiacyoung.go. ke/
32	NAKURU	http://www.nakuru.go.ke/

County Code	County Name	County Website Universal Resource Locator (URL)
33	NAROK	http://www.narok.go.ke/
34	KAJIADO	https://www.kajiado.go.ke/
35	KERICHO	http://kericho.go.ke/
36	BOMET	https://www.bomet.go.ke/
37	KAKAMEGA	http://www.kakamega.go.ke/
38	VIHIGA	http://vihiga.go.ke/
39	BUNGOMA	http://www.bungoma.go.ke/
40	BUSIA	https://www.busiacyounty.go.ke/
41	SIAYA	http://www.siaya.go.ke/
42	KISUMU	http://kisumu.go.ke/
43	HOMABAY	http://www.homabay.go.ke/

County Code	County Name	County Website Universal Resource Locator (URL)
44	MIGORI	http://migori.go.ke/
45	KISII	http://www.kisii.go.ke/
46	NYAMIRA	http://www.nyamira.go.ke/
47	NAIROBI	http://www.nairobi.go.ke/

(Adopted from Ministry of Devolution)

APPENDIX IV: INTERVIEWEES

Interviewee	Organization
1 CEO/Representative	Council of Governments(CoG)
1 CEO/Representative	County Assemblies Forum(CAF)
8 Directors of Communication	County Government
8 Sub- County Administrators	County Government
8 CBO & Community Organization Representatives	Non-Governmental Organization

APPENDIX V: RESEARCH LETTER FROM MOI UNIVERSITY



**MOI UNIVERSITY
SCHOOL INFORMATION SCIENCES
NAIROBI CAMPUS**

Tel: (053) 43153
Fax: (053) 43153

P.O Box 63056-00200
NAIROBI
KENYA

MU/NRB/IS/SA/14

20th September, 2022

National Commission for Science,
Technology and Innovation
Upper Kabete.
NAIROBI

Dear Sir/Madam,

RE: EDWARD MUSUNGU WASIKE - SHRD/DPHIL/08/14

This is to confirm that the above named is a Doctor of Philosophy student at Moi University, School of Information Sciences, Department of Communication Studies.

The student successfully defended his proposal and is due to proceed for his research data collection.

The research Title is – **“Communication frameworks for public participation initiatives in Kenya’s devolved governments”**

The student is in the process of obtaining a research permit to enable him visit the identified research Centers. The University shall highly appreciate any assistance accorded to him.

Yours faithfully,

[Signature]

 A blue rectangular stamp from Moi University, School of Information Sciences, Nairobi Campus, with the name 'DR. ERNEO N. NYAKUNDI' and title 'COORDINATOR, COMMUNICATION STUDIES' printed on it.

DR. ERNEO N. NYAKUNDI
COORDINATOR, COMMUNICATION STUDIES
NAIROBI CAMPUS

PLAGIARISM REPORT



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This certificate is awarded to

WASIKE EDWARD MUSUNGU

SHR/D/08/14

In recognition for passing the University's plagiarism

Awareness test for Thesis entitled: **AN ANALYSIS OF COMMUNICATION FRAMEWORKS AND PUBLIC PARTICIPATION IN SELECTED COUNTY GOVERNMENTS OF KENYA** with similarity index of 09% and striving to maintain academic integrity.

Word count: 50579

Awarded by

Prof. Anne Syomwene Kisilu
CERM-ESA Project Leader Date: 17/04/2024