

**How does Citizen Participation impact Decentralized Service Delivery?  
Lessons from the Kenya Local Authority Service Delivery Action Plan  
(LASDAP, 2002-2010)<sup>i</sup>**

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**April 2014**

**Abstract**

Governments at sub-national levels are increasingly pursuing participatory mechanisms in a bid to improve governance and service delivery. Kenya has entrenched public participation in its devolved governance structure based on Constitution of Kenya, 2010 and there is need to look at past experiences for lessons. Using cross-regional secondary data this study assesses the impact of direct citizen participation on decentralized service delivery in Kenya in the period 2002-2010. This was as provided for under the Local Authorities Service Delivery Action Plan (LASDAP). Influence of participation is assessed in terms of how it affects efficient allocation of resources; accountability and reduction of corruption; and, equity in service delivery. It finds that the participation of citizens has been minimal and the resulting influence on the decentralized service delivery negligible. It concludes that despite the dismal impact of citizen participation, the first step towards institutionalizing participation has been made upon which current structures of county governments should build on.

**KEY WORDS:** *Citizen Participation, Decentralized Service Delivery, Kenya*

Citizen<sup>ii</sup> participation in governance and public service delivery is increasingly pursued in a bid to improve the performance of governments. This is particularly the case at the local level where services need to be differentiated according to local preferences. As a result recent focus of decentralization reforms has been on the government's relationship with the citizens (Brinkerhoff, et al., 2007). In this context, decentralization is seen as a conducive means of achieving principles of good governance, by what Cheema (2007, p.171) calls, 'providing an institutional

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<sup>1</sup> The author is grateful to Prof. Isabella Proeller of University of Potsdam, Chrispine Oduor of Institute of Economic Affairs and Gladys Mbai for their invaluable input. The author can be reached via [www.abrahamrugo.com](http://www.abrahamrugo.com) or [abrahamrugo@gmail.com](mailto:abrahamrugo@gmail.com)

framework at the sub-national level through which groups and citizens can organize themselves and participate in political and economic decisions affecting them'. This requires local government units that have the political space and capacity to make and effect decisions.

Despite the theoretical underpinnings and advocacy for citizen participation in decentralized service delivery, evidence on the resulting impact is mixed at best especially in a developing country's context. Available studies look at how decentralization enhances participation (Von Braun and Grote, 2002; Ahmad, et al., 2005; Kauzya, 2007; Brinkerhoff, et al., 2007); design and emerging mechanisms of participation in sub-national governments (Azfar, et al., 1999; Kauzya, 2007; United Nations (UN), 2008; John, 2009; Matovu, 2011; Joshi and Houtzager, 2012); and, factors influencing citizen participation in local governments (Esonu and Kavanamur, 2011; Yang and Pandey, 2011; Bay, 2011; Michels, 2012). Notably, few studies have examined the direct impact of participation on decentralized service delivery outcomes especially in the developing countries (Putnam, 1993 cited in Azfar, et al., 1999; Fiszbein, 1997; Isham and Kähkönen, 1999; Devas and Grant, 2003; Oyugi and Kibua, 2008). Using a cross section of secondary data on participation in Local Authorities in Kenya, this study seeks to explore this link. Three questions are investigated in this study: What has been the nature of citizen participation in local governance in Kenya?; How has citizen participation influenced local service delivery in Kenya?; and, What should be the imperatives of an effective framework of citizen participation in Kenya?

## **State of Research**

Citizen participation, according to Devas and Grant (2003:309), is the 'ways in which citizens exercise influence and control over the decisions that affect them'. Citizen participation is increasingly becoming a core aspect of decentralization reforms which according to Rondinelli (1999:2) entails 'the transfer of authority and responsibility for public functions from the central government to subordinate or quasi-independent government organizations or the private sector'. In this context, participation can be directly or indirectly. Direct participation, the focus of this study, occurs where citizens - individually or in various forms of self-organization - are actively engaged in the decision-making processes on matters affecting them. Indirect participation is where citizens express their preferences through their elected and other representatives. Citizen participation can be both a goal of and a means to effective decentralization (Kenya Institute of Public Policy Research and Analysis (KIPPRA) 2006). As a means to effective decentralization, citizen participation improves service delivery by affecting its key determinants including allocative efficiency, accountability and reduction of corruption, and equity (Azfar, et al., 1999;

Robinson, 2007). It enhances allocative efficiency by providing the means for ‘demand revelation thus matching of allocations to user preferences’ (Azfar, et al., 1999, p. 13). On accountability and reduction of corruption, citizen participation facilitates information dissemination and increased public awareness on the actions of government. This is particularly so where it ‘increases the political cost of inefficient and inadequate public decisions’ (*ibid*, p.13). Inclusion of the marginalized and the poor in decision making would lead to pro-poor policies hence assuring equitable service provision. In light of these, citizen participation in decentralized service delivery has been increasingly supported so as to provide the necessary impetus to keep the local governments focused on the objects of decentralization.

Mechanisms<sup>iii</sup> of citizen participation can largely be categorized into vote and voice (Kauzya, 2007). Vote is the means through which citizens select their representatives at the local level. Decentralization facilitates this by putting in place structures that allow citizens to exercise their voting power with limited ‘hindrance or interference from the central government’ (*ibid*, p. 76). Voting can be limiting as participation is only interpreted as elections, which in many countries happens once in every three to five years. Participation in terms of voice is where citizens have the opportunity to influence ‘the making, implementation, monitoring and evaluation of decisions that concern their socio-politico-economic wellbeing and to demand accountability from their local leadership’ (*ibid*, p. 78). Theory suggests that the benefits of citizen participation are optimized when both vote and voice mechanisms are institutionalized in decentralized systems (Azfar, et al., 1999, 2004). Commonly used mechanisms include elections, surveys, town hall meetings, public hearings, hotlines, direct community involvement, participatory planning and budgeting, and monitoring and evaluation.

In assessing the influence of citizen participation on local public service delivery, it is worth noting that there are other factors<sup>iv</sup> that may be equally influential, hence attributing the local service delivery outcomes singly on citizen participation becomes a difficult task. Infact, Cheema and Rondinelli (2007:9) observe that the relationship between citizen participation and decentralization is ‘conditioned by complex political, historical, social, and economic factors’ which differ in magnitude and importance from country to country. Secondly, there is a dearth of data on the relationship between participation and service delivery outcomes. Robinson (2007:7) observes that ‘there is no systematic or comparative evidence on whether increased citizen participation in decentralized local governance generates better outputs in provision of education, health, drinking water and sanitation services’. Where data is available it is ‘from single countries and sector or is anecdotal and temporarily specific and highly localized thus rendering generalization problematic’ (*ibid*, p.7).

The above notwithstanding, there are a number of studies that provide us a glimpse into the relationship between citizen participation and decentralized service delivery. One such study was on demand-responsiveness of decentralized water service delivery in Central Java, Indonesia (Isham and Kähkönen, 1999). It found that only if users were directly involved in service design and selection, were services likely to match users' preferences. Informed participation saw households willing to pay for more expensive technologies than the leaders would have chosen for them. Another study in Colombia by Fiszbein (1997) found that community participation increased demands for effective local governments and also opened the window for building the capacity of the citizens. A third study of Italian regional governments (Putnam, 1993 cited in Azfar, et al., 1999:15) found that 'governments that were more open to constituent pressure, managed and delivered services more efficiently'. Devas and Grant (2003) established a shift in expenditure priorities in local authorities in Kenya as a result of citizen involvement in decision making through LASDAP.

A key internationally recognized successful case of local participation is that of participatory budgeting and auditing in Brazil's southern city of Porto Alegre (United Nations (UN), 2005; Cheema, 2007; Van Speier, 2009). Beginning in 1989 when the Brazilian Workers Party (PT) won the municipal elections, local assemblies have been organized to propose, debate and decide on 'allocations and spending of the municipal investment budget' (Cheema, 2007:182). As a result, as of 1996 the 'number of households with access to water services had increased by 18 per cent, the municipal sewage system was expanded by 39 per cent and the number of children enrolled in public schools doubled' (*ibid*, p.182 citing various World Bank reports). The observed outcomes were found to have increased the trust of the people in government and motivated them to pay taxes leading to a 50 per cent increase in government revenues. Van Speier (2009:157) in his review of Ian Bruce's book, *The Porto Alegre Alternative: Direct Democracy in Action* has observed that participation energized citizen involvement and especially of the poor and illustrated the 'positive effects that government-supported citizen participation can have on urban planning'. Michels (2012) in a study on *Citizen Participation in Local Policy Making: Design and Democracy* in developed countries found an impact in 11 cases of participatory governance and five of the deliberative forums<sup>v</sup>. The study found that citizen participation had a clear impact on policy through participatory governance than through deliberative forums.

Notable in the above studies is that the influential potential of citizen participation is only unleashed when other enabling factors are addressed. These according to Robinson (2007:13) are a combination of 'political, institutional, financial and technical factors' at play within the local government. The education, socio-economic status, and networks that citizens have are key factors in determining whose voice

gets heard and what decisions get adopted (John, 2009). Information – its quality, accessibility, accuracy – is also a key determinant in ensuring an effective influence (Devas and Grant, 2003). Yang and Pandey (2011:889) establish that ‘public management factors matter in citizen participation’. Particularly they establish that red tape and hierarchical authority are negatively associated with participation outcomes. Positive outcomes are associated with elected official support, transformational leadership of the chief executive officials, and, the participant competence and representativeness. The above variables were found to be significant even when ‘participant competence, representativeness, and involvement mechanisms’ (*ibid*, p.889) are controlled for. These factors point to the need for intentional action and will of both the government officials and the citizens in making participation work. In fact, Bay (2011 citing Avritzer, 2009) observes that participation is only likely to work where government officials (especially politicians) and citizens agree. It is only in such an environment that citizen’s preferences are likely to be taken seriously.

## **Framework and Hypothesis**

The increasing support of citizen participation in decentralized local governance warrants a closer look. This is particularly so in the face of limited empirical evidence to support the theoretically based positive effects attributed to direct citizen participation. Thus the question is, how does citizen participation influence decentralized service delivery? And how can such influence be determined? To carry out this inquiry this study assumes the argument that citizen participation influences service delivery outcomes through impacting its determinants or characteristics that include efficient allocation of resources, equity in service delivery, and, accountability and reduction of corruption (Azfar, et al., 1999; Von Braun and Grote, 2002).

Citizen participation, the independent variable, is operationalized in terms of the mechanisms or instruments through which citizens have a contact with decentralized service delivery. In this study it narrows on one mechanism of voice relating to the stages of service delivery, that is, planning, budgeting, implementation, and monitoring and evaluation. This is in terms of how and where in the service delivery cycle the citizens participate.

The dependent variable, decentralized service delivery, is operationalized by indicators of allocative efficiency, accountability and reduction of corruption, and equity in service delivery. These are picked as key indicators of whether service delivery has improved or not, in line with the common objectives of decentralization. In this study these indicators and the corresponding hypothesis are conceptualized as follows:-

(a) *Allocative efficiency*: This is the extent to which the services delivered match the preferences of the citizens. It is assessed by the extent to which citizen needs expressed in proposals are reflected in the decisions and final services provided. It is expected that through participation by citizens, local governments have better knowledge of the preferences and hence can vary services to suit demands (Azfar, et al., 1999:2). In this study allocative efficiency is measured as the degree to which services provided match citizen preferences and the satisfaction level of citizens with it.

(b) *Accountability and reduction of corruption*: Accountability is the practice where service delivery agents make public, and are responsible for their actions. In this case it is the extent to which officials of the local government give account to the citizens on the resources at their disposal and how they have been used in service delivery. Reduction of corruption is the extent to which abuse and misuse of public resources for private gain has been controlled and minimized. Where those charged with decentralized service delivery apply all resources for the intended purposes. It is also seen as the measure to which transparency through information sharing is practiced. According to Devas and Grant (2003), enhanced citizen participation can strengthen accountability. In so doing 'citizens should have accurate and accessible information about local government: about available resources, performance, service levels, budgets, accounts and other financial indicators' (*ibid*, p. 310). This indicator is assessed based on records of information accessibility, level of information asymmetries in the local government, and existing structures of demand and supply of accountability.

(c) *Equity*: This has to do with geographical and demographic targeting of services especially to the neediest groups in the society. This includes targeting the poor and marginalized who have previously been ignored. It implies that citizens contribute according to ability but are allocated according to need. Although Azfar, et al., (1999) observe that genuine decentralization results in inequity, they do argue that local initiative (participation) coupled with equalization transfers can remedy the problem. In this study equity is assessed as the extent to which the voice and preferences of the marginalized are incorporated in decision making.

## **Data and Methods**

This study presents the case of citizen participation in decentralized service delivery in Kenya. It uses a case study approach and employed secondary data from available literature as well as personal experiences of the researcher<sup>vi</sup>. Use of data from

different sources based on sampling of various political and administrative units enables to provide a comprehensive picture of citizen participation.

## Results and Analysis

Kenya is a country in the East of Africa with a population of about 40 million people (Kenya National Bureau of Statistics (KNBS), 2010). At independence from the British in 1963 Kenya adopted a devolved system of government. This was however short lived as barely a year later the constitution was amended making Kenya a unitary state with a strong central government (Constitution of Kenya (Amended), 1964). The local government system was reviewed under the Local Government Act Cap. 265 of the laws of Kenya and became fully subject to the central government through the Ministry of Local Government (MoLG). Thus Kenya, despite having the LAs, has maintained a highly centralized government that according to Mwenda (2010:10) has had ‘an overbearing control over the sub-national governments’. As a result ‘the country has had no real experience with decentralization (*especially political decentralization*)’ (*ibid*, p. 11, italics added). LAs were expected to ‘provide facilities and services necessary for local and national development’ (Oyugi and Kibua, 2008:199). Politically, each local authority has a council comprised of elected, nominated and appointed members<sup>vii</sup> that provides oversight and makes policies and by-laws for application within its jurisdiction. The council provides checks and balances for the executive power within the LA. Administratively, the LAs have an executive headed by the clerk. The clerk and other senior executive officers are appointed by and accountable to the central government. The executive hires members of the public service within the LAs and are responsible for service delivery. On fiscal arrangements, the LAs have internal sources of revenue, and can borrow from the domestic and international markets to meet their budget deficits.

In the late 1990’s as part of the Kenya government’s public sector restructuring, the Kenya Local Government Reform Programme (KLGRP) was established to coordinate reforms and management of LAs (Hongo, 2010). This, according to Oyugi and Kibua (2008:199) was to involve ‘restructuring of the local public sector, improving local public expenditure management, and to strengthen local level accountability mechanisms’. This was to focus on each of the 175 LAs which entail three city councils, 43 municipal councils, 62 town councils and 67 county councils (Mboga, 2007). A key aspect of these reforms was to improve local service delivery by, among other means, institutionalizing citizen’s voice in decision making. This came against a background of poor performance in local service delivery, huge debt burdens, and gross mismanagement of resources in Local Authorities (LAs). The formal (state) mechanism established for citizen participation has been the Local Authorities Service Delivery Action Plan (LASDAP) (Ministry of Local Government

(MoLG), 2001). Established in 2001, LASDAP was to ensure that citizens residing in each LA's jurisdiction participated in decision making, implementation and monitoring of service delivery. It was to accompany fiscal decentralization under the Local Authority Transfer Fund (LATF) (LATF Act No. 8 of 1998) which is supported by the Local Authority Transfer Fund Regulations of 1999 (LATF Regulations Legal Notice No.142, 1999). Submission of plans developed with the citizen participation is one of the conditions for the disbursement of the 40 per cent performance component of LATF (*ibid*).

### **What was the nature of Citizen Participation in LAs?**

LASDAP provided opportunities for citizens to participate in a number of ways and at different levels. First were the *consultative meetings* which were held annually in every ward of the LA convened by the elected councilor of the ward. It provided a local platform of identifying priority projects<sup>viii</sup> to be implemented. Priority should be on projects that enhance poverty alleviation based on poverty demographics of the ward. Secondly were the *consensus meeting* that brought together the LA's technical team and the representatives elected at the consultative meetings to decide which projects identified should be adopted in the council plan and budget. Thirdly, citizens were to participate during implementation through membership in the *project committees*. A maximum of 7 community members were elected on a volunteer basis to take charge of a single project and ensure that it is completed as expected by community. Upon completion the 7 could be retained to be the management committee or other persons are elected. Fourthly, in *monitoring the project implementation*, the community members together with the project committee had a responsibility to ensure that all requirements of the project were adhered to.

Available data (See Appendix I) on the level of awareness and participation of citizens in the LASDAP process shows the levels of awareness of LATF and the LASDAP process are high at a national average of 66.4 percent (KHRC & SPAN, 2010). However, the actual levels of participation are low especially with regard to management of services (10.6%), monitoring of services (12.7%), budgeting and planning (13.3%), and implementation (13.6%). In comparison, participation is only higher at project identification (26.4%) which corresponds with a positive response of 39.1 percent that find the services undertaken to meet the community needs. Whereas an average of 10.6 percent of the respondents has personally been involved in the management of local service delivery, it is notable that 47.7 percent indicated that they were aware that citizens are involved in the management. 32.7 percent of the respondents were aware of the management guidelines of LASDAP projects.



From a gender perspective, males are relatively more aware (57.4%) than females (54%). However the females are more involved in identification of projects, and in budgeting and planning. The females register a higher satisfaction rate with projects implemented than males at 34.4 and 19.7 percent respectively. Males participate more in implementation, monitoring and management. They (males) were more aware on guidelines and also indicated greater knowledge of citizen involvement in management of the services. On means of communication on management of LATF the study found that most people (14.8%) get information through interpersonal contacts, 10 percent from the radio, and, 10 percent from reports of the LA officials. 7.2 and 1.9 percent get information from the newspaper and television respectively. On the frequency of getting information, 7.4 percent get it always, 22 percent get it sometimes, 27.3 percent get it rarely, 6.4 percent never get it at all, while 1.1 and 35.8 percent had missing information and none applicable respectively (KHRC & SPAN, 2010).

From the *Study on the Impact of LASDAP* (Lubaale, et al., 2007), commissioned by the KLGRP it is established that LASDAP has ‘enhanced citizen participation and provided the tools for more equitable and participatory allocation of resources from the LATF’ (*ibid*, p.xii). However the participation is limited to mere consultation and not much involvement in implementation and monitoring stages of local service delivery. Participation is highest in LAs with small populations, that is, town and county councils. Unfortunately, the study has neither established the quality of participation nor the type of participants as the LAs did not keep such records.

The data above as well as experiences of the researcher indicate that the participation of citizens in LA’s service delivery has been minimal. It has been limited in space and thus influence. The only direct participation seems to be by being consulted on what projects should be done and even this is not always binding. Though the studies show an increased awareness of the existence of a LASDAP process, this knowledge seems not to translate into active participation. Also the participation is seen to decrease as the process progresses from needs identification to implementation and monitoring and there is basically no concrete participation in evaluation going on. With limited and at times no information on what is being done by the LA means that the citizens had no idea of how, when and where they should participate. This gives a great advantage to the LA officials (especially the councilors) to use the information for their benefit. From the findings it is clear that the domination of councilors on the LASDAP process has stifled participation and made independent citizen input of little effect. Further the annual consultation meeting in each ward can barely be termed as participation as it’s attended by hundreds of persons and mostly, what the councilors want is what gets done at the end. Anecdotal evidence indicates

that local elites prefer to engage directly in informal settings with the LA officials some of who are their peers as opposed to attending the consultative meetings.

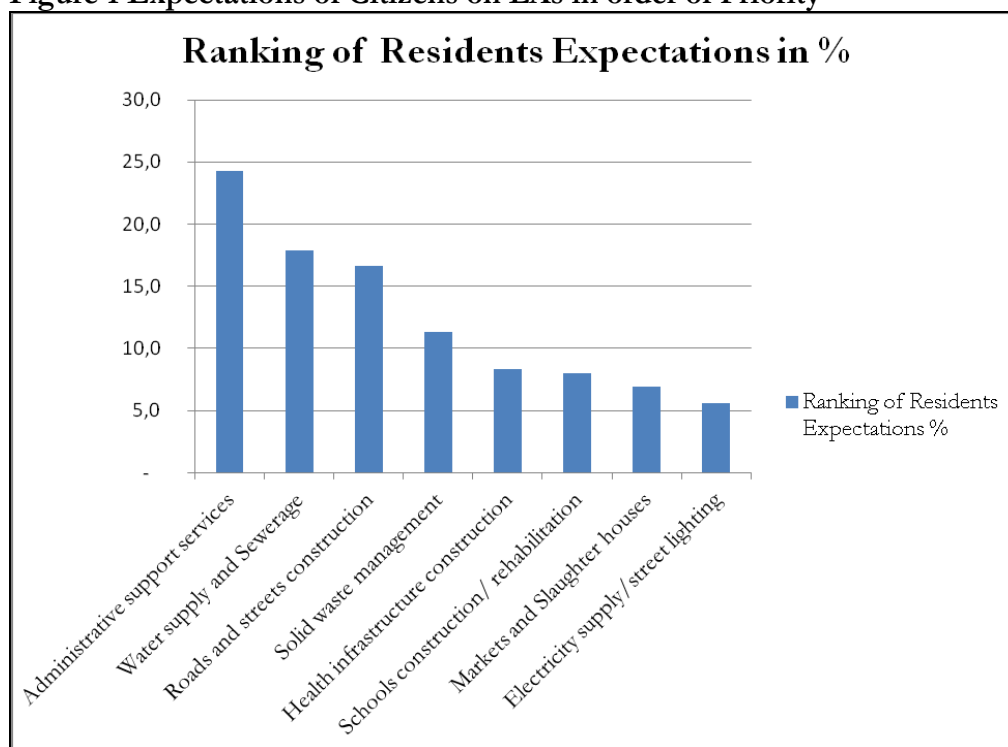
### **Assessing the effects of Citizen Participation on Decentralized Service Delivery in Local Authorities**

Influence of citizen participation on decentralized service delivery is here assessed on three main parameters namely; allocative efficiency, accountability and reduction of corruption, and, equity in service delivery. An overall observation is that the effect of citizen participation on these parameters of decentralized service delivery has been minimal. Each of the parameters is hereafter discussed.

#### **(a) Allocative Efficiency**

Decentralized service delivery is premised on the fact that lower level units of government have information necessary to enable better matching of services with citizen preferences. Citizen participation is expected to increase the availability of such information and should thus enhance allocative efficiency. This study finds that LASDAP has, albeit in a small way, led to increased allocative efficiency. Figure 1 shows ranking of citizen expectations with the highest being administrative support services followed by water, roads, solid waste management, health infrastructure, schools, markets and electricity supply including street lighting. In agreeing with these expectations the study by Devas and Grant (2003) indicated that there had been a shift on expenditures from vehicles and office equipment to services in health, transport infrastructure and water.

**Figure 1 Expectations of Citizens on LAs in order of Priority**



*Source: Constructed from Syagga & Associates, 2007, p. 34*

This is also the finding by Syagga and Associates (2007) and Oyugi and Kibua (2008) who showed that the highest expenditures in the LAs were in education, health, water and physical infrastructure. Particularly table 1 shows the change in expenditures between 1999 and 2006. It is notable that save for drastic reduction in expenditures on administrative support services<sup>ix</sup> which are most expected by citizens, there is an increase in expenditures on health infrastructure, solid waste management, water and sanitation, schools and other services such as sports and recreational facilities. There is a marginal increase in expenditures on roads, electricity supply and street lighting. This last observation can be explained by the fact that road services are under the Kenya Roads Board (KRB) and their local services are financed by the Roads Maintenance Levy Fund (RMLF) which is separate from LATF. However, this may not hold water as a part of the RMLF is allocated for to the LAs for roads maintenance. Electricity provision is financed by the Rural Electrification Programme Levy Fund (REPLF) and is thus not a key expenditure for LAs. Street lights are a responsibility of LAs and it is not clear why the expenditures have decreased<sup>x</sup>

**Table 1: Comparison of Capital Expenditures of all LAs in 1999 and 2006**

Service/Project Type	Number of Projects at June 1999	Number of Projects at June 2006	Total Expenditure as of June 1999	Total Expenditure as of 30 June 2006	Percentage of total Expenditure 30 June 1999	Percentage of total Expenditure 30 June 2006	Percentage change in expenditure
Solid waste, water and sanitation	106	614	47,769,000	160,132,000	7.3	17.0	+9.7
Roads	232	468	119,681,000	315,705,000	18.2	20.9	+ 2.7
Health infrastructure	24	416	13,233,000	115,015,000	2.0	7.6	+ 5.6
Schools	35	973	6,773,000	228,037,000	1.0	15.1	+14.1
Markets, slaughter houses/bus parks	283	184	131,206,000	125,520,000	19.9	8.1	- 11.8
Electricity supply/street lighting	11	51	6,066,000	23,063,000	0.9	1.5	+0.6
Administrative support services	67	62	116,419,000	25,154,000	17.7	1.7	- 16
Motor vehicles /equipment	185	156	194,896,000	186,903,0000	29.6	12.4	- 17.2
Others <sup>2</sup>	50	681	22,823,000	331,555,000	3.5	20.8	+17.3
<b>Total</b>	<b>1013</b>	<b>3,605</b>	<b>658,867,000</b>	<b>1,511,084,000</b>	<b>100.0</b>	<b>100.0</b>	

Source: Syagga & Associates, 2007, p. 35

<sup>2</sup> This includes sports and recreation facilities and housing.

This evidence is a clear indication that LAs have been allocating resources where the citizens expect. However, this study notes that this may not necessarily be entirely an outcome of citizen participation. This is because despite the observations on allocations, the satisfaction of citizens on service delivery is rather low. Table 2 shows that not more than 40 per cent of citizens are happy with type of projects undertaken, the costs they incur, and their management and completion rate. This also corresponds with low participation in the implementation and management of projects (See Appendix 1).

**Table 2 Linking Citizen Participation and Satisfaction with Service Delivery**

Mode of Participation	% Positive/Yes Response by Residents (N=557)	% Positive Response by Groups/Institutions (N=140)	Corresponding Level of Satisfaction	Multiple Responses by Residents (N=557)	Multiple Responses by Groups/Institutions (N=140)
Knowledge of LAF	70.6 %	82.9 %	Satisfied with factors in project identification	77.3 %	78.0 %
Participated in project identification	40.5 %	38.6 %	Satisfied with type of projects	36.1 %	38.5 %
Received feedback after project identification	50.0 %	54.5 %	Satisfied with Project costs	31.7 %	31.6 %
Involved in project implementation	18.9 %	25.5 %	Satisfied with management of projects	22.8 %	24.5 %
Involved in project monitoring	17.8. %	25.2 %	Satisfied with Completion rates of projects	12.4 %	12.6 %

*Source: Generated from Syagga & Associates, 2007, p. 36-37*

### **(b) Accountability and Reduction of Corruption**

Lower levels of government are expected to be more accountable to the citizens by virtue of their proximity. Such proximity is also seen as a way of ensuring that citizens can demand for accountability and access information necessary to reduce corruption. The evidence provided in this study shows that there is still limited information accessible to the citizens that would make them play a key role in

demanding accountability and controlling corruption. The fact that the chief executive officer (the clerk) and other senior executive officials of the LA are appointed by the central government means that they owe allegiance upwards and are not obligated to account to the citizens. Further, the Local Government Act (Cap. 265) gives decision making power to the full council and this has been used to justify instances when citizen's preferences as expressed in consultative and consensus meetings are overruled.

While this study does not find any credible evidence to show how citizen participation has impacted on reduction of corruption, the secrecy in the operations of the council and especially in the use of resources can only be interpreted as an intention to mismanage public resources. In fact in their conclusion, Oyugi and Kibua (2008:229) note that 'inadequate participation of stakeholders in LASDAP has created the suspicion that both the councilors and the council staff are in cahoots to mismanage and misappropriate the funds meant for local development'. The dominance of the councilors in the process has been such that they not only decide what projects will be done and how much will be spent on them, but also decide which contactor is given the work. Yet it's the same council that is expected to receive evaluation and audit reports. This lack of separation of powers further points to the potential for increased corruption. Also as established by Lubaale, et al., (2007) cases of 'completed' projects that could neither be physically verified nor were known to the citizens despite evidence that resources allocated to them had been expended, show that corruption was rife. It is thus no surprise that citizens have continuously rated LAs as being among the most corrupt organizations as evidenced the KBI reports cited here (See Table 3).

**Table 3: Rating Corruption in Local Authorities**

<b>Year</b>	<b>Aggregate Index<sup>xi</sup></b>	<b>National Rank</b>
2002	36.1	6
2003	17.3	20
2004	25.2	3
2008	47	2

*Source: Reports of the Kenya Bribery Index, Transparency International-Kenya, 2004, 2005 and 2008*

### **(c) Equity**

Equity is achieved where resource allocation and service provision is pursued based on the differentiated needs of various citizen groups. It thus implies that not all areas get the same degree of resources and services but rather they get what they need most. Equitable service provision is a central argument for decentralization as local

units are expected to pursue pro-poor programmes based on their information advantage. The evidence alluded to in this study provides a minimal case for equitable service provision. It is here established that while citizens give their preferences according to their needs, the budgeting is done in such a way that each ward is allocated the same amount of resources. This equal treatment of unequal circumstances can only lead to greater inequality. Thus equity has not been achieved by the LASDAP process.

### **What are the imperatives of an effective framework of Citizen Participation in Local Government?**

From the foregoing discussion, this study seeks to establish what an effective citizen participation framework should entail. It observes that first and foremost, there should be a separation of functions between the executive and legislative functions by officials in the local government. The elected representatives should particularly not be in charge of the participation process but should play a policy formulation and oversight role. This would provide the checks and balances necessary for effective service delivery in a democratic context. This is what the Constitution of Kenya, 2010 has provided for by through creation of an executive and legislative arm of the county governments. It remains of interest to see how the two will relate and work independently yet collectively for the development of their areas.

Secondly, participation cannot be left to chance and convenience of the actors involved. It needs to be planned for in terms of time and resources. As such participation should be entrenched in a well articulated legal framework. Part of the failure of LASDAP has been that it is not legally enforceable especially when duty-bearers abdicate their responsibility to citizens. The said legal framework should provide strict regulations on use of resources and allowing citizens a legal recourse where their voice is ignored or their resources misused. The Constitution of Kenya, 2010 requires citizen participation to be institutionalized in all aspects of planning, budgeting and service delivery by both national and county governments. Specifically, part eight of the County Government Act, 2012 provides for the principles of citizen participation in County governments processes. It allows citizens the right to be heard through forums, petitions and even referendum as well as be responded to promptly.

Thirdly, capacity of stakeholders (citizens) to participate effectively should not be assumed. Thus in addition to resource allocation for service delivery, there should be allocation of resources for awareness raising and capacity building of both the local government officials and citizens on their joint role in the participatory process. Empowerment of the citizens should be seen as an equally important aspect of

improving service delivery as it shows the value the local government places on its citizens. The government officials should see their role as facilitators and not just implementers of service delivery. It is this attitude of partnership that would be most beneficial in seeking mutual cooperation in service delivery.

Fourthly, participation should be premised on a long term development framework. Strategic goals should be identified with the input of citizens which should then guide the choice of public investments. This would serve to provide a sense of direction and continuity when participants or local government officials change. It is this overall strategic long term orientation that would help guide equitable choices that ensure all areas of the local government's jurisdiction are addressed. This would be opposite to the practice with LASDAP where many small projects are pursued without a cohesive goal that they seek to achieve. Part ten of the County Government Act, 2012 provides for civic education as a means of building the capacity of citizens and government officials on the essence of local governance. This capacity building needs proper planning and resource allocation.

Fifthly, it is important that participation be towards influencing all service provision in the local government unit. The practice in LASDAP has been that citizens are only involved in the planning for a limited resource allocation and not all of the LA resources. An involvement in overall planning of the local government services would serve to give citizens a clearer picture of what is happening in their local government and could lead to their willingness to participate in meeting the costs of service delivery. It would also lead to reduction of opportunities for corruption as all resources are made known to the public. In both the Public Finance Management Act, 2012 and the County Government Act, 2012, citizens are accorded the opportunity to participate directly and indirectly (the members of the County Assembly) in the planning, budgeting, implementation and evaluation of how services are delivered.

## **Conclusion and Research Agenda**

A key danger in embarking on study as wide as this is three-fold. First, it makes rather broad generalizations on the state of citizen participation in the 175 LAs and yet there may be detailed variations within each unit. Secondly, the impact of citizen participation just like other developmental initiatives takes long to be realized fully. Thirdly, and most relevant is on its reliance on secondary data and yet the objectives of the studies used may be at variance with those of this study. This study was alive to these facts and made due diligence to use the information available with integrity.



It concludes that the citizen participation through LASDAP has had minimal influence on the decentralized service delivery in local authorities. It finds that the decision space has been limited to a few resources and hence the overall influence even where fully exerted can only make a little difference. Participation emerges as only a commitment in rhetoric as there is little effort to institutionalize and act on the preferences of citizens. On the citizens side it concludes that lack of awareness and inadequate capacity to participate has hampered their input in the process. It finds that the situation is worsened by the fact that provision on participation was without review of the power for decision making given to the full council and executive officials of the LAs. This conclusion notwithstanding, it must not go unmentioned that LASDAP has definitely ushered a process towards greater institutionalization of citizen's voice in local decision making that will be hard to reverse in the future. It has established a learning ground that future structures of participation will build on. It is thus of essence that county governments do take these lessons into consideration when planning and implementing citizen participation requirements.

Future research should seek to establish best practices within different local areas with an intention to share them with other local governments. More so there is need to explore how best the conclusions drawn here and in similar studies can be integrated into the decentralization reforms that Kenya is currently undergoing as guided by the *new* Constitution of Kenya of 2010.

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**Appendix I: Awareness and Citizen Participation in LATF Management (LASDAP Process)**

	Gender		Local Authority & Constituency								National Average
			City Council of Kisumu	County Council of Taita Taveta	City council of Nairobi	Municipal Council of Kabarnet	Municipal Council of Mumias	Mandera County Council	Nyeri Municipality	County Council Isiolo	
Issue	Female	Male	Kisumu Town East constituency	Mwatate constituency	Makadara constituency	Baringo Central constituency	Mumias constituency	Mandera West constituency	Nyeri Town constituency	Isiolo North constituency	
<i>Awareness (Yes %)</i>	54.0	57.4	61.7	64.9	58.6	41.4	81.8	72.3	79.7	70.6	66.4
<i>Citizens' involved in project identification (Yes %)</i>	21.3	19.7	13.6	22.8	41.4	7.1	56.4	20.0	23.2	26.7	26.4
<i>Citizens' involved in budgeting and planning (Yes %)</i>	9.9	9.8	7.4	10.5	30.0	1.4	32.7	6.2	4.3	13.8	13.3



<i>%)</i>											
<i>Citizens' involved in implementation (Yes %)</i>	10.4	13.1	9.9	10.5	28.6	1.4	29.1	7.7	7.2	14.7	13.6
<i>Citizens' involved in monitoring (Yes %)</i>	12.4	13.1	12.3	1.8	30.0	4.3	25.5	10.8	4.3	12.9	12.7
<i>Aware of the management guidelines (%)</i>	26.2	31.1	25.9	19.3	34.3	20.0	61.8	27.8	37.7	35.0	32.7
<i>Citizens are involved in management of services (Yes %)</i>	37.6	42.6	44.4	33.3	40.0	25.7	76.4	56.9	53.6	51.2	47.7
<i>Has been involved in its management (Yes %)</i>	9.9	13.1	9.9	7.0	5.7	7.1	20.0	10.8	13.0	11.0	10.6

<i>Addresses priority needs of community? (Yes %)</i>	34.4	19.7	34.6	31.6	34.3	11.4	69.1	33.8	20.3	78	39.1
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*Source: Kenya Human Rights Commission (KHRC) and Social and Public Accountability Network (SPAN), 2010, p. 40*

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<sup>i</sup> This paper draws from a master's thesis report by the same author titled *Decentralization, Citizen Participation and Local Public Service Delivery in Kenya*. The full paper is published at Potsdam University Press and available at [http://opus.kobv.de/ubp/volltexte/2013/6508/pdf/master\\_muriu.pdf](http://opus.kobv.de/ubp/volltexte/2013/6508/pdf/master_muriu.pdf).

<sup>ii</sup> In this paper, the terms citizen participation and public participation are used interchangeably

<sup>iii</sup> At a functional level the mechanisms can also be categorized as state and non-state mechanisms. State mechanism refer to those spaces created by the government for citizen participation, while non-state mechanisms refers to those spaces created by non-state actors in a bid to engage and influence the management of decentralized services.

<sup>iv</sup> These other factors include the political framework, form of local leadership, fiscal aspects of decentralization, transparency of government actions, the effectiveness of the civil society, aspects of the social structure and the capacity of the sub-national governments. See Azfar, et al., 1999, 2004; Cheema and Rondinelli, 2007, Yang & Pandey, 2011.

<sup>v</sup> This included 20 Cases of Participatory Governance and 19 Deliberative Forums in Australia, Germany, Netherlands, United States, Britain, Spain, Ireland, Israel and Austria. Participatory governance is used in this study to refer to platforms where citizens have an active role in working with government to make policy choices. Deliberative forums are used in this study to refer to platforms where citizens are only involved in discussions on policy alternatives but decisions are made by the government.

<sup>vi</sup> The researcher has been working at the Institute of Economic Affairs - Kenya on projects of empowering citizens to participate in local governance in Kenya for a period of 4 years (February 2007 - March 2011).

<sup>vii</sup> The Local Government Act CAP 265 provides that the nominations and appointments to the councils are approved by the minister for local government. The minister has the power to revoke the nominations and make fresh ones.

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<sup>viii</sup> Services provided under the umbrella of LASDAP are packaged in terms of projects with identifiable geographical locations. They are largely capital in nature.

<sup>ix</sup> This can be explained by an earlier finding by the Omamo Commission (Republic of Kenya, 1995) on the plight of Local Authorities, that established that most of the LAs had exaggerated personnel numbers and were spending up to 70 per cent of their budgets on personnel. Syagga and Associates, (2007) also found cases of 'ghost' workers in the LAs. These are persons who appeared in the payroll but never existed in the workforce of the LAs.

<sup>x</sup> Some LAs have privatized Street Lighting and hence it may not be a direct budget item in their books. An example is Adopt-a-Light Company in City council of Nairobi.

<sup>xi</sup> Aggregate index is calculated between 0-100 with the higher value indicating greater corruption. It is based on six indicators i.e. incidence, prevalence, severity, frequency, cost and size of the corrupt act.