

Revitalising Transformational Governance for Sustainable Development: Perspectives from Kenya by

Joseph Akuma Misati
Lecturer
Department of Sociology and Psychology,
Narok University College
P. O. Box 861,
Narok, Kenya
Cell Phone: +254 - 726 - 493 984
E-mail: josephmisati@yahoo.com

Edward Ontita, PhD
Visiting Research Scholar, Oxford Centre for Mission Studies (OCMS), Oxford,
England
&
Senior Lecturer
Department of Sociology & Social Work
University of Nairobi
P. O. Box 30197 - 00100
Nairobi, Kenya
Email: eontita@gmail.com

Abstract

Efficient delivery of public services in Kenya and other developing countries has for long been hindered by highly centralised governments. Recognising the need to achieve high economic growth and reduce poverty-related inequalities, Kenyans persistently pushed for enhanced decentralisation of governance and development. In response, government has over time initiated numerous reforms, key among them the Vision 2030 blue print and a new constitution aimed at strengthening institutional capacities to improve service delivery, enhance economic governance and promote citizen participation. Despite the gains made, more needs to be done to enhance maximum direct participation of citizens. This paper documents the reforms and their resultant impact on social development in Kenya. It is argued that while decentralisation is a multi-faceted concept comprising three key typologies: Devolution, De-concentration and Participation, the prevailing decentralisation initiatives in the past ignored the key element of citizen participation leading to "public departicipation". It is recommended that mainstreaming transformational leadership, prudent utilisation of devolved funds and institutionalisation of transformed and reformed national and county governance structures characterised by high-level executive capability consistent with a rapidly industrialising country is prioritised. Adoption of e-governance leading to honesty and transparency will facilitate the necessary transformative platform for the public sphere.

Key words: Transformational Leadership, Participatory Governance, Decentralisation, Devolved Funds, Vision 2030, Kenya

Introduction

Governance in Kenya has faced many challenges leading to poor economic performance. It is generally acknowledged that governance influences development, and political maladministration leads to underdevelopment (Misati and Mwenzwa, 2010). Hence with poor governance in most of the developing world generally and Kenya in particular, 'public departicipation' in development has been the norm (Kanyinga, 2001). In this debate one issue that has come out prominently is how to mobilise the local people and facilitate them to utilise their enormous resources and to access the much needed services including education and technology transformation for rapid development. However, for citizens who

have been denied the right to participate in decision-making to gain confidence to reassert their right and for local leadership to start playing their rightful role within participatory and accountable governance – it is imperative that appropriate knowledge, information and skills be imparted to them as a critical necessity (Wanjohi, 2003). Decentralisation is one way of enhancing participation in decision-making for governance and development.

Data for this paper was collected mainly from secondary sources, including sessional papers,

National and District Development Plans and the District Focus for Rural Development (DFRD) Blue Book.

Discourse analysis involving a critical review of existing literature including books and journal articles was adopted. The paper, therefore, attempts to synthesise current knowledge on participatory governance in Kenya with a view to bringing out historical discontinuities in order to inform future initiatives especially those emerging from the framework of the newly promulgated Constitution of Kenya - 2010.

Overview of decentralisation initiatives in Kenya (1964-2010)

At independence in 1963, Kenya was a constitutionally devolved state with various regions (*jimbos*) vested with responsibilities of collection of taxes and provision and maintenance of basic social services (health and education) and minor roads. But by December 1964, the country had reverted to a centralised system of government¹ with the regions becoming provinces as had been the case earlier.

In the subsequent year, the government formulated a premier policy paper, Sessional Paper No. 10 of 1965 on African Socialism and its Application to Planning in Kenya, (Kenya, 1965) in which it was stated that the power to control resource use resided with the state but planning was to be extended to the provinces and local authorities. The 1971 report on public service structure recommended that the planning process be extended to the district and divisional levels. This resulted in the evolution of districts as foci for rural development administration, with the District Commissioners (DCs) becoming chairs to the District Development Committees (DDCs).

In 1983, the District Focus for Rural Development (DFRD) strategy was launched, effectively tasking DDCs with the responsibility of planning and implementing district-specific projects and to encourage local participation in order to improve problem identification, resource mobilisation, project design and implementation. The initiative was, however, found deficient on account of domination by civil service personnel, such as, the DCs; use of centralised system of funds allocation and failure to deploy staff to the grassroots (Chitere and Monya, 1988). A study investigating the level of awareness of citizens on the existence of the strategy found out that generally majority of the respondents were not aware of its existence and that its main limitation lay in the fact that the strategy was mainly manned by the government at the expense of 'community involvement' (Chitere and Mutiso, 1991).

More recently, the Economic Recovery Strategy for Wealth and Employment Creation (2003) outlined interventions and strategies for reducing poverty aimed at enhancing access to benefits of economic growth by the most disadvantaged members of the society. This has resulted in disbursement of financial resources directly to Districts, Constituencies and Local authorities² (Kenya, 2003). However, in a study by Mapesa and Kibua (2006) it was observed that though well intentioned, the fund(s) lacked proper direction and a system-based mechanism for implementation. The programme was initiated and implemented without adequate preparedness in terms of sensitisation and creation of organisational structures and capacities, and development of monitoring and evaluation mechanisms.

Assessing Decentralisation Initiatives in Kenya *Typologies of decentralisation*

Decentralisation, as an overarching concept, is defined as transfer of public authority and resources from national to sub-national jurisdictions and normally comprise three key typologies; Devolution, De-concentration and Participation.

Devolution is basically a political arrangement where power, be it political, administrative and fiscal, is distributed to the territorial units and often entails creation of semi-autonomous local level decision-making centres, which are accountable to their constituents rather than central government. This is the anticipation in Kenya's new constitution in that the county governments proposed will be accountable to local citizens through the county assemblies. Under De-concentration, the transfer of the administrative authority from the centre to the field are enhanced, that is, the state's public services as well as service provision are transferred from the centre and undertaken at lower units ('bringing services closer to the people'). The centre, however, maintains policy and operational control over matters as they unfold at local levels and political power is of necessity not decentralised. On the other hand, Participation is the process by which stakeholders exert influence and share control over priority setting, policy making, resource allocation, and/or programme implementation (World Bank, 2002). It is an empowering process which enables local people to do their own analysis, take command and gain confidence (Nsibambi, 1992; Chambers, 2002).

¹ In December 1964, Kenya became a republic and the major opposition party (KADU) crossed the floor and joined the KAN U government. Consequently, the Majimbo constitution was abolished and the country returned to a unitary state, from the hitherto constitutionally provided for regionalism (Muia, 2009; Chitere and Ireri, 2009).

² The financial resources covered under this category include, Local Authority Transfer Fund (LATF) (1998/1999); Roads maintenance and fuel levy fund (2000/1); Constituency HIV and AIDS fund (2001/2). Free primary education (2003), school bursaries fund (2003) and the Constituencies Development Fund CDF (2003/4).

In developing countries, the need for public participation is particularly important because it fosters good governance and leads to increased social justice by involving the poor and providing genuine discourse between the government and its citizens. Various degrees and levels of participation can be distinguished. According to Moynihan (2003), pseudo-participation suggests a token effort at fostering public involvement, while partial participation indicates that citizens are consulted but have limited impact on public policy. Lastly, full participation indicates that the citizens are fully involved and their views are taken into account. This is illustrated in Figure 1 below.

Level	Representativeness	
	Broad	Narrow
<i>Full Decision</i>	Public officials make decisions but citizens have strong influence.	Public officials and selected interest groups make decisions
Participation	Large, diverse groups of citizens engage in meaningful discourse with government.	Interest groups exert significant influence most citizens lack opportunities to participate.
Partial Decisions	Public officials make decisions; citizens have limited influence	Government elite make decisions; interest groups have limited influence.
Participation	Large, diverse groups of citizens engage in limited discourse with government.	Interested groups exert influence most citizens lack opportunities to participate.
Pseudo Decisions	Public officials make decisions	Public officials make decisions in a non-transparent manner
Participation	Participation is symbolic but involves large, diverse groups of citizens	Participation is symbolic, involving only a small number of citizens

Fig 1: Levels of citizens' participation Source: Adapted from Moynihan, 2003

Arnstein (1969) came up with a ladder constituting three levels of participation among citizens; at the lowest, the citizens are manipulated (non-participation), secondly, at medium level, citizens may merely be informed and consulted to very minimal extents (degree of tokenism) and at the highest level citizens are extensively involved (citizen involvement). Ideal citizen involvement means forming partnerships with communities and delegating decision-making

power. Figure 2 below summarises the levels of public participation.

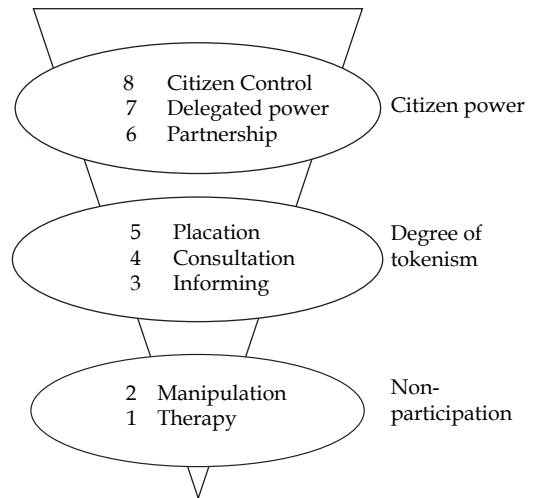


Fig 2: Arnstein's Ladder of public participation Source: Arnstein, 1959

Extent of Popular Participation in Kenya

From the foregoing discussion, it has emerged that over the decades the Kenya government has consistently demonstrated its interest for decentralization. The prevailing decentralisation effort, however, has been one of de-concentration which has not been accompanied by political decentralisation and has thus impinged on participatory democracy (Oloo, 2008). For instance, the central government continues to play a major role in the disbursement of resources to the local units, effectively tying the loyalty of the various local units to the centre. The much celebrated DFRD strategy failed to enhance the local peoples' participation by incorporating some of the programme beneficiaries to represent their communities. It also emphasised involvement of central government field workers and civil servants in the planning and implementation of programmes whose membership constituted 75 percent (Chitere, 1994), contravening the conception of the participatory approach requiring that development workers are obliged to facilitate the process by helping local people identify and solve their own problems rather than planning and implementing programmes (Chambers, 1983). Furthermore, most of the civil servants were not inhabitants of the regions in which they worked and were, therefore, unfamiliar with the "felt needs" of the districts.

The lack of an institutional framework (Act of Parliament) to entrench the outfit further denied its legality. Despite the pressure on the government to establish a legal framework during the period 1992 - 1993, the Draft DFRD Bill was never enacted by parliament. The above limitations notwithstanding, the strategy could have enhanced adequate community mobilisation and participation had it been re-oriented in such a way as to start at the community level and gradually extend to the Divisional, District and eventually to the National level, with the sole aim

of according the respective communities decision-making power.

Additionally, whereas significant progress towards decentralisation was achieved, greater success could have been obtained had the more crucial typology; that of 'citizen public participation' been taken into consideration. It is important to note at this juncture that effective decentralisation requires more than just accomplishment of institutional decentralisation. Decentralisation in its broad sense should, therefore, be likened to the traditional three-legged stool, whose key pillars are; De-concentration, Devolution and Public Participation.

Robinson (2004) contends that participation in a developing country context is a desired and natural outgrowth of trends towards fiscal decentralisation, intended to reduce central control in favour of local preferences that foster efficiency in resource allocation. This is particularly important given the scarcity of resources in these countries and the need to use those available judiciously to stimulate local sustainable development. Local popular participation would enhance ownership of projects, stir innovation and create necessary multiplier effects for local transformation.

Astoundingly, studies indicate that the most recent fiscal decentralisation endeavours, especially the Constituency Development Fund (CDF) intended to uplift the living standards of Kenyans at the grassroots level, have left grassroots leaders and local communities playing no significant role in decision-making and implementation of development (Mwenzwa, 2007; Mapesa and Kibua 2006) leading to public dissatisfaction with their running and performance. This has attracted negative public comments especially with regard to the criteria used in the formation of the CDF Committees, project choice and procurement procedures. Similarly, the CDF programme does not provide suitable mechanisms for popular participation through elective representation. The current practice is that the Member of Parliament (MP) appoints the committee members thereby imposing his proxies. This enables the MP to manipulate projects selection, procurement and even pricing of services and other supplies.

Conclusions and Recommendations

The preceding sections have shown that the failure by the government to adopt a holistic decentralisation strategy has significantly impacted negatively on social development in Kenya. None of the challenges the country faces is more pressing than according citizens more genuine power to effectively participate in development. The need for power to the citizens is important because participation without power can create frustration and give participants a feeling of emptiness. The recently promulgated Kenyan constitution (Kenya, 2010) provides viable proposals aimed at achieving participatory governance. It is,

however, critical to observe that devolution in itself will not enhance 'automatic citizen participation'.

First, it will be imperative that adequate civic education and awareness is provided so that citizens understand their responsibilities in a devolved system. Scholars have cited lack of capacity of many of the actors in developing countries as the reason for governments' resistance to participation by the poor, who generally, have limited education, low literacy levels and hence deficient understanding of the policy process (Anwar, 2007). Hence, civic education is necessary and urgent.

Further, the common practice has been the use of participation as a *cosmetic label* to make whatever is proposed to appear compliant (Chambers, 2002). In essence, participation should not be passive but catalyse change and be devoid of manipulation. This calls for mainstreaming participation aimed at adopting institutional reforms and innovations necessary to bring about full and systematic incorporation of participatory methodologies into the work of institutions so that meaningful stakeholder participation becomes a regular part of project and policy development (Blackburn, Chambers and Garenta, 2000).

In streamlining of devolved funds and democratisation of the budget process, enhanced civic education and making the allocation of grassroots resources more inclusive will suffice. The CDF Act should be amended to come up with democratic procedures of operating the kitty, if it has to be retained in the new dispensation. However, strictly speaking CDF has no place in the new dispensation which emphasises separation of powers among the three arms of the state both at national and county levels. It is inconsistent to retain CDF encapsulated in whatever form of legislation in a territorial unit where the MP is head and hence their role in the management of CDF straddling executive (project implementation) and legislative (representative and watchdog). The same would apply with the provincial administration (DCs and company) through which the executive will easily be re-invented to scuttle popular participation in their out-dated pursuit of security and loyalty objectives. The provincial administration was clearly a part of a police-state type of society whose time has passed.

In the coming decades, new demands will emerge against the backdrop of a fast moving, globalised world. E-governance, which involves governments connecting with their constituents via the web, will entail posting government information online and making it readily available and easily accessible, understandable and usable. The sharing of government data and information with the public will go a long way in providing frankness and transparency before citizens, thus necessitating a transformative platform for the public sphere. The Internet will open up new

frontiers in independent production and exchange of information. This must, however, be anchored in decisive actions against private sector actors that continue to impose pricing barriers to widespread use of and access to Internet across the country and especially in rural areas.

References

- Arnstein, SR (1969) 'A Ladder of Citizen Participation', *Journal of the America Planning Association*, 35(4): 216 - 224.
- Anwar Shah (2007) *Participatory Budgeting*. Washington, DC: The World Bank.
- Barber, B. (1986) *Strong Democracy: Participatory Politics for a New Age*. Berkeley: University of California Press.
- Blackburn, J., Chambers, R. and Garenta, J. (2000) Mainstreaming Participation in Development, OECD Working Paper 10, Washington, DC: World Bank.
- Chambers. R. (2002) *Relaxed and Participatory Appraisals: Notes on Practical Approaches and Methods for Participants in PRA/PLA-related Familiarization*. IDS: University of Sussex.
- Chambers, R. (1983) *Rural Development: Putting the Last First*. Essex: Longman Scientific and Technology Publishers.
- Chitere, P.O. (1994) *Community Development: Its Conception and Practice with Emphasis on Africa*. Nairobi: Gideon S Were Press.
- Chitere, P.O. and Monya, J. (1988) 'Decentralization of Rural Development: The Case of the Kenya District Focus Approach'. *African Administrative Studies*. No.32: P.31-58.
- Chitere, P.O and Mutiso, R. (1991) *Working with Rural Communities: A Participatory Action Research in Kenya*. Nairobi: University of Nairobi Press.
- Kanyinga, K. (2001) 'Leadership and Governance in Post-colonial Africa'. In Bahemuka, J.M. and J.L. Brockington (Eds.) *East Africa in Transition: Communities, Cultures and Change*. Nairobi: Acton Publishers, PP: 36 - 46.
- Kenya, Republic of (2003) *Economic Recovery Strategy for Wealth and Employment Creation: 2003 - 2007*. Nairobi: Ministry of Planning and National Development.
- Kenya, Republic of (2003) *Laws of Kenya: The Constituency Development Fund Act*. Nairobi: Government Printers.
- Kenya, Republic of (2010) *Laws of Kenya: The Constitution of Kenya*. Nairobi: National Council of Law Reporting.
- Kenya, Republic of, (1983) *District Focus for Rural Development Strategy*. Nairobi: Government Printers.
- Kenya, Republic of (2005) *Constituency Development Fund Guidelines*. Nairobi: Constituency Development Fund Board.
- Kenya, Republic of (1965) *Sessional Paper No. 10 on African Socialism and its Application to Planning in Kenya*. Nairobi: Government Printers.
- Kibua N.T. and Mwabu, G. (Eds.) (2008) *Decentralization and Devolution in Kenya, New Approaches*. Nairobi: University of Nairobi Press.
- Klugman, J. (2002) *A Source Book for Poverty Reduction Strategies*. Washington DC: World Bank.
- Mapesa, B.M. and Kibua, N.T. (2006) *An Assessment of the Management and Utilization of the CDF in Kenya*. Discussion Paper No. 076/ 2006. IPAR - Institute for Policy Analysis and Research Nairobi: IPAR.
- Mikkelsen, B. (2005) *Methods for Development Work and Research: A New Guide for Practitioners*. New Delhi: Sage Publications India (Pvt.) Limited.
- Misati, J.A. and Mwenzwa, E.M. (2010) 'Kenya's Social Development Proposals and Challenges: A Review of Kenya Vision 2030 First Medium-term Plan, 2008 - 2012'. *Mara Journal of Education and Social Sciences*.
- Moynihan, D. (2003) 'Normative and Instrumental Perspectives on Public Participation: Citizen Summit in Washington, D.C', *American Review of Public Administration* 33(2): 164 - 188.
- Nsibambi, A. (1998) 'Introduction'. In A. Nsibambi (ed.) *Decentralization and Civil Society in Uganda: The Quest for Good Governance*. Kampala: Fountain Publishers.
- Oloo, A. (2008) 'Devolution and Democratic Governance in Kenya', In T.N. Kibua and G. Mwabu (Eds.) *Decentralization and Devolution in Kenya: New Approaches*. Nairobi: University of Nairobi Press.
- Robinson, M. (2004) 'Resources, Citizen Engagement and Democratic Local Governance'. Project Planning Workshop, Trivandrum, Kerala, India, January 4 - 16.
- Wanjohi, N.G. (2003) *Modern Local Government in Kenya*. Nairobi: Konrad Adenauer Stiftung.
- World Bank (2002) *World Development Report*. Washington, DC: World Bank.