

**EFFECT OF ACCESS TO INFORMATION ON PUBLIC PARTICIPATION IN GOVERNANCE OF DEVOLVED GOVERNMENT SYSTEMS IN NAIVASHA SUBCOUNTY, NAKURU COUNTY, KENYA.**

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**ABSTRACT**

The purpose of this study was to explore the effect of access to information on public participation in the devolved government unit of Naivasha Sub-county, Nakuru County. The study used a descriptive research design with the target population being the 253,225 residents where a sample of 157 respondents was drawn and classified into eight strata based on their wards through stratified random sampling. Each stratum had respondents in the same proportion as that of the ward population in relation to the Sub-county population. Snow ball sampling was used to administer research instruments to the respondents with the start point being the area ward administrator. The study used mainly primary data that was collected using self-administered semi-structured questionnaires. A cronbach's alpha reliability test was used on the instrument whereby a coefficient of 0.7 and above was considered acceptable. The results found the instrument as reliable. Data was analyzed for descriptive and inferential statistics using Statistical Package for Social Sciences software. The analyzed data was presented using tables. The study established that access to information had a positive correlation to public participation. The study concluded that the county provided information to the citizens; however the channels used were not convenient, there was poor timing and the language used in communication was not comprehended by many. The study recommended that the county should enact precise policies on access to government information as well as have further research of the same variable conducted in other counties.

**Key words:** Access to Information, Public Participation, County Government, Governance

## 1.0 INTRODUCTION

### 1.1 Background of the study

Devolved systems are considered as one of the useful approaches of enhancing public participation in governance. In essence, devolution allows the transfer of fundamental government functions, such as the revenue collection and spending from the central government to the lowest level. Devolved governance is closely associated with efficient governance, specifically due to its enhancement of public participation. According to article 25 of the International Covenant on Civil and Political Rights (1976), every citizen has the opportunity and right to participate in the enactment of public affairs both directly and indirectly, through representation by the elected officials. Governments around the world have created and implemented various initiatives with the aim of enhancing the inclusion of their citizens in the decision making processes. Although there are numerous ways in which citizens can participate in governance on an ongoing basis, most citizens interact with the government during elections (Pahad, 2005). Creighton (2005) postulates that public participation is significant in ensuring that the public influences the government in regards to decision making, and especially in the cases whereby the decisions being made have a direct impact on their lives.

Yang (2008), notes that devolved systems framework for public participation must ensure meaningful involvement of citizens in the local affairs. Further, he argues that for public participation to be effective, citizen's participation mechanisms should be matched to the local social-ecological context to which the citizens belong in order to establish the goodness of fit in defining participation. According to Deci and Ryan (2008), the level of public participation is the degree that the public perceives participation as goodness to meet the intended purpose. The citizen's subjective definition of participation in devolved unit influences the level of their participation in activities within the units. Aref and Redzuan (2009), contend that factors such as cultural norms, education level, gender and social class on decision-making, influence levels of public participation. Andrade and Rhodes (2012), argue that the true forms of public participation must give citizens more direct decision-making control, with a structural system that is fair to enhance the participation. According to Azfar, Kahkonen, Lanyi, Meagher and Rutherford (2001), it is through public engagement that local governments understand well the citizens' preferences enabling them vary services to suit demands.

Decentralizing and providing for more public participation calls for adequate engagement mechanisms (Chadwick, 1971). Kenya has in the past adopted decentralization policies aimed at bringing the government closer to the people by shifting from a centralized government to a decentralized government system. The centralized system was characterized by massive misuse of public funds and resources, inefficient officials and the abandonment of communities in government projects which ultimately led to their failure (Legal Resources Foundation, 2009). According to Oyugi and Kibua (2006), District Focus for Rural Development (DFRD) that was operationalized in 1983 was a bottom-up approach to development with the planning based at the district headquarters. It used the district as the unit base of development. In 1996 through the enactment of the Physical Planning Act, participatory development was realized. The statute, unlike DFRD, provided for engagement of the local community in development and implementation of development and physical plans in their areas. However, the critical element of capacity building of the citizens was overlooked by the policy formulators. In 2001, Local Authority Service Delivery Action Plans (LASDAP) was introduced through a ministerial circular with the decision making unit at the ward

level. It had three year rolling plans with priority areas in infrastructure, health and education (Oyugi & Kibua, 2006). Its main goal was betterment of local government service delivery through engaging the locals in planning and prioritizing their service delivery needs which were then translated into the local authority's annual LASDAP (Odhiambo & Taifa, 2009). Although the provisions of LASDAP Regulations and Guidelines (1999), required the Local Authorities to engage the public and other stakeholders in project identification, implementation and monitoring, the arrangement was inadequate as the communities and other stakeholders were not engaged beyond projects selection (Kwena, 2013). The Constituency Development Fund (CDF) was introduced in 2003 through an Act of Parliament (No. 11) due to the failure of the various developmental decentralization efforts. One of the main objectives of CDF is to promote equitable allocation of government resources for nationwide development through targeting projects at the constituency level and allowing the local communities to have a hand in local development through projects committees. Usually, the members of the CDF Committee and the Project Implementation Committees are made of local stakeholders and are selected by the local Member of Parliament (Odhiambo & Taifa, 2009). The CDF Act of 2013 aimed at ensuring that the laws governing it were aligned to the Constitution of Kenya (CoK) of 2010 that requires adherence to the principles of separation of powers, accountability, transparency and engagement of the public. It also aimed at aligning the operations and allocating funds to the devolved governments. Participation of the people has been given prominence in the CoK (2010). Article 10 (2) (a) of the constitution states that "participation of the people is one of the values and principles of governance in Kenya." Article 232 (1) (d) highlights the involvement of the citizens in policy making as one of the principle and value of public service. The County Government Act (CGA) 2012, mandates the county governments to facilitate the creation of modalities and structures for public engagement in budget preparation and validation (Section 91). The county assemblies are to develop policies that give effect to the requirement for effective public engagement in development planning and performance management within the counties while ensuring that the policies meet the minimum national requirements (CGA, 2012 section 115(2)). However, despite having legislative requirements, public participation is hampered by issues of access, lack of information, complex legislative process and language, insufficient public education and lack of skills for public participation (South Africa Legislative Sector, 2013).

## **1.2 Statement of the Problem**

The International Association for Public Participation (2004), lists the core values for the practice of public participation among others that the process should provide the participants with information that they require so as to engage in a meaningful way. The public participation process starts with the government giving prior activity information to the public whereby the agenda of the forum needs to be clearly communicated. This may take various channels of communication such as social media, notices, letters, public announcements, radio, television, phone calls, sms, emails and newspapers (Rowe & Frewer, 2005).

The success of the process is determined by whether the participants receive the information timely and if they actually understand it. The channel used to convey the information has attributes of when it is best applicable. For instance, information conveying medium that lacks physical contact eliminates the required visual and non-verbal aspects which contribute significantly in defining effective communication and might lead to the recipient misunderstand the conveyed information (Sproull & Kiesler, 1986). In order to ensure the creation of sound decisions, the participants should have unlimited access to information and resources such expert analyses, information and other

materials prior to the public participation forums (Institute of Economic Affairs, 2015). As such, the government should develop timelines for participation in a way that the exercise is planned and not undertaken as an adhoc event (Organization for Economic Co-Operation and Development, 2011). The Naivasha Subcounty public participation reports in the previous years have indicated very low public turnouts of less than 1% attendance in the forums (Medium Term Estimates Forum (MTEF) 2016/17 Report (2016); MTEF 2017/18 Report (2017); CIDP 2018-2022 Report (2018); finance bill forum 2016/17 Report (2016) and finance bill forum 2017/18 Report (2017)). The current study will find out why public engagement is low and how the public access information about public participation exercises in Naivasha Subcounty.

## **2.0 LITERATURE REVIEW**

### **2.1 Theoretical Literature**

#### **2.1.1 Participatory Democratic Theory**

This theory was advanced by Pateman (1970), outlining the relationship between public participation and effective governance. It stipulates that maximizing participation of citizens in the issues that affect them is beneficial to citizens and the government. Participation is described as a continuous process that entails direct and representative democracy and not merely taking part in elections. The public make proposals and recommendations with the expectation that their leaders will implement them (Aragones, 2008). As such, they are able to monitor, evaluate and rate the government performance by weighing their proposals against what is actually implemented. The degree to which the public engage themselves in governance determines the social priorities and the policies that the government implements.

Participatory democracy as argued by Pateman (1970), means that individual citizens are inseparable with their representative institutional structures which are inadequate for democracy at the national level. Meaningful engagement at the national level is dependent on social development and trainings on the citizens which equip them with the needed skills, attitudes and psychological qualities which ordinarily arise from the process of participation itself. Participating in governance gives citizens experience on democratic procedures and skills in that the more a person participates, the better they become to do so in subsequent participation exercises (Gitegi & Iravo, 2016).

The theory states that the condition for effective governance is having maximum citizen engagement in the lowest feasible units of government. The theory illustrates an effective democracy with a devolved two level government where governance public engagement is undertaken at the lower local level. The local level offers a platform for addressing matters affecting the public as well as an avenue to develop their capacity to participate in the upper level national government. The model is similar to the two tier government system in Kenya which comprises of the national and the devolved governments. It gives a detailed understanding on public participation in devolved governance.

## **2.2 Empirical Literature Review**

### **2.2.1 Access to Information**

According to Article 25 of the International Covenant on Civil and Political Rights (1976), every citizen has the opportunity and right to partake in the conduct and management of public affairs, directly or indirectly through representation by the elected officials. The right to participate is regarded as a human right or as an exercise of the right to freedom of association. The United States of America, Netherlands, Sweden, Germany, Denmark, among other countries have citizen engagement and freedom of information provisions in their legal systems (Organization for Economic Co-Operation and Development, 2001).

Access to Information Act (2016), of the laws of Kenya provides the framework and mechanisms for operationalization of the citizen's right to access information. The importance of information access by the public is highlighted in the CoK (2010) with Article 35 stipulating that every citizen has the right to access information held by the state or another person and which may be required for the exercise or protection of fundamental freedoms of rights. Creighton (2005), argues that participants in a public participation forum need complete unbiased information. Whenever the public observes that the government agents are biasing the information to arrive at a predetermined outcome or they are leaving out information that potentially can change the outcome, their confidence on it as a source of credible information dwindles.

A study undertaken by Omolo (2009), in Turkana district to explore the reasons for low levels of community engagement on LASDAP depicted that the low level of citizen participation was mainly as a result of low level of awareness. The minimal awareness was attributed to the short period within which notices of LASDAP meetings were given (Omolo, 2009). According to article 9 of the Nakuru County Public Participation Act (2015), public participation notices are to be published at least twenty one (21) days before the meeting in the county gazette, the media or shall be displayed at the Subcounty, ward or village offices. The notice is supposed to indicate the time, date and venue of the meeting and should be in the official language but shall have regard to language preferences and usage of the area. Transparency International (2016), in their county governance status report of 2016, had findings on a survey conducted in the 47 counties on citizens access to county government information. It recommended that there was a need for counties to promote access to information through exploring better communication mechanisms including technological innovations to enhance their reach for instance through use of their websites and social media as well as exploring other non-information technology mechanisms to cater for those without access to technological innovations through use of posters and notice boards. Gitegi and Iravo (2016), conducted a study on the factors affecting effective public participation in Uasin Gishu County. The study noted that disseminating information through mediums such as government websites and social media may only get to a smaller population and especially those in towns and those with technological knowledge. However, according to the County Public Participation Guidelines (2015), the potential for using the internet as a medium for public participation is substantial as it is a way to quickly broadcast information about forums to a large population at the click of a button. Citizens are able to submit their comments through e-mails, filled forms, questionnaires or surveys on the policies at hand. However, a large proportion of citizens in the rural remote areas may be left out as they lack adequate access to internet services.

According to Kugonza and Mukobi (2011), access to information affects public participation in the way which the citizens raise their issues, monitor government performance, ensure government

accountability and enter into informed dialogue on issues that affect their lives. According to them, information empowers the public in such a way that the vulnerable and the marginalized are able to claim their broader rights and entitlements. They found out that informed citizens stood up for their rights and held the public officials accountable for their actions or inactions. According to their findings, information on government projects is unavailable and is inaccessible by the public. The study established that information dissemination was not effectively and timely done by both the general public and the government. They concluded that there is a positive relationship between access to information and public participation in local governments.

### 3.0 RESEARCH METHODOLOGY

#### 3.1 Research Design

The study adopted a descriptive research design. According to Eriksson and Kovalainen (2008), as also cited by Njoroge, Muathe and Bula (2016), descriptive research entails producing of holistic data, contextual and with rich details to test hypotheses concerning the status of the study subject. The current study sought to collect and identify data on the effects of access to information on public participation in the devolved government system of Naivasha Subcounty and derive probable recommendations from the findings.

#### 3.2 Empirical Model

The study adopted a linear regression model to assess the effect of the independent variable access to information on the dependent variable public participation. The model was presented in a linear equation from where the values of the constant coefficient  $B_0$  and the slope coefficient  $B$  was calculated. The model to analyze the relationship between the variables was;

$$Y = B_0 + BX + e$$

Where;

$Y$  = Public participation,  $B_0$  = Constant; the value of  $Y$  when  $X=0$ ,

$B$  = Coefficient of estimate of access to information,  $X$  = Access to information

And  $e$  is the estimated error of the model

#### 3.3 Target Population

According to Kothari (2006), target population is described as all people who bear similar characteristics and whom the researcher intends to study. CGA (2012) articulates that public refers to the residents a particular county, tax payers or those who use the facilities or services provided by the county. The target population for the study was all the 253,225 people who reside in Naivasha Subcounty.

#### 3.4 Sampling design and procedure

From a population of 253,225 people, sample size was calculated using Nassiuma's formulae, (Nassiuma, 2000) with  $C = 25\%$ ,  $e = 0.02$  and  $N = 253,225$  giving a sample size of 157.

The study used stratified random sampling method that involved classification of the sample into eight strata, which are the eight wards in the Sub-county. The method was preferred as the study population could be classified into eight wards, the population was largely homogeneous and the method ensured all wards had respondents. The number of respondents in each ward was proportional to the size of the specific ward in relation to the Subcounty population. In each ward, snow ball sampling was undertaken whereby the initial subjects were the ward administrators who under the CGA (2012), section 52 are mandated to coordinate and facilitate public participation.

### **3.5 Data Collection Instruments**

The study utilized semi-structured questionnaires that contained both open and close-ended questions as well as secondary data from journals, books and publications.

### **3.6 Data Analysis Methods**

Quantitative data was analyzed using descriptive and inferential statistics. Descriptive statistics was used to describe, summarize and present the data using percentages, frequencies, mean and standard deviation. Inferential statistic was carried out using linear regression model to determine how the variable influenced the dependent variable most and the nature of influence. The adjusted coefficient of determination (R-squared) was used to indicate the percentage of variability of the variables that was accounted for by the study factor under study. This was followed by determination of standardization beta coefficient which indicated the nature of direction and the magnitude of the influence.

## **4.0 RESEARCH FINDINGS AND DISCUSSION**

### **4.1 Response Rate**

A total of 157 questionnaires were administered and 127 were correctly filled and returned. This represented 80.9% of the total administered questionnaires meaning that the return response rate was adequate for the study as it was more than 50% as recommended by Mugenda and Mugenda (2003), who noted that a response rate of more than 50% is appropriate for analysis and reporting; a response rate of 60% is good and that of 70% and over is excellent. Based on the assertion, the response rate was excellent and hence acceptable for drawing conclusions on the current study.

### **4.2 Descriptive Analysis**

#### **4.2.1 Access to Information**

The descriptive results shown in table 4.1 are in relation to the respondents responses on their access to county government information regarding public participation exercises.

**Table 4.1: Descriptive Statistics on Access to Information**

		SD	D	U	A	SA		
	n	%	%	%	%	%	Mean	Std. Dev
County provides public participation information to residents	127	12.6	17.3	7.9	41.7	20.5	3.402	1.329
Information provided is adequate for residents to participate meaningfully	127	18.9	24.4	12.6	28.3	15.7	2.976	1.389
Information provided is timely allowing residents prepare adequately	127	22.8	28.3	28.3	11.0	9.4	2.559	1.226
Medium of information conveyance is convenient to residents	127	21.3	21.3	25.2	23.6	8.7	2.772	1.267
Language used in communication during public participation is clear & understandable	127	12.6	14.2	29.1	31.5	12.6	3.173	1.202
County has policies on access to information and public participation that are known	127	32.3	20.5	26.0	16.5	4.7	2.409	1.230

*Source: (Survey data, 2018)*

The study as shown in table 4.1 revealed that respondents were generally uncertain if the county government provided public participation information to the residents (mean = 3.402) and that the language used during the public participation exercise was clear and understandable (mean = 3.173). Although there was general uncertainty on access to information by the residents, they generally disagreed that the availed information had enough content to enabled them participate meaningfully (mean = 2.976), disagreed that the availed information was timely (mean = 2.559), disagreed that the mediums and channels used to convey public participation information were convenient to the residents (mean = 2.772) and disagreed that the county had policy on access to information and public participation that were known to the residents (mean = 2.409). There was significant variation in the views of the respondents regarding all the variables (Standard variation > 1.000). The results confirms the conclusion that low levels of awareness translates to low levels of citizen participation (Omolo, 2009) and that government information is ordinarily unavailable and inaccessible by the public (Kugonza & Mukobi, 2011).

### 4.3 Inferential Findings

**Table 4.2: Analysis of Variance**

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	141.508	1	141.508	350.543	.000 <sup>a</sup>
	Residual	50.460	125	.404		
	Total	191.969	126			

a. Predictors: (Constant), The effect of access to information on public participation

b. Dependent Variable: Public participation in governance of devolved governments

*Source: (Survey data, 2018)*



The results of analysis of variance depicted in Table 4.2 illustrate that the regression model shown below was statistically significant ( $F = 350.543$ ;  $p < 0.05$ ) to explain the relationship since the p-value was below 0.05. The results justified the suitability of the model in analyzing the independent variable.

$$Y = B_0 + BX + e$$

Where;  $Y$ = Public participation,  $B_0$  = Constant; the value of  $Y$  when  $X=0$

$B$  = Coefficient of estimate of access to information,  $X$  = Access to information

And  $e$  is the estimated error of the model

**Table 4.3: Regression Coefficients**

Coefficients<sup>a</sup>

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	-.311	.135		-2.302	.023
	The effect of access to information on public participation	.801	.043	.859	18.723	.000

a. Dependent Variable: Public participation in governance of devolved governments

The results of regression analysis as shown in Table 4.3 were used to interpret the regression model as follows

$$Y = B_0 + BX + e$$

$$Y = -0.311 + 0.801X + e$$

It was revealed that in order to increase public participation by one unit, the county government ought to ensure that it effects 0.801 unit changes in access to information while holding other factors which were not part of the this study constant ( $B_0 = -0.311$ ).

### 4.3.1 Regression Analysis

**Table 4.4: Model Summary**

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.859 <sup>a</sup>	.737	.735	.635

a. Predictors: (Constant), The effect of access to information on public participation

**Source:** (Survey data, 2018)

As shown in Table 4.4, it was established that there existed a positive and strong relationship between the Access to information and Public Participation in governance ( $R = 0.859$ ). In addition, it was revealed that Access to information could explain 73.7% variance in public participation in governance of devolved government system of Naivasha Subcounty in Nakuru County ( $R^2 = 0.737$ ). This further implies that there is a variance of 26.3% on public participation in governance that cannot be explained by Access to information.

The above findings correspond to those of Kugonza and Mukobi (2011), Okongo (2015) and Gitegi and Iravo (2016) who found out that public participation is affected by access to information which enables citizens articulate their voice, effectively monitor, hold government accountable and enter into informed dialogue about decisions which affect them. According to them information builds the capacity of all citizens including vulnerable and marginalized to effectively participate in devolved governance.

## **5.0: SUMMARY, CONCLUSION AND RECOMMENDATIONS**

### **5.1 Summary**

The findings on the effect of Access to Information on public participation in governance established that the residents accessed the county government information through channels such as the newspapers, television, radio, social media, relatives, posters, public announcements, local leaders, letters, telephone and email. Information on county budget, CIDP and development projects public participation was passed through these mediums. However, the channels used were not appropriate in regard to convenience, the information got to them late most of the time and the information was mostly not understandable as it was in a language that was not clear, understandable and full of technical jargons. As such, access to information significantly affect the residents' ability to effectively participate in devolved governance.

### **5.2 Conclusions**

The study found out that public participation in the devolved governance of Nakuru County was affected by access to information. The county government provided information to its citizens, however the channels used are not convenient, are improper and the information is not timely. Access to information positively and significantly affects public participation in governance.

### **5.4 Recommendations**

The study recommends that the County Government of Nakuru should enact policies to strengthen public participation. These policies should comprehensively include access to information, transparency and accountability to the public.

Studies needs to be conducted on the determinants of public participation in governance in other counties in Kenya as this study covered Nakuru County.

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