

Original Research Article

THE EFFECT OF PUBLIC PARTICIPATION ON PERFORMANCE OF DEVOLVED GOVERNANCE SYSTEM IN KENYA: CASE OF THE GOVERNMENT OF THE COUNTY OF KWALE

Abstract *Public engagement, openness, and accountability are strongly emphasized in the 2010 Kenyan Constitution and the accompanying legislative framework on devolution as ways to increase the effectiveness, equity, and inclusivity of government and service delivery. The devolution framework includes many laws mandating county governments to interact with residents during planning, budgeting, and service delivery monitoring and to make information publicly available. The highest law of the nation foresees public participation as the cornerstone of the future governing system. The connection between the governing authority and the populace will change as a result of this innovative new governance structure. Despite being grounded in the legislation, public participation has yet to be observed being used by the various tiers of government. The law requires that people participate completely in the formulation of programs and the determination of their fate in all matters affecting them, but the reality is opposite to this expectation. Instead, several agencies have made the decision to disregard these rules, blaming their decision on the high expense and drawn-out procedure. Instead, they've opted to host Barazas that they've dubbed public participation forums. As a result, the conduct or lack of public engagement has been attributed to the absence of a formal framework for such participation. In order to establish a formal framework on how county governments could perform public involvement, four components of public participation were defined, thought of as independent variables, and their interaction studied. Specific objectives were developed for the study and included; to determine the impact of fair notice and time on Kenya's decentralized government structure and public engagement, to evaluate the impact of appropriate and accessible information on Kenya's decentralized government system and public engagement, to ascertain the impact of fair and open discussion on Kenya's decentralized government structure and public engagement and to determine the impact of inclusive and sufficient representation on Kenya's decentralized government system, public involvement. Between the months of February 2022 and April 20212, this research, which encompassed 29 village units, was carried out in the county of Kwale, Kinango Sub-County. It employed a descriptive survey and used questionnaires as part of a descriptive research strategy. In Kinango Sub-County, there are 29 village units and 580 CBEF members. This is the target population, and the Taro Yamane method was used to calculate the sample size, which resulted in a sample size of 237. First, the university was asked for permission to gather the data, and the respondents gave their agreement to conduct the questionnaire while maintaining confidentiality. Subject matter experts were asked to assess and test the instrument of measurement as part of the validity test. A reliability test was conducted, and a minimum acceptable Cronbach's Alpha value of 0.7 was used. To evaluate and interpret the information gathered, the researcher employed*

descriptive and inferential statistics. Mean and standard deviation were descriptive metrics. The results show that for Kenya's decentralized government system to succeed, public engagement is crucial. According to the findings, the county has adequately incorporated the public in financial planning and should take use of the potential advantages of public engagement in Kenya's devolved governance structure. Additionally, it was determined that Kwale County's public engagement had made a significant contribution to the growth of fiscal supervision. It is possible to draw the conclusion that Kwale County employs face-to-face dialogues as a medium of communication to enlighten the public based on research findings and theoretical discoveries made by other researchers. Therefore, it is necessary to investigate additional communication channels. The researcher suggests that the devolved governments use this framework as the paradigm for how to organize public participation forums.

Key Words: Fair Notice and Time, Adequate and accessible Information, Fair and open Dialogue, Inclusive and Adequate Representation, Devolved governance system.

1.0 INTRODUCTION

Public involvement is recognized by the Kenyan constitution and enabling legislative framework as the cornerstone of devolution, which is viewed as a means of attaining transparency, accountability, and improved service delivery with stress on efficiency, equity, and inclusivity of government. According to the constitution, county administrations must engage the public while planning, allocating funds, and overseeing the provision of services. Additionally, initiatives have been undertaken to enable public communication, such as local FM radio stations, to provide citizens with access to information. While the county governments have made significant progress over the past three years, including granting citizens reasonable access to participate in the creation of budgets and policies through the holding of public forums and town hall meetings, it is important to note that there have also been a number of challenges. The difficulties are mostly manifested as tokenism, in which the forums lack sufficient advance warning and an established structure.

There are a number of rules outlined in the devolution framework that require county governments to connect with citizens while planning, allocating funds, and reviewing service delivery. While this has been going on, there has been erratic degrees of advancement, and counties still need to raise the caliber of their budget consultation forums to encourage deeper participation. Specifically, counties still have difficulties with tokenistic forms of participation, in which forums are organized without giving sufficient early warning or advance copies of budget papers in straightforward, user-friendly formats. The sessions frequently lack a fixed structure where participants are asked to rank their demands within a predetermined spending limit. Both counties and CSOs have voiced worries about how difficult it is to transform people's wish lists into actual development initiatives when discussions too frequently devolve into wish lists being presented informally by residents, the National Treasury of Kenya's government (2015).

According to Karimi, M. (2017), even though county governments are implementing public participation through county assemblies and the executive, these venues have been regarded by COSs and other entities as not meeting the wants of the constitution. The county governments, particularly county assemblies, their executive, and civil society, among others, view citizen involvement through public participation as one of the biggest deals that is being implemented throughout the country in parliamentary matters. According to one understanding, these gatherings were set up in response to media advertising soliciting feedback on government initiatives. Thus, public involvement may be defined simply as any process that fully considers community work and unwaveringly absorbs the public in making the best judgments. M. Karimi (2017).

The highest law of the nation foresees public participation as the cornerstone of the future governing system. The connection between the governmental institutions and the populace will change as a result of this innovative control mechanism. Despite being grounded in the legislation, public participation has yet to be observed being used by the various tiers of government. Mugo (2017). Even while public involvement in government is becoming more and more popular worldwide, including in Kenya, it has been highlighted that it is difficult to turn these rules into practical activities. According to Annette Omolo, A. Bruce, and others, the absence of a defined procedure for public engagement may be perceived as a 'check the box exercise'. 'The direct or indirect participation of stakeholders in decision-making about policies, plans, or programs in which they have an interest is public involvement in power. In their guidebook on conceptions of public involvement, Kathryn S. Quick and John M. Bryson write S, Q, Bryson, and Kathryn (2015).

Furthermore, according to Quick & Bryson (2016), effective governance calls for consideration of the types of stakeholders who participate as well as the manner in which they do so. They point out that the mechanisms of citizen involvement in government are multifaceted and mutually reinforcing. More specifically, the acceptance of involvement in governance has a big impact on the general people. The phrase 'good governance' is increasingly widely used in academic and development discourse. Good governance methods must be used by nations when making and carrying out important decisions. Participation, accountability, openness, the rule of law, fairness, consensus-building, efficiency, effectiveness, and responsiveness to the demands of the populace are all characteristics of good governance, according to the United Nations Development Program (UNDP). M.E. Mwangi (2015).

According to this notion, strong governance is essential to the nation's resource management and development process. Good governance, on the other hand, is defined by UNDP as the procedures for making decisions, planning for development, and providing services to the populace. As well as adhering to constitutionalism and the rule of law, such a process must be liable, transparent, sensitive to public needs, participative, consensus-oriented, effective, and efficient. Diego and Ciborra, C. (2005).

All players in governance public, civic, individual, and private must be included in the decision-making process about matters that impact them, according to the idea of citizen engagement. Direct or indirect engagement is both possible. In order to uphold the rule of

law, rules and rules must be applied equally and without bias. Protection of human rights, physical security, protection from violence and coercion, and simple, prompt, and equitable access to justice are among the elements of the rule of law. The principles of transparency and accountability in good governance guarantee that choices are taken in an open manner and that each one is susceptible to scrutiny by the general public Knight, (2008). Different legislation, including the highest law of the state, have acknowledged the engagement of the populace in governance concerns in Kenya. This principle is not just to be observed and put into effect by the national government; all 47 devolved administrations of the counties have also been given explicit instructions on how to include the public. By law, these devolved governments must consult their respective populations when planning, allocating funds, and keeping tabs on service performance. Omolo and Co. (2015).

In jurisdictions where democracy has been institutionalized, according to Bryson and others, the people have the sovereign authority, and their participation in decision-making is grounded in the law. He continues by saying that they may participate personally or through representatives who were duly chosen. Jacobs et al. (2009), Roberts, (2004), Bryson et al (2013). Despite the fact that many of these programs have been implemented with the help of the public, Cogan and Shape (1986) bemoan the lack of attention paid to the public's engagement in developing and initiating initiatives. The expenditures involved, which are seen to be expensive and time-consuming, are cited as the rationale for not including the people in this Cogan and Shape (1986).

Relevant authorities, including the MOD&P, have supplied the devolved governments with a number of legal enactments and recommendations on how to undertake public participation in governance problems. The people is expected to be actively involved in choosing how they wish to be governed by the Devolved Governments, according to the legislation. But this doesn't happen, and a lot of the devolved administrations host Barazas instead, which they then rename Public Participation Forums, KNA (2017). Kenyans have a right to participate in all decision-making processes, according to the highest legislation in the state. At all levels, including the national and devolved administrations, this right may be directly exercised through the representatives they have chosen to serve them. To guarantee that minorities and those who are marginalized are heard, do this.

There isn't a set procedure that can be used to conduct public involvement. Godana (2012) raises the problem that there is no set procedure to follow for interacting with the public. Organizations and other Agencies have been advised to take advice from their surroundings and adapt to it when deciding how to undertake public engagement. Godana and Pfister (2012). When discussing devolution, Bosire, Cottrell, and Pal Ghai are cited. The transfer of power from a higher, more centralized level with national authority to a lower one that is recognized by state law is referred to as devolution, according to Mugo (2017). This is done on purpose to help with managerial governance difficulties. On the other hand, Gimoi (2017) describes decentralization as a type of devolution in which the top level of government legally establishes subordinate levels with authority and responsibility. According to Adams Oloo, devolved governance is the legal transfer of authority from one level to another, or from one organization or organ to another. It is a strategy that is widely recognized in

democracies as a technique to provide the populace a voice on development-related problems and so increase prospects for their political evolution.

As a result, the community feels more in control of the process and outcomes, Oloo (2006). According to the Kenyan viewpoint, devolution was the handing over of power from the constitutionally elected 47 county governments to the Nairobi-based Central Government during the first general election under the CoK, 2010. Each county has established a government with both legislative and executive authority, Lubale (2016). This is seen as the most important kind of denationalization in Kenya, as envisioned by the 2010 constitution, which gave devolution a whole new meaning. As a result, issues with governance experienced a paradigm shift.

In the case of Kenya, the previous centralized administration, which had its headquarters in Nairobi, delegated power to the 47 counties listed in the CoK's initial schedule for 2010 at that time. Each of these counties has created its own county government, which consists of county assemblies and county executives with state-level administrative and legislative authority Lubale (2016). These devolved units have the authority to adopt laws that are relevant to their jurisdictions, and their legal boundaries define their geographical areas Okech (2017). The concept of transferring power from a higher level to a lower level is not new in Kenya. This was put to the test when Kenya won its independence from the colonial powers in 1963. The experiment was a failure because there was little public involvement and real power was remained mainly centralized in the hands of the central government. This was written by Mzee Jomo Kenyatta, one of the nation's founding fathers. In reaction to this notion, Presidents Daniel arap Moi and Mwai Kibaki established the DFRD and CDF ideas.

The establishment of Kenya's 47 devolved administrations was a turning point in the country's government, ushering in a new paradigm in which the populace is now expected to play a major part in defining how decisions affecting them in the future would need to be made. Article 10 of the constitution, which promotes this viewpoint, and Article 174 (c), which emphasizes the inclusion of the public's opinion, File No. 7 of the KNA (2017). Ngundo (2017) asserts that these calls for public involvement in governance issues may call for their inclusion in national legislation for counties, metropolitan areas, and cities. Okech continues by saying that these devolved bodies have the ability to pass laws and do so within the confines of the existing legal system.

On the other hand, Godana et al. have compiled arguments made by individuals or groups in favor of avoiding public engagement, claiming that it is costly and time-consuming. While the need for participation has been created by the legislation. There is no predetermined process or recipe for how public engagement should be carried out, claim Sandfort & Quick (2013). The Ministry of Devolution and Planning did issue a warning that Public Participation must be seen to be working in reality and not to be imagined and being treated as a mere formality for the purposes of fulfilling the law in Forwarding notes on Public Participation Guidelines to Devolved Units, (2016). In an effort to improve how County Governments undertake public engagement, they issued this caution by MoD&P (2016).

The formal or informal management of the decision-making process for public interests and concerns is known as governance. Through either public or private groups, you can do this

(Bevir & Kooiman, 2013). As a result, problems with governance aren't only a problem for the government any longer, which means there are more opportunities for citizen involvement (Goldsmith, El, 2004). In Western democracies like the United States, Sweden, and the United Kingdom, decentralized government has been a success, as highlighted by Ronald (2012). Successful African countries include South Africa, Nigeria, and India on the Asian continent. Some of these countries, like India, Nigeria, and the United States, have incorporated the decentralized federal system of governance. The beginning of the 1970s is when many people in Scotland and Wales began to struggle for more autonomy, and this is when devolution in the UK really began. Once more in the UK, the Labour Party made Devolution a major issue and put it in their platform before the 1997 election, Ronald (2002).

Federalism, a kind of devolution, has formed many US states, giving each a distinctive identity. Devolution, which has also led to significant railroad and electric energy growth, has contributed to the overall development of the culturally diversified state of California. Burugu (2010) provides instances of California's success in carving out a niche for the film industry. Regionalism is the form of government used in South Africa, where regional governments are led by their own rulers while the national government retains supervision and supervisory authority. The provincial government and the cabinet both have representatives from the ruling party. Due to this style of devolution, provinces like Gauteng, which is today the economic center of South Africa despite having a huge populace, are among the nine regional governments, Michael and Christine (2013).

According to Burugu (2010), Nigeria also employs a federal form of devolved governance, with the nation split into thirty regions or states. An executive governor is in charge of each state. However, devolution in Nigeria has a troubled past, with multiple coups occurring as a result of disputes over resource sharing. According to Kipkorir (2018), devolution was originally attempted by colonial rulers in Kenya but failed due to historical perspectives on devolution that have been provided by many researchers. This failure has been linked to a lack of political and financial empowerment. According to Robert, the failure may have been caused by the leadership's blatant arrogance and disregard for the views of the populace (2010). Planning and implementing new development projects was under the purview of the national government.

This happened before the current constitution was written. The DFRD, which put the District at the heart of development, introduced a semblance of devolution to this policy, which dated back to the period of independence and remained until around 1983. It was hoped that by doing this, the various communities would be motivated to become active in development concerns and have their perspectives heard. This approach had a weakness and was thus ineffectual since there was no legislative framework and planning was still being done in Nairobi, according to the 2017 KNA, FACT NO. 7. Another attempt at decentralizing governance was made in 2001 when the Kenya Local Government Reform Program (KLGRP) was introduced by the ministry of local government. This was closely followed by Local Authority Service Delivery (LASDAP). All of these programs aimed to include the general public and other stakeholders in the planning and implementation of development projects so that their opinions could be heard and their problems could be resolved.

During the early years of President Kibaki's administration, a fresh effort was made to involve the people in decision-making on problems of power through the 2003 Constituency Development Fund Act. This was a courageous move since it created a legislative framework for public participation and how the national treasury would finance it. The CDF, which was established by the CDF Act of 2003, receives 2.5% of the national budget from the national treasury. At the constituency level, which is considered to be closer at the grassroots level, the CDF may be said to have been the most accessible to public engagement in matters affecting them until the County Governments were founded in 2013.

Devolved government was originally discussed as an agenda item during the inaugural national conference, which was held in Nairobi's Safari Park Hotel in the early 1990s as part of the country's effort toward multiparty democracy, Lubale (2012). Additional devolutionary initiatives, led by the CKRC and the KRA that followed, resulted in the development of the people's consultative process in 2000. In their collaborative efforts, Godana (2012), Sandfort and Quick (2013), and others have expressed their concerns about the lack of a formal framework or a set procedure for conducting effective involvement. Public involvement is not dependent on a stable, dependable technology, unlike autos, which despite varying models and upgrades work in roughly the same ways with predictable results even in diverse circumstances.

The implementation of the 2010 Kenyan Constitution, the establishment of devolved governments in the nation's 47 counties, and the legalization of public participation were significant steps toward starting a democratic environment in Kenya and strengthening the devolved governance system in the country (Author, 2019). According to Omolo (2010), a decentralized governance system provides a solution to many of the issues that have long been plaguing countries with centralized systems of government. In devolved systems, he continues, the populace has a voice through public participation, where their opinions are approved and issues are handled, Omolo (2010). Although public participation is required at all levels of government in Kenya and is entrenched in the country's laws, several counties have opted to disdain this. This could be because there isn't a formal legislative framework for conducting public participation; instead, several county governments have begun calling public gatherings 'forums for public participation.' Fact No. 7 from KNA (2017).

1.2. STATEMENT OF THE PROBLEM

According to Bryson et al, it is a legal necessity for citizens in democratic jurisdictions to participate in the political process, either directly via themselves or through their elected reps. The interaction between the government and its citizens is crucial in this regard, Bryson et al. (2013). The highest legislation of the nation, together with a number of directives given on how this is to be done, has caught the legality of involving the populace in the governing process.

The law requires that people participate completely in the formulation of programs and the determination of their fate in all matters affecting them, but the reality is opposite to this expectation. Instead, several agencies have made the decision to disregard these rules, blaming their decision on the high expense and drawn-out procedure. Instead, they've opted

to host Barazas that they've dubbed Public Participation Forums (KNA, 2017). As a result, the law anticipates public engagement in all significant decisions made on behalf of the populace. Kenya's 2010 constitution mandates that all devolved administrations incorporate public participation methods into their governance frameworks (Atieno, 2017).

Despite its primacy in legislation, many levels of government have not yet completely realized public involvement (Mugo, 2017). The lack of a defined and uniform method for conducting public involvement has been a significant obstacle and restraint for Kenya's system of devolved governance. This study investigated the viability on how the components of public participation may be applied to restructure its conduct by the devolved governance system in Kenya.

1.3 Purpose of the Study

This was to establish how public participation affect devolved governance system in Kenya at Kwale County Government.

1.3.1 Study Objectives

- i. To establish how fair notice and time affects public participation and devolved governance system in Kenya.
- ii. To assess how adequate and accessible information affects public participation and devolved governance system in Kenya.
- iii. To determine the extent fair and open dialogue affects public participation and devolved governance system in Kenya.
- iv. To investigate how inclusive and adequate representation affects public participation and devolved governance system in Kenya.

1.2 Justification of Study

With the establishment of county governments, devolution in Kenya underwent a complete paradigm shift that also brought forth new operation problems. Although public involvement has been emphasized as a pillar on which devolved governments may be anchored, there is no legal framework, therefore it is unknown how it may be carried out and there is no clear strategy for doing so.

The findings of this study helped the county government of Kwale, Kenya, reorganize its approach to public engagement, and the other 46 county governments might apply them to improve their governance systems. The results contributed to a body of knowledge on Kenya generally and the devolved government system in particular.

1.3 The Scope of the Study

This study, which focused on Kwale County in Kenya, examined public participation in the country's devolved governance system. With reference to Kwale County, the research was designed to look at the impact of public participation on Kenya's devolved governance system. It took place in the County of Kwale's Sub-County of Kinango between the months

of February and May of 2022. The Kwale County Government is organized administratively into 77 village units, 4 sub-counties, and 20 wards. The County Government of Kwale's village units are the smallest administrative and devolved units (CIDP, 2018).

There are 29 village units and 7 wards in Kinango Sub-County. Twenty CBEF members serve as the representation for each village unit. The CBEF is composed of 580 people in Kinango Sub-County. The study's target population of 580 participants was divided into a sample size of 237 using the Taro Yamane formula.

2. LITERATURE REVIEW

EMPERICAL LITERATURE REVIEW

The study considered three theories namely: agency theory, stewardship theory and stakeholder's theory. These theories were chosen because they are comparable to the research topic, which deals with delegation, representation, consensus, and consultation.

Agency Theory

The hypothesis was created by Jensen and Meckling in 1976, however it was inspired by Berle and Means' writings (1932). The Agency hypothesis is perhaps the most significant in cooperative governance, whether in private or public cooperative organizations. The idea envisions a scenario in which the Principal or Agent selects another person or the Agent to represent the interests of themselves or the organization. The chosen agent is required to carry out this task with due care and offer services and make decisions on their behalf.

There will always be an issue between the agents and the principals if there is miscommunication caused by a conflict of interest. This occurs when the agent decides to act in a way that is more advantageous to themselves than to the principals, which may result in moral hazard. When the agent decides to act in a way that will benefit themselves, a conflict arises. Since both parties agree to maximize their own utilities, this model accepts the agency costs brought on by the separation of tenure and control. The conflict may also arise when one part, mainly the agent, has more information and fails to share it with the principals. This may lead to the agent acting unlitirarily which is actually the opposite of this theory. For the sake of this research, people and voters will be viewed as the principals, and politicians, bureaucrats, and decision-makers will be treated as the agents. In Kenyan counties, people choose the leaders and politicians who will hold those positions of authority and grant them the right to make decisions. These leaders are supposed to make choices, create policies, and put these plans into action in order to raise the wealth of the populace and raise their level of living.

The fundamental tenet of this idea is that persons charged with representing others need to devote company resources to maximizing value for those they represent. When making corporate decisions, the agents are expected to take all rational precautions and care to protect the interests of the principle. The agency theory's fundamental tenet is that those charged with

representing the public, in this case the county governments, are supposed to consult the people through public participation forums while making decisions.

Stewardship Theory

According to the hypothesis, when organizational success is reached, stewards are driven and fulfilled. It is founded on faith and the authority that the steward is granted by the structures. When the organization they lead succeeds, not necessarily the people who provide them this authority, the policy makers who serve as the people's representatives are happy. Davis and Donaldson (1994) suggest that although there should be a connection between senior officers and directors, it should be based on steward-principal rather than principal/agent. It implies that a trust-based connection between the principle and steward aligns the director/officer relationship such that the senior officer is trying to accomplish what is best for the business.

The top executive is also conscious of his or her duty to consider the future of the company. Stewardship concept holds that the executive is motivated to support the union. The primary notion of this theory is to switch the principal/agent relationship from one characterized by 'coercive power' to one characterized by 'personal power.' According to this theory, decision-makers, lawmakers, and elected officials are only happy when the departments they are in charge of and the entire county are successful. Stewards are only content and motivated in their work when county citizens are pleased with the services provided by such policy makers. According to this notion, the executives are a group of people that want to see the organizations they work for flourish. The Agency paradigm, which views top managers and executives as rent-seekers, is completely at odds with this. Instead of using coercive authority, the executives do this by using personnel power.

Davis (1999) continues by saying that when a top executive faces competing interests, they will work together to protect the organization's interests. In contrast to the Agency theory, which sees an official's success as an organization's, this idea presents the executive as being organizationally focused. According to stewardship philosophy, the executive is driven to help the organization. The main idea behind this theory is to change the principal/agent association from one considered by 'coercive power' to one characterized by 'personal power.'

According to this theory, elected politicians, lawmakers, and decision-makers are only happy when the counties they govern and the agencies they manage are successful. Stewards are only content and stirred in their work when county inhabitants are pleased with the services provided by such policy makers. When making judgments, CEOs should consider the public's concerns in the interest of the study.

Stakeholder Theory

Freeman (1984) steadily expanded this idea, which had already been ingrained in the management discipline by 1970. The idea includes responsibility for a wide variety of stakeholders, and it defines a stakeholder as any group or person who has the potential to influence or be influenced by the accomplishment of an organization's goals. The main stakeholders in county budgeting are voters who demand representation and service delivery from elected officials, workers and development partners who demand transparency in the awarding of contracts and use of funds, suppliers who demand prompt payment for goods

delivered, civil society which advocates for the voiceless, and the federal government which demands prudent use of funds provided to the counties.

Stakeholders are any groups, organizations, or people that might be negatively, positively, or otherwise impacted by interventions-related actions (Freeman, 2010). Freeman added the qualifier 'having interest in whatever is being done or intended to be done' to his definition. People are considered to be the main stakeholders in the governance process and must always be handled ethically, according to this philosophy.

Empirical Literature Review

To influence people, one needs reliable information (Verba & Almond, 1989). For instance, a person who is well-informed and has the same capacity and skill to use knowledge would likely perform better in negotiations than someone who is ill-informed. This demonstrates that when the public has access to pertinent information, public involvement may flourish. Public information transmission forms the basis for public knowledge and opinions; one's knowledge and opinions depend on the information at their disposal. Therefore, if the public is to participate in the formulation and execution of local government policies, information distribution is a need. Responding to the needs and ambitions of the public also affects public involvement. Once more, this might be described as the process through which a public official takes appropriate and timely action in response to needs expressed by the community (Almond & Verba, 1988).

On the other hand, Barnyard contends that in order to be responsive to public needs, people must articulate their requirements and, via discussions with the public, policymakers must take those needs into account (Barnyard, 1990). On the other hand, Bekker (2003) believes that through promoting responsiveness to public needs and enabling the processes of policy implementation and community development, communication in public policy-making and policy implementation also serves to manage public officials (Bekker, 2003). According to Cloete (1997), empowerment and communication go hand in hand. Participant empowerment therefore indicates development in democratic government. Empowerment may be thought of as both self-started and begun by others, and its basic definition is 'to enable, to allow, or to authorize.' Cloete (1997). Every member of the public has a part to play in demanding accountability, according to Richards (1995). Along with local government policies, which have an impact on communication at the local level, info delivery to decision-makers and implementers also affects public engagement.

According to proponents of public access to information, information held by local government institutions is public information and may lawfully be requested by the general public if it does not materially violate people's right to privacy (Meyer, 1995). Another viewpoint is that access to information refers to the right of the public to information, documents, and records held by local government institutions, with the exception of matters that are narrowly defined. Cleveland (1986) stated that 'government is information' in describing the right of the public to access information held by the government. All of its employees are basically information workers, the inputs it uses are information, and the output it produces is the transformation of those inputs into policies, which are just a formalized form of information.

Free access to information that is kept by the government, according to Baxter (1984), is neither practicable nor desirable. Furthermore, he fears that info revelation might endanger national security, upend economic plans, and provide certain people an unfair commercial edge over rivals. He adds that the exposure of sensitive personal data may violate privacy. Using data from his study on the legal barriers to public participation, Mugo (2017) discovered that while sensitization raises awareness of the need for people to engage in the decision-making process, some stakeholders may be reluctant to do so because they are unsure of how to do so Mugo (2017). In the same research, at both levels of government, Mugo (2017) found that establishing legislation improves the circumstances for effective public participation for development goals. According to Mugo (2017), information on their involvement should be shared utilizing channels including social media, websites, and other readily available platforms.

The KSG the MoD&P, in a review note in a Working Paper 1 on Kenya Devolution, reviews the prospects and difficulties for enhancing public engagement in Kenya's newly decentralized system and presents results and analyses from five working papers & case studies. The County Government Act of 2012 (CGA), Public Finance Management Act of 2012 (PFMA), and Urban Areas and Cities Act of 2011 all have provisions for public engagement to aid county governments in applying their policies, among other things. The development of new laws, the determination of national and local planning and budget goals, the evaluation of public sector performance and expenditures, and the filing of grievances are just a few of the many facets of national and local administration that require public participation. These approvals emphasize the need for public input at all phases of the planning and budgeting process. The creation of structures, mechanisms, and guidelines for public participation is thus required of county governments. They must also promote access for factions and other demoted groups, set up channels for open communication and information access, and submit an annual report on citizen participation to their respective county assemblies.

Ngundo (2017) discovered in her research on the construction of county governments in Kenya that the two devolved government institutions must be properly established in accordance with the constitution in order for the county government to be institutionalized. Both structures should be willing and in a healthy political environment to work together to manage the county. It also showed that the County government has to employ the appropriate expertise to carry out devolved tasks if it is to become stronger and more effective. Staff induction is crucial to ensuring that they collaborate as a team. It further demonstrated that without financial support for execution, structures and people resources cannot set up a county (Ngundo (2014).

According to Ngundo, public engagement is now a necessary component of democracy and people-centered development. It is the basic basis for democracy, strengthening the state by giving legitimacy to governmental activities. It is also crucial for effective and democratic governance. Ngudo (2017). Despite the huge advantages that can be gained from public participation and the constitutional requirements, the conduct of public participation has not been structured. As a result, the Ministry of Devolution and Planning developed these guidelines for devolved units in collaboration with key stakeholders. This was accomplished through a complex process of stakeholder engagement, which involved members of the

public, civil societies, faith-based groups, academics, the commercial sector, professional bodies, foreign specialists, as well as officials from the national and local governments.

UNDER PEER REVIEW

3. RESEARCH METHODOLOGY

3.1 Research Design

Koini claims that it refers to the whole strategy for addressing the study subject (M.N. Koini, 2015). A descriptive survey was used by the researcher, and questionnaires were distributed. The study employed a descriptive research methodology since it was effective at summarizing the variables independently of the researcher. Because it enables the use of surveys, the design is most suitable. According to Wangai (2006), it is a technological approach of examination in which data is compiled and evaluated to characterize the current situation (M. Karimi, 2017). The study employed a descriptive research methodology since it was effective at summarizing the variables independently of the researcher. The design is ideal because it supports survey methods for data collecting and analysis and permits the use of study tools like questionnaires.

3.3 Target Population

The population group that is eligible to participate in the study, Groove et al (2013). According to Mugenda, the demographic subset that the researcher finds interesting becomes the target population (Mugenda, 2003). The 580 members of the county budget economic forum in Kinango Sub-County in Kinango Sub-County were the study's target population. This is 'the full' Kwale County CIDP (2018). This information was used to calculate the sample size using the Taro Yamane formula.

3.3.1 Sampling and Sampling Frame

A sample size is the amount of the whole that is chosen. The term 'sample size' refers to the portion of a part that best reflects the entire. A representative sample should be drawn using appropriate sampling methods with a sufficient response rate. At Saunders et al (2012) the Taro Yamane (1964) formula was used to guarantee complete population coverage.

3.4 Construction of Research Instruments

The data for this research was collected using a survey questionnaire. The survey was created using suitable questions modified from related research and individual questions formed by the researcher. Questions have been created for each variable and the response to be received for each question will help answer the Research questions. The researcher has chosen questionnaires than any other method of primary source because it was easy and convenient to get the responses. Wangari, A.H, (2017). A Likert scale was used to answer the statements like questions. Data collection was done at the village units where the sampled people are found. Adequate time of one day was allowed for the respondents to respond before the Researcher collects them. Eboh, (1998).

The research used the assumption that each ward in the CBEF is denoted by an equal number of members and will include 34 respondents from each ward; however, the number of respondents from each village depends on the size of the village units within each ward (Researcher, 2021).

3.4 Procedures and Methods of Data Collection

Questionnaires were used to collect primary data. For each variable, questions were posed, and the responses supplied helped answer the questions for the study. Data collection for this sort of research was made simple and practical by the use of questionnaires (A.H. Wangari, 2017). Like with questions, the statements were answered using a Likert scale. The villages where the sampled population is found are where the data was collected. Before the researcher collected the responses, the respondents had a full day to answer Eboh (1998).

3.5.1 Validity of the Instruments

It is how accurately a measurement will reflect what it is intended to measure. It lends authority and originality to the study being conducted (Dane, 1990). The researcher made sure the conclusions were braced by the material gathered and sought an expert opinion to represent it in order to make sure this was accomplished. Prior to leading the research, the essential authorization was acquired. By ensuring that the accuracy, conclusions, and significance of the study were based on the research findings, the study's trustworthiness was augmented (Mugo, 2017). Any research conclusions were based on an examination of the data gathered, in order to assure their legitimacy.

3.5.2 Reliability of the Instruments

This relates to how consistently two measurements of the same object vary. Several research participants who were later excluded from the main study were asked to use the tools while they were in the study location. The replies were rated on a Likert scale of 1 to 5, with 1 being a strong agreement and 5 a strong disagreement. Every variable was tested for internal consistency using Cronbach's Alpha, and those that produced a value of 0.7 were deemed acceptable Joppe (2010).

Table 1: Reliability

Variable	Number of items	Cronbach's Alpha	Decision
Fair Notice and Time	6	.919	Acceptable
Adequate and Access Information	5	.810	Acceptable
Fair and Open Dialogue	5	.810	Acceptable

Research Data (2022)**3.7 Data Analysis and Presentation**

Both descriptive and inferential statistics were used in the data analysis. Percentages were used to examine the demographic data, and frequency tables were used to display the results. Mean and standard deviation are examples of descriptive statistics techniques (Schindler & Cooper, 2013).

. RESEARCH FINDINGS, ANALYSIS AND PRESENTATIONS**4.1 Response Rate**

The response rate is the number of respondents who answered the questionnaires divided by the number of people in the sample and it is always expressed in the percentage form. The research targeted 218 respondents of which all the questionnaires were attended to with accurate level of 100%. Mugenda and Mugenda (2008) indicated that a response rate of 50% is suitable, 60% is good and above 70% is outstanding. Therefore, the response rate of 100% was considered excellent to analyse the effect of public participation on devolved governance system in Kenya.

4.2 Descriptive statistics.**4.2.1 Effect of Fair Notice and Time on public participation and devolved governance system in Kenya**

The first objective investigated the effect of Fair Notice and Time on public participation and devolved governance system in Kenya. Data was collected and analyzed as shown below. The mean and standard deviations of the data collected on Fair Notice and Time on public participation and devolved governance system in Kenya was computed and findings are presented in table 2. From the result, the respondents agreed that the information is always passed to the members' early enough, which was supported by a mean of (mean=3.52, SD=1.712). The respondents indicated that members always find time to attend public participation meetings with a mean of (mean=3.81, SD=1.363). Regarding a Members are made aware of Schedules and timelines the respondents had a mean of (mean=3.17, SD=1.202) and also the respondents indicated that the members participate fully in ongoing discussions which was supported by a mean of (mean=3.66, and a Standard Deviation of 1.175).

Therefore, the overall results indicate that the respondents were in agreement regarding the effects of public participation on devolved governance system. The findings concur with the findings of Omolo et al, (2015) who indicated that the involvement of the people in governance issue in Kenya has been recognized by different statutes including the supreme law of the land. This tenet is not only practiced and followed by the national government but all devolved 47 governments of the Counties which are issued with express guidelines on how involvement of the people should be done. The results are as represented in table 2

Table 2: Effect of Fair Notice and Time on public participation

Variables	N	Mean	Std. Deviation
Information is always passed to the members' early enough.	218	3.52	1.712
Members always find time to attend	218	3.81	1.363
Members are made aware of Schedules and timelines	218	3.17	1.202
Members participate fully in ongoing discussions	218	3.66	1.175

Research Data (2022)**4.2.2 Effect of Adequate and accessible Information on Public Participation and Devolved governance system in Kenya.**

The second variable in this study is about the effect of Adequate and accessible Information on Public Participation and Devolved governance system in Kenya. Just like in the previous variable, data was collected and analyzed using the mean and standard deviation. The data collected on Adequate and accessible Information on Public Participation was computed and findings are presented in table below. Based on the mean and SD, the respondents agreed that members have access to information regarding the subjects to be discussed with a mean of (mean=2.89, SD=0.345), others indicated that members have a clue of what is to be discussed with a mean of (mean=3.81, SD=.782). The respondents also agreed with the statements that, the presentation is done clearly and in a manner and language that is understandable to all with a mean of (mean=3.52, SD=1.072) and others were of the opinion that different channels of communication are used to pass the messages with a mean of (mean=3.73, SD=1.184). The findings concur with those of Kipkorir, (2018) who indicated that involvement of the people in governance issue in Kenya has been recognized by different statutes including the supreme law of the land. Devolved governments are required by law to consult their respective citizens in planning, budgeting and monitoring of service delivery.

Table 3: Effect of Adequate and accessible Information on Public Participation

Variable	N	Mean	Std. Deviation
Members have access to information regarding the subjects to be discussed	218	2.89	0.345
Members have a clue of what is to be discussed	218	3.81	0.782
Presentation is done clearly and in a manner and language that is understandable to all	218	3.52	1.072
Different channels of communication are used to pass the messages	218	3.73	1.184

Source: Research Data (2022)

4.2.3 Effect of Fair and open Dialogue on public participation and Devolved governance system in Kenya.

The effect of fair and open dialogue on public participation and devolved governance system in Kenya formed the third independent variable in this study. Data was analyzed through means and standard deviation. The mean and standard deviations of the data collected was computed and findings were presented and are as shown in the table below. As the mean results indicate, facilitators of public participation forums are knowledgeable with a mean of 2.77, and a Standard Deviation of 1.245, other respondents indicated that the discussions on various subjects are held freely with a mean of 2.81 and a Standard Deviation of 1.182. The participants also indicated that the discussions meet the needs of the members with a mean of

2.52 and an SD of 1.272 while other respondents indicated that the forums are held in areas where members can freely express themselves with a mean of 2.29 and an SD of 1.078. The findings concur with those of Lataief, et al. (2008) who indicated that the clamor for the new democratic space as seen in embracing the decentralized and devolved governance systems is intended to correct to a large extent the shortcomings of the previous governance systems. The expected outcomes of these governance systems is improved service delivery which will be efficient and cost effective as well as increase the administrative capacity and the productivity of the public sector.

Table 4: Effect of Fair and open Dialogue on public participation

Effect of Fair and open Dialogue	N	Mean	Std.Deviation
Facilitators of Forums are knowledgeable	218	2.77	1.245
Discussions on various subjects are held freely	218	2.81	1.182
Discussions meet the needs of the members	218	2.52	1.272
Forums are held in areas where members can freely express themselves	218	2.29	1.078

Research Data (2022)

4.3.4 Effect of inclusivity and Adequate Representation on public participation and Devolved governance system in Kenya

The effect of inclusivity and Adequate Representation on public participation and Devolved governance system in Kenya, formed the third independent variable in this study. Just like in other variables, data was collected through mean and standard deviation. The mean and standard deviations of the data collected on inclusivity and Adequate Representation on public participation was computed and findings are presented in table 5. As the results indicate, people have been fully involved in the budget making process with a mean of (mean=3.77, SD=1.445), other respondents indicated that the budgeted resources are equitably distributed with a mean of (mean=3.81, SD=1.482). The respondents also indicated that PWDs and those with special needs have always been included as members of the CBEF with a mean of (mean=3.52, SD=1.173). The findings concur with those of Cloete, (1997) who indicated that communication is linked with empowerment. Empowering participants represents advancement in democratic governance. Empowerment in simple terms means to enable, to allow or to permit and can be conceived as both self-initiated and initiated by others. Cloete, (1997) stressed that every member of the public has a role to play in exacting accountability. Apart from the county government policy that influences communication at local government level, information provision to policy-makers and implementers has also an impact on public participation.

Table 5: Effect of inclusivity and Adequate Representation on public participation

Effect of inclusivity	N	Mean	Std. Deviation
People have been fully involved in the budget making process	218	3.77	1.445
Budgeted resources are equitable distributed	218	3.81	1.482
PWDs and those with special needs have always been included as members of the CBEF	218	3.52	1.173

Research Data (2022)

4.4 Correlation Results

Correlation analysis is a technique used to establish how variables are associated with one another. Correlation matrix was constructed to show association between independent and dependent variables. Table 6 presents the results of the correlation analysis.

Table 6: Correlation Matrix

Variables		Public P	Fair N	Adequate I	Open D	Inclusive
Public P	Pearson Correlation	1				
	Sig. (2-tailed)					
Fair N	Pearson Correlation	.033	1			
	Sig. (2-tailed)	.591				
Adequate I	Pearson Correlation	.203**	-.067	1		
	Sig. (2-tailed)	.001	.277			
Open D	Pearson Correlation	.075	-.025	.330**	1	
	Sig. (2-tailed)	.224	.685	.000		
Inclusivity	Pearson Correlation	.230**	.144*	.689**	.278**	1
	Sig. (2-tailed)	.000	.019	.000	.000	

** . Correlation is significant at the 0.01 level (2-tailed). * . Correlation is significant at the 0.05 level (2-tailed).

Research Data (2022)

The result shows that there is a positive correlation between each pair of independent variable. The correlation between the pairs is moderate and significant at .05 significant levels. This indicates that the independent variables measure the same construct that is of public participation. This forms the other strength of this study. The correlation between the independent variables (Fair Notice and Time, Adequate and accessible Information, Fair and open Dialogue and Inclusive and Adequate Representation) and the dependent variable results shows that all are positive and significant. In particular, Fair Notice and Time is positively and significantly correlated ($r=.033$, $p<.05$). Similarly, Adequate and accessible Information ($r=.203$, $p<.05$), Fair and open Dialogue ($r=.075$, $p<.05$), and Inclusive and Adequate Representation ($r=.230$, $p<.05$) are positively and significantly correlated with Devolved governance system in Kenya. A regression model was assessed that links public participation and devolved governance system in Kenya. In the table above, there are some figures (with no stars) whose relationship with Devolved governance system in Kenya is not significant. The regression result is presented in the next section.

4.4 Regression analysis results

Table 7: Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.518 ^a	.268	.260	.747

- a. Predictors: (Constant), Fair Notice and Time, Adequate and accessible Information, Fair and open Dialogue and Inclusive and Adequate Representation

Research Data (2022)

The model summary results in table 8 indicate that the unadjusted R square values of .518. This is the coefficient of determination which implies that the set of independent variables in this study accounts for 51.8% of variations in the devolved governance system. The remaining percentage (48.2%) is accounted for other variables outside the model. The result indicates that

knowledge and information regarding the independent variables provides a great proportion of information regarding public participation and devolved governance system in Kenya. ANOVA results in table 7 assessed the model fitness.

Table 8: ANOVA

Model		Sum of Squares	Df	Mean Square	F	Sig.
1	Regression	13.221	3	17.892	32.048	.000 ^b
	Residual	6.864	215	.430		
	Total	20.085	218			

- a. Dependent Variable: Public participation

- b. Predictors: (Constant), Fair Notice and Time, Adequate and accessible Information, Fair and open Dialogue, Inclusivity and Adequate Representation

Research Data (2022)

The ANOVA result shows that the F_ ratio is 32.048 with a corresponding p-value of .000. This indicates that the model is fit. The predicted model connecting the public participation (Fair Notice and Time, Adequate and accessible Information, Fair and open Dialogue and Inclusivity and Adequate Representation) to devolved governance system is a good model. The regression coefficients of the variables in the model are as shown in table 9

Table 9: Regression Coefficient

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error			
1	(Constant)	2.374	.373		6.368	.000
	Fair Notice	.444	.067	.375	6.586	.000
	Adequate	.101	.044	.129	2.324	.021
	Open D	.612	.181	.182	3.389	.001
	Inclusivity	.104	.036	.153	2.906	.004

- a. Dependent Variable: Devolved governance system

Research Data (2022)

The result in table 9 indicates the regression coefficients of the independent variables (and the constant). The result shows that Fair Notice and Time has a positive significant influence on the public participation and Devolved governance system in Kenya ($\beta=.444$, $p=.000$), Adequate and accessible Information have a significant positive influence on public participation and Devolved governance system in Kenya ($\beta=.101$, $p=.000$), Fair and open Dialogue and significantly influence the public participation and Devolved governance

system in Kenya, ($\beta=.612$, $p=.021$). The Inclusivity and Adequate Representation has a significant influence on public participation and Devolved governance system ($\beta=.104$, $p=.000$). The regression equation was:

The regression model of

$$Y = 2.374 + 0.444X_1 + 0.101X_2 + 0.612X_3 + 0.104X_4$$

5. CONCLUSION AND RECOMMENDATIONS

5.1 Summary of Study Findings

The goal of the study was to determine how public participation affected Kenya's devolved governance system in the case of the county government of Kwale. To do this, the theories of agency, stakeholders, and stewardship were applied, and a connection between these theories and public participation was made. This was done because these theories place a strong emphasis on engagement, consultation, consent, representation, and delegated authority. It was assumed that varied variables would perform better in statistical analyses and thus be more useful for decision-making. To assess the internal consistency of the data gathering techniques, Cronbach's alpha was utilized. As descriptive metrics, mean and standard deviation were employed. Mean and standard deviation were descriptive metrics. The standard deviation indicated how far the distribution deviated from the mean, while the mean was used to determine central tendency.

With a mean of (mean=3.81, SD=1.363), the majority of respondents reported that members always find time to attend Public Participation sessions. With a mean of (mean=3.17, SD=1.202), the respondents who said that members are informed of timetables and deadlines said it least. Overall results show that respondents' opinions on how public engagement affects a decentralized government system were in accord.

With a mean of (mean=3.81, SD=.782), the majority of respondents said that members are aware of the topics to be discussed. The least number of respondents, with a mean of (mean=2.89, SD=0.345), agreed that members had access to information on the topics to be addressed. The outcome implies that many legislations in Kenya have acknowledged public participation in governance issues. According to the legislation, devolved governments must engage their local populations while planning, allocating funds, and keeping tabs on service performance.

With a mean of (mean=2.81, SD=1.182), more respondents answered that debates on diverse topics are held openly in public participation, while the fewest respondents (mean=2.29, SD=1.078) indicated that the forums are held in places where participants may express themselves freely without fear. According to the findings, these governance systems are expected to result in more effective service delivery that is both cost-effective and efficient, as well as an increase in the administrative capacity and productivity of the public sector.

With a mean of (mean=3.81, SD=1.482), the majority of respondents agreed that the budgeted resources are divided fairly. The least number of respondents, with a mean of (mean=3.52, SD=1.173), also said that PWDs and people with special needs have always been included as members of the CBEF.

5.3 Conclusions

The study came to the conclusion that the success of Kenya's devolved government system is positively impacted by public engagement. The County of Kwale's administration has properly engaged its residents in the budget planning process, and government projects and programs are well received. The establishment of financial control has also been aided by this engagement.

5.4 Recommendations

It is advised that other methods be used to engage the public, such as village Barazas, in order to get their opinions on a variety of issues so that they can cooperate in the planning process, based on the study's findings that those who have the chance to voice their opinions are those who attend the public participation forums.

The devolved administrations should step up civic education in order to raise awareness of the importance of citizens attending forums for public engagement.

The engagement of young people, who at the moment appear to be uninterested in forums and to some degree in county government programs, should get special attention.

To ensure that everyone has an equal chance to participate, emphasis should be placed on using local language while engaging the public. To decide how long a member should remain in the forum, more research should be conducted.

The county governments should establish and put into effect public participation statutes through their county assemblies. The devolved government system in Kenya recommends using the structured framework that incorporates the four independent variables as a model for how to conduct public involvement.

5.5 The Needs for Further Research

In Kenya, this kind of decentralized governing structure is relatively new. It is advised that more study be conducted in other counties in order to build a pool of knowledge.

Recommendations

The study found out that public participation and the devolved governance system in Kenya is not fully satisfying since it's only those who attend county forums that air their views. It is therefore recommended that the authority should consider expanding the reach of the public through the use of other forms of meetings such as Village Barasaas to increase the level of citizen participation. Further, the mode of communication to the public need to be improved to enable smooth communication with the public. There is need for the government to conduct intensive and extensive civic education. This is because a number of the respondents were ignorant of the fact that public participation is their right as enshrined in the constitution of Kenya.

There is need for the youth to take up an active role in the sensitization and creation of awareness to the old who do not seem to appreciate the need for public participation; Those conducting public participation should consider using the local language during public

participation forums or making use of interpreters in addition to providing materials in a language that the locals understand. This is because we have not yet attained sufficient literacy levels and those that have no education feel left out during such fora; it is important that the government makes use of more platforms when informing the public on the date, time, venue and topic of discussion and also on the relevance of the topic to the local people. This can be done through use of social media and key personalities in the community like local pastors, priests, chiefs and other influential persons in the community.

The Researcher is recommending the adoption of this structure as the model to be used by the Devolved Governments in their conduct of the Public Participation Forums. Further studies should be done to determine the length of period for each member in the Forum. This is to avoid dominance by certain members. The County Government should enact public participation laws and actualize them to assist in regulating the conduct of the Public Participation Forums by the Devolved Governance Systems in Kenya.

Recommendations for further research

The study centered on the public participation and the devolved governance system in Kenya, with reference to Kwale County. A similar study should therefore be done on other Counties in Kenya, those in both urban and rural areas and have better media monitoring. This will shed more light on public participation and the devolved governance system from other counties.

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