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**Local Government in Kenya: Negative Citizen Perception and Minimal Engagement in Local Government Affairs**

**Introduction**

Local governance has been glorified as a panacea for development, with a number of authors highlighting its positive attributes in development. It is embedded in the decentralization debates, policies and programmes which have been sweeping across the African continent. Conceptually, there is a belief that decentralization will improve not only the relationship between citizens and the state in Africa, but also the mobilization and distribution of wealth and ultimately, the quality of democracy (Mitullah 2004<sup>1</sup>). While this position may be viable, the reality on the ground is quite different. Many citizens are dissatisfied with the performance of local governments, and to a large extent are disengaged from local processes put in place to address local development.

An overview of Africa reveals that most countries are experimenting with new forms of regional and local governance irrespective of their political system, geographical location, history, level of economic development, and cultural traditions. This notwithstanding, citizens, who are supposed to be the pillars for local governance, remain skeptical about its performance, as highlighted in this Afrobarometer Bulletin. Since 1999, the Kenya Government has been implementing local government reform programmes focusing on rationalization of central-local financial relations, as well as specific measures aimed at restructuring the local government administration system for improved financial management, revenue mobilization and service delivery.

The reforms have witnessed the devolution of some resources from the central government to local authorities, constituencies and district authorities. Accompanying these reforms are participatory approaches to development, which include citizen participation in the development of Local Authority Service Development Action Plans (LASDAPs); citizen representation in the management of devolved funds; and public budget days in local authorities, among others.

Findings of the Kenya Round 4 Afrobarometer survey reveal that citizens remain discontented with the performance of local governments due to poor service provision and inability to follow procedures. This is intensified by ordinary citizens feeling unable to improve the local government situation, poor qualification of councilors to perform their jobs, and lack of

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<sup>1</sup> Mitullah W.V. 2004 'Participatory Governance for Poverty Alleviation in Local Authorities in Kenya' in Journal of Regional Development Dialogue (RDD) Vol. 25 No. 1

provision to allow citizens to elect their mayors. Further, citizens do not trust their councilors and are disillusioned with the modern governance system. They prefer greater inclusion of traditional leaders in local government.

## **The Survey**

The latest round (Round 4) of Afrobarometer surveys was conducted in 20 African countries based on a common methodology and survey instrument. The most recent survey in Kenya, conducted from 29<sup>th</sup> October to 17<sup>th</sup> November 2008, was the third in a series.<sup>2</sup> The first two were conducted in 2003 and 2005. Like the 2005 survey, the most recent survey was carried out by the Institute for Development Studies (IDS), University of Nairobi, in collaboration with Center for Democratic Development (CDD), Ghana and Michigan State University (MSU), USA. It was based on a nationally representative random sample of 1200 adult Kenyans of voting age. This sample was drawn based on the latest population projections (2008) of the National Sample Frame obtained from the Kenya National Bureau of Statistics (KNBS).

Given Kenya's estimated population of 36 million people, a sample of this size gives an overall margin of sampling error of +/-3 percent at a 95 percent confidence level. The survey was conducted in all the eight provinces and 63 of the country's 71 districts. Each province contributed to the sample based on its share of the national population, with the exception of a deliberate over-sample of North Eastern Province to obtain an analyzable sub-sample<sup>3</sup>, and a targeted sample among Internally Displaced Persons (IDPs)<sup>4</sup> to help capture the experience of this sub-group following the post-election violence of 2007-8. Deliberate measures were instituted to help attain fair distribution of respondents on the basis of gender as well as along the rural-urban divide.

## **Key Findings on Local Governance**

### ***Governance and Service Provision by Local Governments***

Local governments in Kenya have a mandate to provide and manage services for residents within their jurisdictions. However, this has been a major challenge, and since the beginning of the reform programmes participatory approaches to service provision, including Public, Private Partnerships (PPPs), have been encouraged.

To assess local government performance in service provisions, respondents were asked how well or badly their local government was handling: maintenance of roads, local markets, health standards in public restaurants and food stalls; keeping the community clean (e.g. refuse removal); collecting license fees on bicycles, carts and barrows; and collecting rates on privately owned houses. Among these services, slightly favourable responses were obtained only for the collection of license fees on bicycles, carts and burrows (50 percent "fairly" or "very well") and collecting rates on privately owned houses (46 percent). All of the rest scored favourable responses of below 40 percent, while responses of "fairly" or "very badly" reached 60 percent and above, as highlighted in Figure 1.

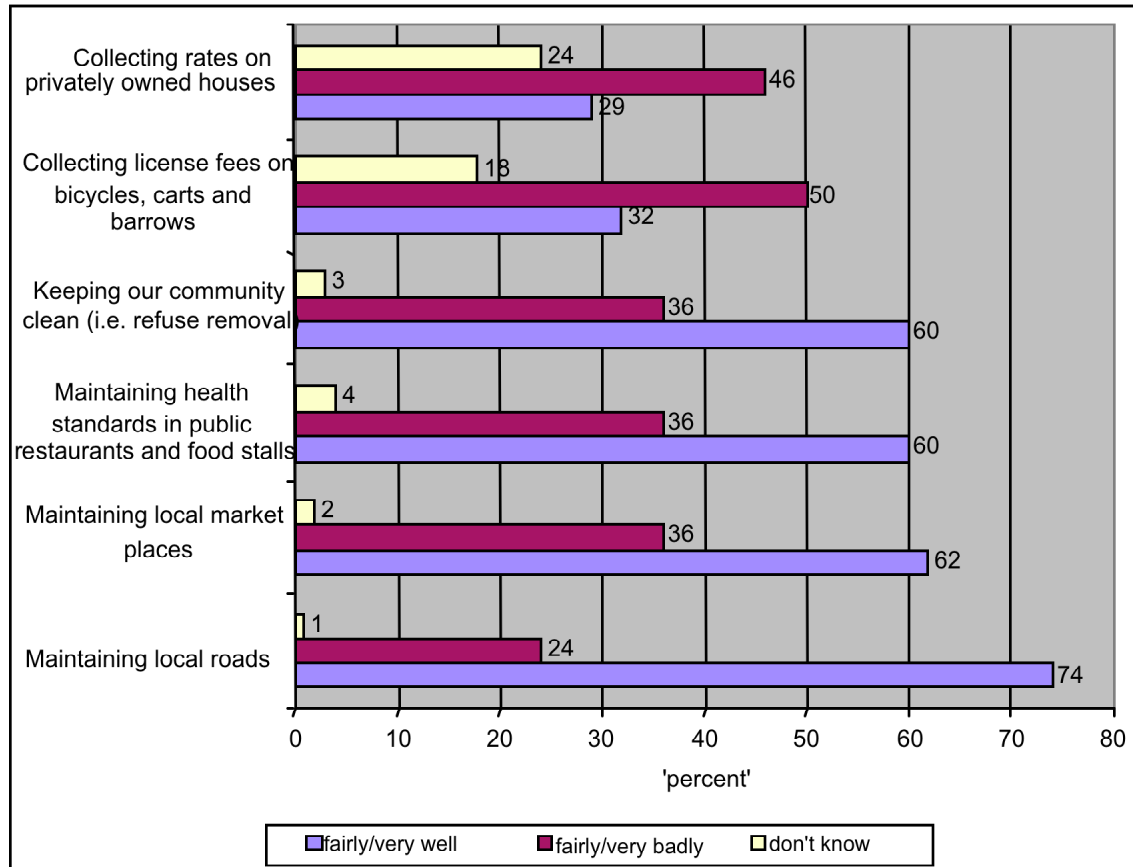
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<sup>2</sup> Kenya was not included in Round 1 of the Afrobarometer, conducted from 1999-2001.

<sup>3</sup> The findings presented in this report have, however, been weighted; as such North Eastern Province only contributes in proportion to its actual share in the national population.

<sup>4</sup> Responses from IDPs have not been included in analysis for this bulletin. The dataset is however, available for analysis of IDP-specific issues.

**Figure 1: Local Government Performance**

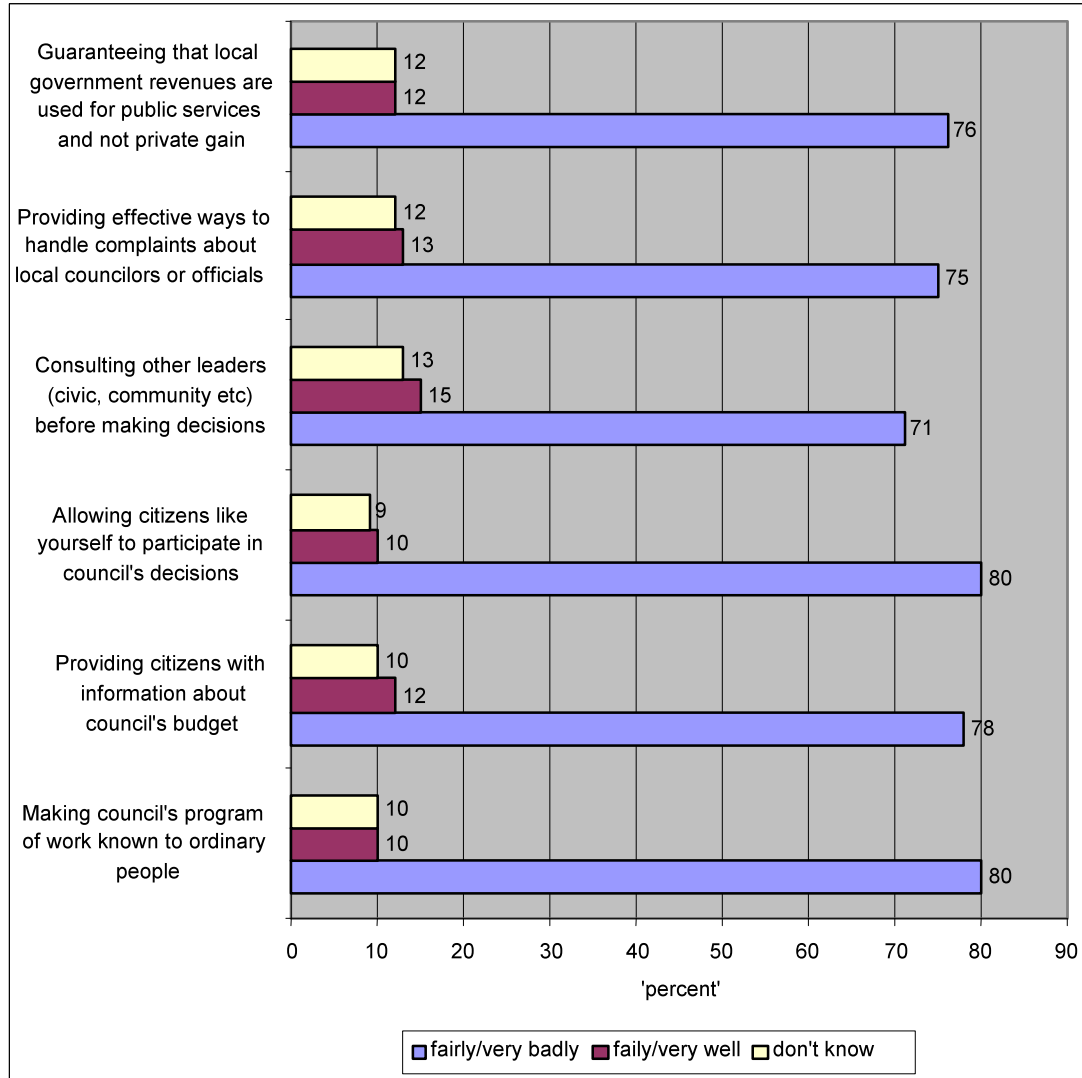


Question: *How well or badly is your local government is handling the following matters?*

**Local Councils Not Following Democratic Procedures**

Policies, regulations and procedures are important for effective governance. Respondents were asked how well or badly they thought their local councils were: guaranteeing that local government revenues are used for public services and not private gain; providing effective ways to handle complaints about local councilors or officials; consulting other leaders (civic, community, etc.) before making decisions; allowing citizens to participate in the council’s decisions; providing citizens with information about the council’s budget; and making the council’s program of work known. In assessing all these variables, over 70 percent indicated that the councils were faring badly. The worst ratings came for not allowing citizens to participate in the council’s decisions and in making council’s program of work known to ordinary people, which each scored 80 percent negative ratings. All the variables attracted favorable responses of below 15 percent, as highlighted in Figure 2.

**Figure 2: Local Government Councils and Practice of Procedures**

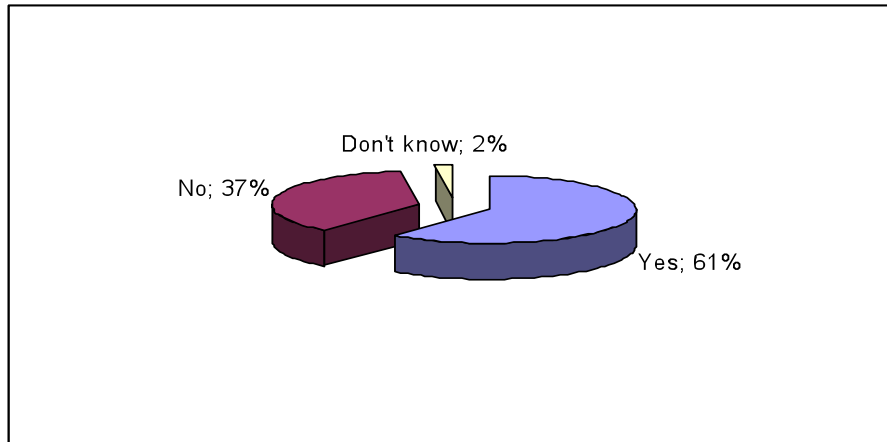


*Question: How well or badly do you think your local council is practicing the following procedures?*

### **Ordinary Citizens Unable to Improve Local Government**

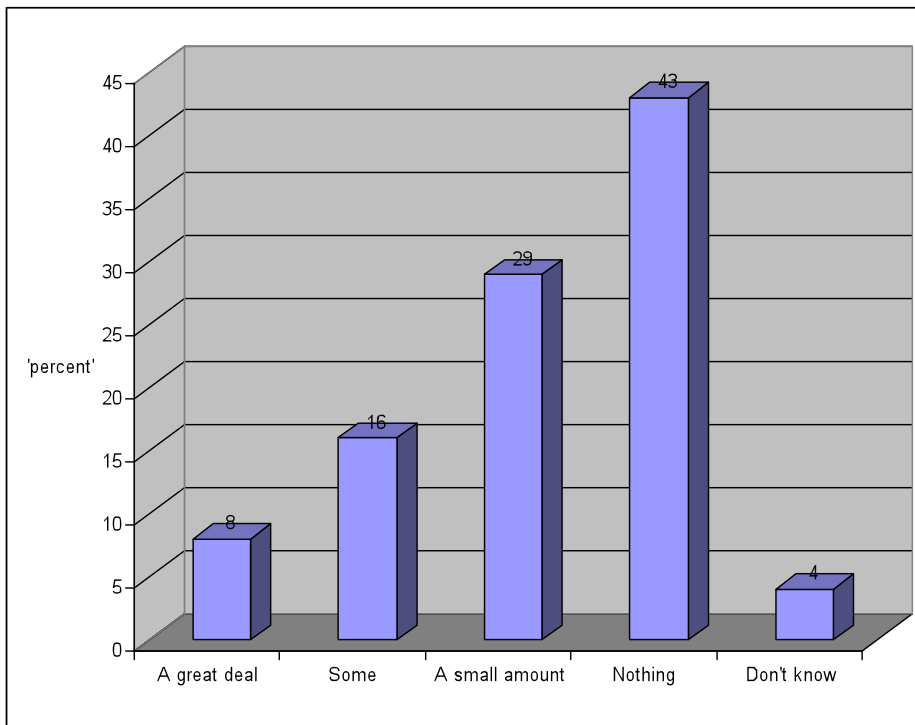
When asked whether they had seen any problems with how local government is run in the past year, 61 percent of Kenyans answered in the affirmative (Figure 3). There was however, a significant number (37 percent) who responded negatively, indicating that a sizeable minority of Kenyans do not have major concerns about local governance, either because they are disillusioned with its performance, or simply do not interact with local authorities enough to make an assessment. Another question asked respondents how much an ordinary person can do to improve the situation when they see problems with how local government functions found a plurality of respondents (43 percent) indicating that an individual can 'do nothing', while 29 and 16 percent, respectively, indicated that an individual can improve the situation by a 'small amount' or 'some' respectively. Only 8 percent think that an individual can do 'a great deal' to improve the situation, as shown in Figure 4.

**Figure 3: Problems with Local Government**



*Question: In the past year, have you yourself seen any problems with how local government is run?*

**Figure 4: Influence of Ordinary Citizens on Local Government**



*Question: "When there are problems with how local government is run in your community, how much can an ordinary person do to improve the situation?"*

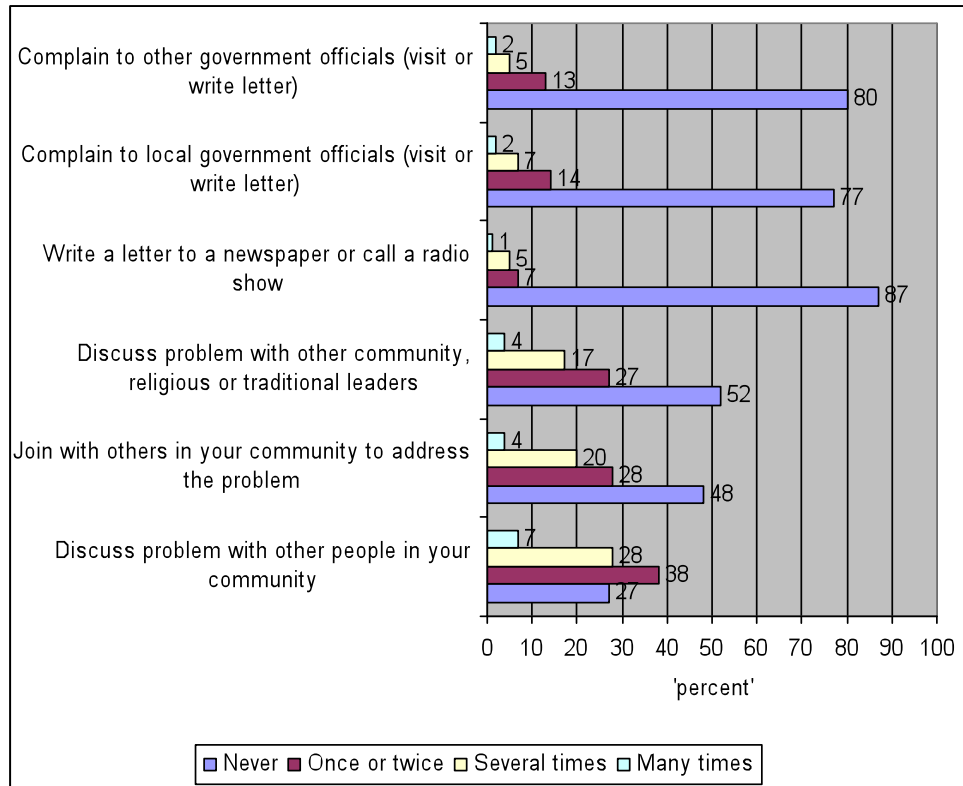
This pessimism about the ability of individuals to improve local government performance stands in contrast, however, to individuals' confidence in their ability to influence councilors.

Respondents were asked how likely it was that they could get together with others and make a councilor listen to their concerns about an important matter in the community. Although 38 percent were pessimistic, a solid majority of 59 percent voiced confidence ("somewhat" or "very likely") in their abilities to make a councilor listen. Even so, nearly two-thirds (64 percent) had not tried contacting a local councilor in the past year, though about one in five (21 percent) had made contact on numerous occasions (Figure 4). Many individuals may, however, feel that even

if their local councilor will listen to their views, they will still have little impact on the situation, and thus do not bother trying.

Respondents were asked what, if anything, they have done when they have seen problems with how local government is run. As shown in Figure 5, significant numbers would take actions such as discussing the problem with others, including community leaders, and more than half said they had joined with others to address the problem. But far fewer took more aggressive action, such as complaining to government officials or the media.

**Figure 5: Engaging with Local Authorities**



*Question: “(If you have seen any problems in the last year with how local government is run:) How often, if at all, did you do any of the following”*

*Note: Findings are among the 61 percent who had seen problems; 38 percent who saw no problems are excluded.*

The survey shows, however, that the sense of individuals’ inability to do anything about local problems is not due to fear of intimidation. This is supported by a question asking respondents how likely they think it is that people can be punished by government officials if they make complaints about poor quality of services or misuse of funds. Fully 62 percent said they thought it was “not at all likely” or “not very likely”, so most Kenyans do not feel intimidated by government officials.

Further evidence of Kenyans’ willingness to engage with local governance is implied in the response to a question asking “who should be responsible for making sure that, once elected, local government councilors do their jobs?” A solid majority (59 percent) of respondents indicated that voters should be responsible, although others felt it should be the local council itself (27 percent), the councilors’ political parties (6 percent), or even the President (5 percent).

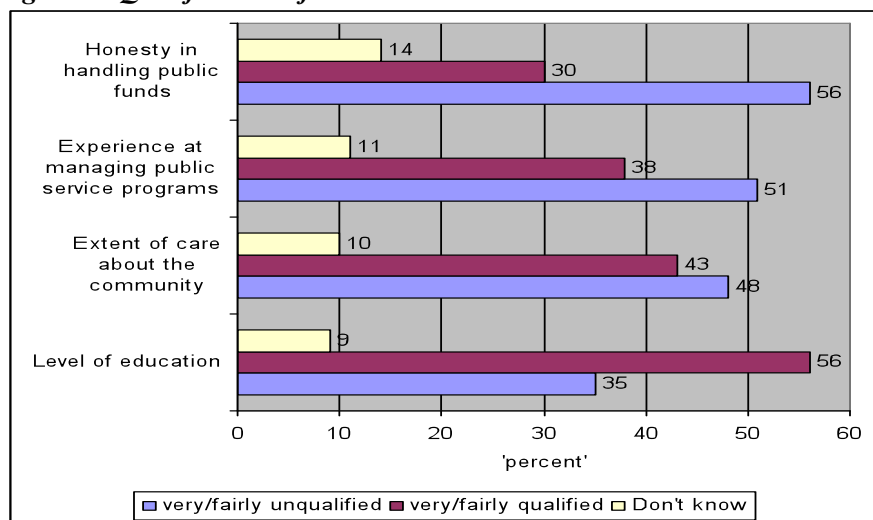
But while citizens seem to be willing to take charge as overseers, the necessary legal provision are often lacking. The 2005 Draft Constitution included a provision for the recall of elected leaders, but since the Draft was rejected, citizens must still contend with their leaders for a full five years once they have been elected.

### ***Councilor Qualifications***

Education level of councilors has been a major concern in Kenya. In a Draft Preliminary Bill on Local Government Act of 2001, Chapter 265, it was proposed that local councilors should have a minimum qualification of the Kenya Certificate of Secondary Education or its equivalent. Mayors of Municipal Councils should possess a University degree from a recognized University and at least 10 years experience in the management of a private or public organization, and be a person of integrity. These provisions are yet to be legally applied, although they have so far begun contributing to improved quality of councilors.

The survey probed respondents' perspectives on councilors' qualifications. A majority rated councilors to be qualified in terms of their level of education (56 percent). However, in all other respects, pluralities or even majorities find them to be insufficiently qualified. Councilors are perceived to be largely unqualified in terms of their honesty in handling public funds (56 percent unqualified), experience at managing public service programs (51 percent unqualified), and the extent they care about the community (48 percent), as indicated in Figure 6.

**Figure 6: Qualification of Councilors to Do Their Job**



*Question: How qualified do you think the current group of elected councilors are to do their jobs?*

Councilors have been exposed to a lot of criticism from the public for their poor performance and concern for their personal interests. A question asking respondents whether they approve of the way their local councilors had performed their jobs over the past twelve months had mixed reactions: 44 percent disapproved of their performance, against 46 percent approval; about 5 percent said that they had not heard enough to enable them to comment.

### ***Public Election of Mayors***

In Kenya, mayors are elected by an electoral college of councilors and are often prone to council factional manipulations, as well as manipulation by individual councilors. The survey asked

respondents whether mayors of local authorities should be directly elected by the public rather than indirectly by the local government councilors. An overwhelming majority (77 percent) agreed that mayors should be directly elected.

### ***Trust and Corruption among Local Councilors***

The survey shows that most Kenyans do not trust their local councils and have not been exposed to corrupt practice over the last one year in order to get water and sanitation services. Fully 58 percent said they trust their local council “not at all” or “just a little”, compared to 39 percent who trust them “somewhat” or “a lot”. The response is, however, slightly more positive with regard to corruption: 51 percent believe that “none” or only “some of them” are involved in corruption, compared to 43 percent who think that “most” or “all of them” are.

A comparison of traditional leaders with local government councilors reveals that, citizens trust traditional leaders (56 percent “somewhat” or “a lot”) more than local councilors, and also view them as less corrupt (70 percent “none” or only “some”).

### ***Including Traditional Leaders in Local Government***

Respondents demonstrated their disillusion with modern governance by their response on whether traditional leaders should sit in local government. A majority of respondents felt that traditional leaders should have seats in local government (69 percent). Among these respondents, 53 percent felt they should be elected by the people, while 7 and 9 percent felt they should be “appointed by government” or selected “in some other way”, respectively. Only 22 percent of respondents felt traditional leaders should not have seats in local government. These responses were further corroborated by the response to a question asking whether they think the amount of influence traditional leaders have in governing local community should increase, stay the same, or decrease. More than two-thirds (69 percent) indicated their influence should increase “somewhat” or “a lot,” compared to just 4 percent who thought it should decrease, and 17 percent who thought it should stay the same. Only 18 percent feel that traditional leaders currently have “a great deal” of influence in governing local communities, compared to 43 percent who think that they have no influence or only a small impact.

### **Interpreting the Findings**

These findings on Kenyans’ perceptions of local government and their involvement in local affairs call for a re-examination of the structure of local government, its leadership, and strategies for engaging citizens. The survey reveals that local governments are not putting into practice procedures relevant for ensuring citizen engagement via transparency about budgets, spending, and programs of work, and by opening their doors to citizen involvement, and even complaints. Frameworks for engaging citizens in these ways remain weak and many citizens are still to fully embrace those opportunities that do exist.

Local government in Kenya has a participatory framework, the LASDAP, which idealistically brings all stakeholders together using a ward-based approach. At the ward level, all ward members are expected to attend meetings to contribute to the discussions on what they wish to have included in the LASDAP. There are two challenges to this process: many residents do not attend such meetings, and the few who do often do not find their suggestions integrated into the LASDAP. This is largely due to the budgetary balancing act that most councils have to undertake across respective council wards. This is done taking into account priority needs of the whole council, as well as needs specific to respective wards. Unfortunately, most local



governments have not adequately exposed citizens to the LASDAP process – all that the citizens know is that they have identified priorities that have not been adopted by their councils.

According to the survey findings, citizens may also have themselves to blame for the situation in which they find themselves. A majority is aware that services are badly handled, but they are not proactive, and hardly consult the leadership of local authorities with an aim of influencing and changing the situation. In recent years, a number of citizen associations, including resident and tax payers associations, have been formed and are mobilizing citizens to be responsive to governance issues relating to service provision and management. Such movements bear hope, and might transform the disengaged citizens into proactive citizens, with potential for demanding their rights, taking responsibility, and in turn changing the negative perception of local government in Kenya.

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