



Grassroots Development Initiatives Foundation -Kenya (GRADIF-K)

**BASELINE SURVEY TO ESTABLISH THE PREPAREDNESS OF LAIKIPIA COUNTY FOR
SERVICE DELIVERY TO WOMEN AND OTHER MARGINALISED GROUPS SO AS TO
LAY FOUNDATION FOR FUTURE SOCIAL AUDITS**

Baseline Survey Report, 2013

Edited by:

Kimani Francis

Bernard Ndungu

Gladys K. Miriti

TABLE OF CONTENTS

Abbreviations and Acronyms	3
Acknowledgement	4
About GRANDIF-K	6
EXECUTIVE SUMMARY	3
PART 1: BACKGROUND AND INTRODUCTION	
<i>SECTION I: CONTEXT FOR DEVOLUTION</i>	
Meaning of Devolution	12
Constitution, Devolution and the participation of Marginalized Groups	13
Achieving the re presentation of special interest groups at the county level	15
The National Values and Principles of governance vis-à-vis public participation	16
Policies and Initiatives for Marginalized Groups in Devolution	19
<i>SECTION II: THE STUDY</i>	
Introduction	22
Goal of the study	22
Study objectives	22
Study design	23
Study Geographical Coverage	24
Target groups	25
Research Methodologies	25
Data analysis	26
PART TWO: STUDY FINDINGS	
Profile of the respondents	28
General Understanding on Devolution	29
Leadership	30
Citizen Participation	38
Service Delivery	40

Transparency and Accountability	41
Monitoring and Evaluation	43
PART 3: RECOMMENDATIONS	45
PART 4: CONCLUSION	51

ABBREVIATIONS AND ACRONYMS

CoK 2010	Constitution of Kenya 2010
FGDs	Focus Group Discussions
GRADIF-K	Grassroots Development Initiatives Foundation-Kenya
ICJ	International Commission of Jurists
MPs	Members of Parliament
PWDs	Persons with Disabilities
SAGA	Semi-Autonomous Government Agency
UNDP	United Nations Development Programme

ACKNOWLEDGEMENT

Grassroots Development Initiatives Foundation-Kenya (GRADIF-K) is grateful to UNDP Amkeni Wakenya and the Kenya Community Development Programme whose financial support facilitated the undertaking of this baseline survey, process preparations and the final production of this report possible.

GRADIF-K acknowledges the contributions made by men, women, youth, persons with disabilities and other marginalized groups from 3 (three) Constituencies of Laikipia County i.e. Laikipia East, Laikipia West and Laikipia North, to this report. Many members of the mentioned categories and their leaders, either as key respondents or participants in focus groups' discussions, volunteered a lot of their valuable time and information, during the baseline survey to discuss various issues relating to the preparedness of the Laikipia County for service delivery to these groups and the public in general.

We wish to record our appreciation for all the leaders and officials of the Laikipia County Government particularly the office of the governor, deputy governor, county executive committee members, the speaker, and members of the Laikipia County Assembly who gave important insights into the subject of the survey. Specifically, we are indebted to Laikipia County Governor Hon Joshua Irungu, Deputy Governor Gitonga Kabugi, the Speaker Hon Patrick Mariru, Deputy Speaker Peter Kimondo and County Executive Member for Tourism, Trade and Enterprise Development, Hon Jane Putunoi, for their support during the survey either individually or through their delegated representatives. We also greatly thank Members of Laikipia County Assembly namely; Hon Dan Ndegwa, Hon Ephraim Mwangi Wachira, Hon Beth Waithira and Hon Mwangi Maruga who sacrificed their busy schedule to talk to us and gave us valuable information which immensely shaped the content of this report.

Our gratitude also goes to Ms Leah of the Hon. Deputy Governor's office and Ms Mercy at the Hon Speaker's office for their relentless assistance.

We value the input of all those who we have not mentioned their names herein but have given a lot of information that has reinforced the content of this report.

We wish to thank Ms Gladys Miriti, GRADIF-K, Chief Executive Officer, for giving technical support and providing the overall leadership during the undertaking of this survey, which has highly contributed to the success of the exercise. Her support is greatly appreciated.

We appreciate the tireless efforts of the consultant, Mr. Kimani Francis for leading the survey exercise and Mr. Ndungu Bernard, GRADIF-K, Advocacy Programme Officer for effective coordination of the exercise, and all the Baseline Survey Assistants for conducting the baseline survey and putting this report together. Their hard work has lead to the successful and timely delivery of this quality document as per the GRADIF-K required standards.

Last, but not least, we thank the entire GRADIF-K secretariat namely Mr. George Wanjohi and Nicholas Mwirigi for effective and timely providing the logistical support. We appreciate the efforts and contributions, which one way or another, made the undertaking of the survey exercise and finalization of this report a great success.

To all of you we say, *ahsante sana*.

ABOUT GRADIF-K FOUNDATION

Grassroots Development Initiatives Foundation-Kenya (GRADIF-K) is a public Community Development Foundation supporting the improvement of living standards of disadvantaged vulnerable and marginalized community groups in selected poverty stricken areas in Kenya. GRADIF-K was formed in the year 2006 and legally registered with the relevant authorities in the year 2007. GRADIF-K works with organized, legally registered grass root community development organizations including community groups, relevant Government of Kenya departments, development partners including development agencies, nongovernmental organizations, institutions and community technical resource persons in the implementation of age-appropriate, rights based, gender sensitive, cultural relevant and environmental friendly community based poverty reduction programs. GRADIF-K has placed high priority in developing the capacities of CSOs including, CBOs and women led grassroots organizations to realize sustainable development that gives priority to the poor, advances women and girls' rights for sustainable livelihoods.

All GRADIF-K programs are geared towards contributing towards the realization of Kenya's Vision 2030 Goals, Millennium Development Goals (MDGs) and Education for All (EFA), all in contribution to the realization of the wellbeing of the key targeted groups in Kenya. To promote effectiveness, wider reach and sustainability of projects/programs, GRADIF-K works with organized and legally registered community groups and local structures which are the key drivers of development agenda in various parts of the country. The key broad areas of our work include; Public Participation and Governance, Social Protection, Economic Livelihoods and Organizational capacity development for GRADIF-K as well as affiliated CSOs to effectively deliver the advocacy and development agenda.

Vision

Our vision of the society we serve; *Empowered society actively engaging in sustainable development*

The vision of our esteemed organization; *A champion for sustainable development of grass root communities in Kenya*

Mission

To facilitate the empowerment of grassroots marginalized communities through advocacy, capacity development, partnership and networking so that they can actively engage in sustainable development guided by equal opportunities for all.

Core Values

GRADIF-K values the dignity and rights of every human being, professionalism and teamwork, commitment and integrity, working with others, interactive participation, equity and fairness, transparency and accountability, learning and innovation and commitment to Social Justice Development.

EXECUTIVE SUMMARY

In the past one year, GRADIF-K has been implementing the KCDF Supported project titled “*enhancing women’s and other marginalized groups’ participation in political leadership and decision making in Laikipia County in Kenya*”. The project sought to enhance the participation of women and The constitution as well as other supportive legislations, such as the County Government Act, 2012 provides for the participation of women and other marginalized groups in the devolved government structures. However, it’s yet to be established whether this is actually taking place as the County governments take root.

It is against this backdrop that GRADIF conducted a baseline survey which aimed at establishing the preparedness of Laikipia County for service delivery to women and other marginalized groups so as to lay foundation for future social audits.

The specific objectives of the baseline survey included;

- 1) To identify leadership opportunities for women and other marginalized groups in the Laikipia County government
- 2) To assess the level of participation of women and other marginalized groups in the County affairs
- 3) Establish the information dissemination mechanisms for citizens’ participation and decision making in matters affecting their lives.
- 4) To evaluate the effectiveness of County’s service delivery mechanisms to the citizens
- 5) To examine transparency and accountability mechanisms

The study was carried out in 3 (three) Constituencies of Laikipia County ie Laikipia East, Laikipia West and Laikipia North.

The study established women and other marginalized groups are not involved in the Laikipia County affairs. Most of these categories were nominated since the electorate failed to elect them during the March 2013 General Elections. As a cross cutting challenge, lack of information and awareness on appointment process among these groups is a major impediment to inadequate representation in county government. They are not aware of the positions in which they can seek election or nomination. These categories, also, do not understand the constitutional

provisions beneficial to them hence they cannot demand their rights. Various strategies to enhance women's and other marginalized groups participation in leadership and the decision making in county government were identified. They include the following;

- Full implementation of affirmative action principle as envisaged in the constitution for the youth, women, PWDs and ethnic minorities.
- Abandonment of cultures and traditions that discriminate against women and other marginalized groups in leadership
- Addressing electoral violence to create a level playing ground for all aspirants
- Economic empowerment for the women and other marginalized groups so that they can effectively participate in electoral processes
- Enhancing literacy levels for women and other marginalized groups which is a critical leadership factor
- Availing information to them

Majority of the county leaders and officials were not aware of the various laws that guide devolution implementation. In addition, half of them had not been oriented on the requirements of their portfolios.

The baseline came up with various recommendations including;

- Capacity building of county officials and leaders
- Strict adherence to constitutional provisions for the women and other marginalized groups
- Dealing with retrogressive cultures and traditions that hinder women and other marginalized groups participation in leadership
- Community sensitization for attitude and perception change so that they can elect women and other marginalized groups to leadership positions
- Economic empowerment for women and other marginalized groups
- Enhance service delivery to citizens by the county government
- Sensitization of community members on county service delivery functions
- Enhancing transparency and accountability

- Strengthening Monitoring and Evaluation capacity for the county government
- Conducting Social audits to enhance citizens monitoring role of the county affairs
- Public participation in matters affecting them including planning and budgeting at the county level.

To ensure that devolution is successful, all citizens (men, women, youth, PWDs, minorities) needs to participate adequately effectively in the devolved government in the spirit of inclusiveness. This will enable the country achieve Kenyan Vision 2030.

PART 1: BACKGROUND AND INTRODUCTION

SECTION I: CONTEXT FOR DEVOLUTION

Before coming into force of the new constitution in August 2010 the system of governance in Kenya was characterized by two main features. The first one was that all the powers (socio-political and socio-economic) were vested in the central government in the capital Nairobi. The second feature of this system of government was that the old Constitution gave the President a lot of powers. The president was not answerable to any person or institution. This situation resulted to dictatorship and misuse of public resources in the past. There was a lot of inequality in distribution of resources where some regions were marginalized. Therefore, many Kenyans were not happy with this system of government.

Due to this reason, devolution of power and resources to the local level was one main subject that dominated the struggle for a new constitution. During the various consultations on the constitution that started in 2003, it was noted that there was a widespread feeling among the Kenyan people of exclusion from central government. People felt marginalized, neglected, deprived of their resources and victimized for their political or ethnic affiliations. They considered that their problems arose from government policies, which they did not participate in formulation. Decisions were made at places far away from them. These decisions did not reflect the reality under which they lived, the constraints and privations under which they suffered. They had lost access to markets for their agricultural products because roads had been allowed to fall into disrepair. Health institutions did not have essential medicines. Land disputes were widespread, and land registries far away, which led to alienations of their land which they could neither comprehend nor do much about. As their poverty deepened, they could see the affluence of others: politicians, senior civil servants and the cronies of the regime. They felt that under both presidential regimes, certain ethnic groups had been favoured, and others discriminated against. Local government had lost its authority and had been deprived of financial resources since independence.

These circumstances led Kenyans agitate for the devolution of power to local/lower levels. They wanted to have greater control of their own destiny and to be free to determine their

development choices and affairs. Generally, people asked for transfer of powers and resources to the local level. They considered that devolution would give them greater both political and economic influence.

The structure of government under the Constitution of Kenya 2010

The constitution of Kenya 2010 (CoK 2010) drastically changed the system of governance by introducing devolution. The CoK 2010 establishes two levels of government i.e. The National Government and the Country Governments. The national government is composed of three arms that is, the Executive, the Judiciary and Parliament. The country government on the other hand is composed of the County Executive Committee and the County Assembly. These structures of government shall have separate roles but shall also work in harmony to ensure service delivery to the men and women of Kenya.

What is devolution?

Devolution means the transfer of resources and political power from the central government to lower semi autonomous units at regional levels. Devolution usually transfers responsibilities for services to local governments that elect their own elected functionaries and councils, raise their own revenues, and have independent authority to make investment decisions. In a devolved system, devolved governments have clear and legally recognized geographical boundaries over which they exercise authority and within which they perform public functions. It creates a mechanism to facilitate transfer of power, responsibilities and resources from the central government to democratically elected entities or units.

Devolution is found in many countries such as Rwanda, South Africa, Uganda, and Nigeria.

Foundations for devolution in the Constitution of Kenya 2010

The constitution gives **sovereign power** to the Kenyan people, which shall be exercised through various state organs, including the county governments.

The **national values and principles** set out in the constitution give importance to devolution of power. Article 10 (2) identifies devolution of power as one of the principle that should guide the Kenyan governance system. Chapter 11 outlines the structure, organs and roles of the devolved government.

What does devolution aim to achieve?

The objectives of devolution are contained in article 74 of the Constitution which outlines the objectives. They are:

- a) to promote democratic and accountable exercise of power;
- b) to foster national unity by recognizing diversity;
- c) to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them;
- d) to recognize the right of communities to manage their own affairs and to further their development;
- e) to protect and promote the interests and rights of minorities and marginalized communities;
- f) to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;
- g) to ensure equitable sharing of national and local resources throughout Kenya;
- h) to facilitate the decentralisation of State organs, their functions and services, from the capital of Kenya; and
- i) to enhance checks and balances and the separation of powers.

CONSTITUTION, DEVOLUTION AND THE PARTICIPATION OF MARGINALIZED GROUPS

The Kenya Constitution 2010 recognizes that special interest clusters have a role in the management of the country if full integration in the socio economic and political affairs of the state is to be enjoyed by all. Special interest clusters under the constitution include minorities and marginalized groups both at the national and regional level. These groups have invariably been marginalized and left out in the mainstream governance of the country and provision of basic social services.

The term minority is defined in the Webster online dictionary as: the smaller in number of two groups constituting a whole; *specifically*: a group having less than the number of votes necessary for control: a part of a population differing from others in some characteristics and often subjected to differential treatment.

Minorities can thus be understood within both national and local spheres. National minorities may be understood on the basis of population size where smaller communities constitute national minorities since they are disadvantaged when ranked against the bigger communities.

Local minorities on the other hand, may be understood based on representation at county level. The Constitution in chapter eleven has introduced the concept of devolution and within it counties. The country is poised to witness instances where groups which are national minorities will at the county level be deemed majorities and those who by tribe constitute national majorities may in some counties be considered minorities for purposes of representation at their county.

In understanding minorities it is important to be careful to note that ethnicity is not the only way of determining that status. Other considerations also qualify a group as a minority group to be considered and integrated in county representation. These are;

- a) Gender
- b) Religion
- c) Race;
- d) Disability;
- e) Age and specifically the youth;

The reality of our nation is that some groups which would qualify as majorities when only numbers are considered have historically been subjected to marginalization despite their numerical superiority. The Constitution has adopted the use of the term marginalized groups which is a larger term addressing both the interests of disadvantaged majorities and numerical minorities.

Article 260 of CoK 2010 defines a marginalized group to mean a group of people who because of laws or practices before on, or after the effective date, were or are disadvantaged by discrimination on one or more of the grounds in Article 27(4).

An expanded definition of a marginalized community is further given in the Constitution to include a community that because of its relatively small population or for any other reason has been unable to fully participate in the integrated social and economic life of Kenya as a whole; an indigenous community that has retained and maintained a traditional lifestyle and livelihood based on a hunter or gatherer economy; or pastoral persons and communities whether they are nomadic or a settled community that because of, its relative geographic isolation, has experienced only marginal participation in the integrated social and economic life of Kenya as a whole.

Achieving the representation of special interest groups at the county level

While looking at the representation of marginalized groups in devolved units it's critical to make reference to the objects of devolution as captured in the constitution. One of the identified objects is to protect and promote the interests and rights of minorities and marginalized communities. This provision is an architectural foundation upon which special interests are to be accorded representation at the county level.

a) Representation

Chapter Seven of the Constitution sets out the principles of the electoral system. These principles are aimed at guiding the electoral sphere and representation of diverse groups in the society. Amongst identified principles are; freedom of citizens to exercise their political rights under Article 38, not more than two-thirds of the members of elective public bodies shall be of the same gender, fair representation of persons with disabilities, universal suffrage based on the aspiration for fair representation and equality of the vote and free and fair elections.

Article 90 introduces the concept of proportional representation in the allocation of additional seats under the constitution. The additional seats are to be allocated in the Senate, National Assembly and **important for our purposes, County Assemblies**. Proportional representation requires that political parties are allocated seats in proportion to the number of votes they get at

an election. The Constitution has however used the term allocation in proportion to the number of seats won in an election.

With respect to county assemblies, the constitution provides that the composition of the assembly shall include inter alia, the number of members of marginalized groups, including persons with disabilities and the youth prescribed by an Act of Parliament (currently Article 7 (1) (a) of the County Governments Act, 2012).

Identified for consideration in sharing the allocated seats are gender; age; disability and ethnic diversity. The terminology used in the article is “including” and this phraseology should be read together with the principles of devolution which require inclusivity and participation in the management of county affairs and representation.

b) The National Values and Principles of governance vis-à-vis public participation

The Constitution in Article 10 sets out the national values and principles of governance. These principles and values are binding on all state officers and organs whenever any of them is applying or implementing the constitution or executing any policy.

Some of the identified principles and values relevant to special interest groups are; devolution of power, participation of the people, equity, social justice, inclusiveness, equality, human rights, non discrimination and protection of the marginalized.

State agencies and officers are duty bound to abide by these principles. Moreover, the Bill of Rights in Article 27 forbids discrimination on any ground. The article requires that all persons enjoy equal benefit and protection of the law. This applies to minorities and majorities alike. Therefore, laws that discriminate against minorities on the basis of their minority status will have to be repealed.

Article 44 protects the right to language and culture of a particular group. This provision protects ethnic minorities from being prevented from exercising the enjoyment of their language and cultural practices. Similarly, the practice of one’s culture cannot be a basis for denying a particular group representation at the county or national level.

The County Governments Act, 2012 also underscores the importance of public participation in matters that affect their lives. Part VIII of the ACT on CITIZEN PARTICIPATION, particularly

Article 87 of the ACT sets out the Principles of citizen participation in counties, which include the following;

- a) timely access to information, data, documents, and other information relevant or related to policy formulation and implementation;
- b) reasonable access to the process of formulating and implementing policies, laws, and regulations, including the approval of development proposals, projects and budgets, the granting of permits and the establishment of specific performance standards;
- c) protection and promotion of the interest and rights of minorities, marginalized groups and communities and their access to relevant information;
- d) legal standing to interested or affected persons, organizations, and where pertinent, communities, to appeal from or, review decisions, or redress grievances, with particular emphasis on persons and traditionally marginalized communities, including women, the youth, and disadvantaged communities;
- e) reasonable balance in the roles and obligations of county governments and non-state actors in decision-making processes to promote shared responsibility and partnership, and to provide complementary authority and oversight;
- f) promotion of public-private partnerships, such as joint committees, technical teams, and citizen commissions, to encourage direct dialogue and concerted action on sustainable development; and
- g) recognition and promotion of the reciprocal roles of non-state actors' participation and governmental facilitation and oversight.

Article 91 of the County Government Act, 2012 goes further to establish the modalities and platforms for citizen/public participation, which include;

- a) information communication technology based platforms;
- b) town hall meetings;
- c) budget preparation and validation fora;

- d) notice boards: announcing jobs, appointments, procurement, awards and other important announcements of public interest;
- e) development project sites;
- f) avenues for the participation of peoples' representatives including but not limited to members of the National Assembly and Senate; or
- g) establishment of citizen fora at county and decentralized units.

Thus public participation in county affairs is not only a constitutional mandate but also emphasized by supportive legislations for the operationalization and implementation of county governments. Therefore it is important for the County governments to put to the core public participation in county affairs in line with constitutional and legal requirements. Of utmost importance is to ensure that women and other marginalized groups are not at the periphery in determining and implementing County governments' political and developmental agenda.

c) Affirmative Action

Affirmative action has been defined as a policy designed to redress past discrimination against women and minority groups through measures to improve their economic and educational opportunities. Affirmative action requires positive steps to improve the lot of the disadvantaged group by those in control of the apparatus of the state or a given institution from which the disadvantaged groups seek engagement. Affirmative action recognizes the historical hardship that disadvantaged groups have faced in the society and seeks to empower them through proactive interventions.

Recognizing the distinct injustice to minorities and marginalized groups, the Constitution has in Article 56 expressly provided that the state shall put in place affirmative action programs designed to ensure that minorities and marginalized groups: participate and are represented in governance and other spheres of life; are provided special opportunities in educational and economic fields; are provided special opportunities for access to employment; develop their cultural values, languages and practices; and have reasonable access to water, health services and infrastructure.

It is very clear that the constitution has elaborate provisions for promoting and protecting the interests of marginalized groups in national and county development processes. Though more needs to be done to mainstream the marginalized groups into the development process, there has been some initiatives (past and current) to address the plight of the marginalized and empower them as described below.

POLICIES AND INITIATIVES PUT IN PLACE TO INCLUDE MARGINALIZED GROUPS IN DEVOLUTION PROCESS

1) Constitution of Kenya 2010

The national values and principles of governance of the Constitution of Kenya, 2010 include equity, inclusiveness, equality, non-discrimination, and protection of the marginalized. These principles require the representation of persons with disabilities, youth, ethnic and other minorities; marginalized communities, and women; in elective and appointive positions at national and county government level.

In the just concluded general elections, only 16 women and two persons with disabilities were elected as members of the National Assembly, out of the 290 electoral seats available. The devolution principle that no gender shall be more than two thirds in the decision making organs in the county representative bodies, has seen women being in county governments' leadership countrywide. Similarly constitutional provisions on the youth, persons with disabilities, and ethnic minorities have provided a platform for their representation in the county governments.

Article 27 protects the minority and the marginalized groups from any form of discrimination.

Article 56 of the Kenyan constitution talks about the rights of minority groups and stipulates the affirmative action's policies/programmes to ensure that the marginalized participate in governance, are provided special opportunities in education, economic fields and access to employment.

Article 204 also provides for an equalization fund of 0.5% of the national budget to cover service provision and infrastructure development in marginalized areas. This can be a good

opportunity for the minority groups to take charge of their own resources by utilizing these funds and develop their infrastructure. The above examples will suffice.

Constitutional provisions are one step in the journey; the more important issue is to convert these written laws to practice.

2) The National Cohesion and Integration Commission

The national cohesion and integration commissions mandate among others is to draft policies to address deep rooted causes of disintegration, conflicts, inequality, marginalization, discrimination and unpatriotic tendencies. The commission is currently under the process of introducing binding regulations for the appointment of staff in all county governments as deterrence to the county governments to adopting deliberate policies to exclude job applications from certain ethnic communities while limiting the applications to their specific clans. Such actions could turn into a slippery road to devolving discrimination. An example is the neighboring Somalia which is engulfed in violence despite the existence of only one ethnic community. The, many clans within the community engage in conflict and war for what many a combatant doesn't know or care. Such are the effects of ethnic exclusivity which the commission is trying to avoid.

3) Uwezo Fund for Youth and Women

The ministry of devolution and planning created the UWEZO Fund which aims at supporting youth and women to leverage on the 30% government procurement preference for youth, women and Persons with Disabilities. Participants will gain access to interest-free loans as start-up capital for small and micro business of varying amounts not exceeding Ksh. 500,000. Only a 3% one-off administration fee will be payable for each loan.

President Uhuru Kenyatta pledged the Ksh. 6 Billion originally set aside by the government for use in the event of an election run-off to be rechanneled to support youth and women enterprises. The Ministry, which is in charge of Youth affairs, has initiated preparations for launching the Fund and established in collaboration with other ministries and state agencies, a framework for disbursement of the resources. The resources under the UWEZO Fund will be

disbursed directly to beneficiaries through the Constituency Development Fund framework, under the administration of committees that have been established at each constituency.

The fund is aimed at addressing disparities experienced by women and other marginalized in accessing economic resources and benefitting from national and county resources. It is part of putting the women and marginalized at the centre of national and county government development process.

4) Council for Persons with Disabilities

The National Council for Persons with Disabilities was set up in December 2004 following the enactment of The Persons with Disabilities Act (PWD) Bill 2003. The Council is a semi-autonomous government agency (SAGA) whose parent Ministry is the Ministry of Gender, Children and Social Development. The membership consists of nominees of Organizations of and for persons with disabilities.

The council has put in place several measures to protect persons with disabilities such as ensuring that a 5% reservation of all casual and contractual positions of employment in public and private sector are for persons with disabilities. Employers who fail to observe this provision are considered to commit an offence under the persons with disabilities amendment. Part IV of the disabilities amendment bill 2012 states that the government shall guarantee to persons with disabilities political rights and opportunities to enjoy those rights on an equal basis with others. The government shall also promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs without discrimination. The Council seeks to put PWDs at the core of all development processes to offset the marginalization and discrimination that PWDs have suffered for a long time.

However despite having a constitution, policies, and laws that recognizes the rights of the marginalized seeking to promote their participation in county governments it is yet not clear whether this is actually happening on the ground. It is one thing to have good laws and another thing altogether to implement these provisions to realize the envisaged rights and subsequent benefits.

It is against this backdrop that the baseline survey was conducted to see whether what is in paper is actually being translated into practice in as far as representation and participation of women and other marginalized groups in county governments' affairs is concerned.

SECTION II: THE STUDY

Introduction

Devolution is one of the key pillars of achieving sustainable development through devolving power and resources to the people allowing people to make decisions on issues that affect them. Devolution was operationalized after March 4, 2013 General Election which brought into force two levels of government i.e. the national and the county governments. One of the key objects of devolution is to allow citizens to participate in governance at their level. Fundamentally it is aimed at enhancing the participation of marginalized in deciding their destiny in line with Article 174 (e) of the constitution which seeks to protect and promote the interests and rights of minorities and marginalised communities.

However, though the constitution as well as other supportive legislations provides for the participation of women and other marginalized groups in the devolved government structures it's yet to be established whether this is actually taking place as the County governments take root.

It is against this backdrop that this baseline survey was conducted. The baseline survey aims at facilitating a social audit on Laikipia County's preparedness for service delivery and enhancement of women and marginalized groups' participation in political leadership and decision making.

Goal of the study

The baseline survey seeks to facilitate a social audit on Laikipia County's preparedness for service delivery and enhancement of women and marginalized groups' participation in political leadership and decision making.

Study objectives

The specific objectives of the baseline survey included;

- 1) To identify leadership opportunities for women and other marginalized groups in the Laikipia County government
- 2) To assess the level of participation of women and other marginalized groups in the County affairs
- 3) Establish the information dissemination mechanisms for citizens participation and decision making in matters affecting their lives.
- 4) To evaluate the effectiveness of County's service delivery mechanisms to the citizens
- 5) To examine transparency and accountability mechanisms

Study design

The study was preceded by the following activities;

- *Literature review on Devolution, women and marginalized group:* This was carried out so as to review the existing information on devolution vis-à-vis women and marginalized groups' participation. This provided background information on devolution and marginalized groups, which enhanced understanding of issues surrounding marginalized and devolution ensuring that the project would be implemented from an informed point of view. This also shaped the direction of the project by synthesis and integration of crucial existing information and tailoring the project to address the missing links as informed by the project goal and objectives.
- *Review of the literature review findings:* The literature review findings were then presented and circulated to different persons/experts for critique and input.
- *Development of data collection tools:* The information gathered during the desk study and the comments from experts was used as a baseline for development of the data collection tools for the field research on devolution and marginalized groups. The tools were intended to collect mainly qualitative data on various aspects of devolution and the marginalized. Checklists for focus group discussions and interviewing key informants were used for collecting the qualitative information.

- *Review of the draft data collection tools:* To strengthen the data collection tools, the draft tools were tabled before a panel of experts for their input at an internal peer review meeting.
- *Identification and recruitment of mobilizers and field assistants:* Mobilizers and field assistants were identified by GRADIF. The mobilizers were drawn from the three constituencies in Laikipia County. The mobilizers would mobilize the target respondents in particular constituencies and prepare the survey schedule before the actual field survey commenced. The field assistants would assist in data collection with the guidance of the Lead Researcher

Study Geographical Coverage

The study was carried out in 3 (three) Constituencies of Laikipia County. Laikipia County is one of the 47 counties of Kenya, located on the Equator in the former Rift Valley Province of the country. The county has two major urban centres: Nanyuki to the southeast, and Nyahururu to the southwest. The Kikuyu tribe form about 60% of the population, with the balance composed of several other ethnic communities, including Laikipia Maasai, Samburu, Meru, Borana, Kalenjin, Somali, Europeans, Asian, and Turkana, giving the district a diverse population.

The constituencies are:

1. Laikipia East
2. Laikipia West
3. Laikipia North

Sampling

Laikipia County was selected since the project under which the baseline survey was being conducted was being implemented in Laikipia County. The (3) three constituencies were selected based on the following criteria:

- Geographical/regional spread;
- Ethnic diversity; and
- Urban/rural dichotomy

- Poverty index

Target groups

The study targeted the following categories:

- Governor,
- Deputy Governor,
- County Executive Committee Members
- Speaker,
- Members of County Assembly,
- Women leaders

A gender perspective was adopted and integrated throughout the study. Gender was one of the key variables taken into consideration during sampling of the target groups.

Survey instruments

The study utilized mainly qualitative research methodologies.

To gather qualitative data, *Focus Group Discussion Guides* were used for community members (men, women, youth, People with Disabilities (PWDs) and ethnic minorities.

A *Key Informant Interview Guide* was used to conduct interviews with Key Informants, for example, Governor, Deputy Governor, County Executive Committee Members, Speaker, Deputy Speaker, Members of County Assembly and Women Leaders. Some quantitative data was also collected using the key informant guide.

Research Methodologies

The following participatory research methods were used to collect quantitative and qualitative data.

1. Focus Group Discussions (FGDs)

FGDs were held mainly with members of the community consisting of Men, Women, Youth, People with Disabilities (PWDs) and ethnic minorities. One of the advantages of using FGDs is that it allows participants to interact since when they are stimulated to discuss, the group dynamics can generate new thinking about a topic which will result in a much more in-depth discussion. This tool helped the members of the committee to address the questions related to their area, for example, whether they are being involved in county affairs, whether they are being consulted on various county issues, whether service delivery has improved, etc. The FGDs aided in discussing attitudes and beliefs, participants' feelings and expectations as well as observe their reaction to the process, which may not have been captured by individual interviews. FGDs focused more on theoretical and exploratory issues.

2. Brainstorming Sessions

Brainstorming sessions, which were almost similar to FGDs, were held with women leaders and county officials and leaders. The advantage of the brainstorming session is that each person has an equal chance to participate, regardless of rank or personality. The brainstorming sessions helped to define the problem, generate ideas about the causes of the problem and even about the problem itself. It also helped in generating information to resolve the identified problems. The six questions of Who? What? When? Where? Why and how? were used to generate data. The brainstorming sessions focused more on practical and strategic issues.

3. Observation Method

This involved researchers visiting the county offices, for instance, and observing what was going on.

Data analysis

Most of the data generated was qualitative. For qualitative data, which was mainly gathered from key informant interviews, Focus Group Discussions, brainstorming sessions and from observation, a qualitative data checklist was developed. It was the principle guide in qualitative data analysis. The checklist was clustered along main themes of the research to ease consolidation of information and interpretation. The main themes in the checklists included;

General Understanding; Leadership; Citizen Participation; Service Delivery; Transparency and Accountability; Monitoring and Evaluation. The checklist made it possible to put together scattered information under a particular theme. This in turn greatly aided in interpreting information under these main themes.

Quantitative data, which was minimal and collected using key informant guide, was analyzed using Excel spreadsheet.

For recorded information, transcription and transliteration were used. The verbatim records were important in generating powerful quotes from the interviews to reinforce the data presented after the analysis. They also provided a back up for crucial information which could not have otherwise been noted down by the interviewer when writing.

PART TWO: STUDY FINDINGS

Introduction

This section covers the main findings from the research. The main findings are clustered along major themes of the baseline survey.

Profile of the respondents

50% of the respondents stated that they had served for 5 months while the other 50% responded that they have served for 4 months in their positions in the county. This was due to the fact some were elected while the others were nominated. In terms of mode of selection 83% of the respondents got their positions through election while 17% were appointed.

All the respondents were aware, though at varying degrees, of laws guiding them at their work. They identified the following laws and statutes which gives them direction in undertaking their work;

- County government Act 2012,
- Constitution of Kenya 2010,
- Transition to Devolved Government Act,
- Chapter eleven of the constitution on devolution ,
- Transition Authority act 2012, County assembly standing orders (giving direction in terms of conducting oneself in the assembly, participating in motions, formulation of motions and Bills, etc.) and
- Chapter six on leadership and integrity

Though there are various legislations, numbering about eight (8), specifically addressing issues of devolution, in addition to constitutional provisions on devolution, all the respondents were not able to name even half of them. This may compromise the performance of county leaders and officials as expected by the law. Thus it is important to sensitize these county officials and

leaders on legislations relating to operationalization of the devolved government. This will enhance their effectiveness in delivering their duties lawfully in line with citizens' expectations.

Orientation of county officials and leaders

The baseline intended to establish whether the county officials and leaders had received any orientation. On this, 50% of the respondents said that they had been oriented on the positions held. They cited some organizations as having been on the forefront for conducting the orientation. Such organizations include International Commission of Jurists (ICJ). In addition some former and current MPs were involved in the orientation exercise. During the orientation various issues were covered including how to preparing bills, motions, how to debate, how to present oneself in assembly, roles of members of county assembly in county government, among others. The other 50% that had not been oriented said that they had joined the county government late particularly those who were nominated and appointed after the general elections. Other respondents felt that either there was no official orientation from the National or the County government since this is a new office without predecessors.

GENERAL UNDERSTANDING ON DEVOLUTION

The baseline sought to establish the level of understanding among respondents on devolution. All the respondents gave their views on what they understood devolution to be. The respondents said that the cardinal principal of devolution is to decentralize administrative, financial and political power to the local level in order to enhance the efficiency and effectiveness of government. In effect, county government is envisioned to provide healthcare services, agriculture, infrastructural development, clean and safe water, free and quality education to all and social welfare to the local people. The respondents elaborated that by shortening the bureaucracy in government will give citizens the opportunity to participate in local development, decision making and permit the county government to respond quickly to the local needs such as Natural Resource Management, employment, livelihoods and security among other needs. In other words county government was meant to revolutionize the management of the county resources and development.

LEADERSHIP

The respondents identified the following positions as elective; Senate, Governor (gubernatorial), Women Representative, Member of Parliament and the Member of County Assembly whereas the appointive positions were identified as Members of County Assembly, County Executive Members, Persons with Disabilities and Youth representatives. Other leadership positions identified include; committees' membership, speaker's panel members, leaders of majority, leader of minority, county assembly service board, county public service board. 50% of the respondents said that most of the positions were appointive based on their expertise and experience, for example, in committees, county public service boards, county service boards and speaker panel whereas the speakers, leader of majority and leader of minority are elected.

On whether there are specific leadership positions for men, women and other marginalized groups 50% of the respondents were on the affirmative. Supporting their argument they said that, for instance, elective positions are for men to vie while the county women representative position is meant for women only. They also have argued that as stipulated in the constitution there must be gender balance and vacancies for youth and marginalized. However, 50% of the respondents opposed that there are specific leadership positions for men, women and other marginalized saying that it is a requirement that the constitutional gender rule, quotas for the youth, PWDs and marginalized should be implemented in any appointive or nominative position.

In terms of women leadership, the respondents identified various positions reserved for women and various marginalized groups. Such positions include the following; in departmental committees, there are positions reserved for women and the marginalized. In the County Assembly there are nine Committees (e.g. Education, Health National cohesion etc.) Gender balance, in line with the constitution, is observed in all committees as far as membership is concerned. One third gender rule in line with the constitution is implemented in all committees. The County Executive has four women and four men.

In the Speakers panel members there is 1 female and 1 male representative alongside the Speaker, Deputy Speaker, Leader of Majority and Leader of minority. The County Assembly Service Board has implemented not more than two thirds gender rule in selection of the Board

members. The County Public Service Board has also observed the gender rule in recruitment. Though it's not a position reserved for women, the Chief whip in Laikipia County is a woman.

The baseline also sought to establish who the majority of the Laikipia people prefer as leaders, men or women, and the reasons for their choice. On this, majority of the respondents said that men were the majority people in the county who are preferred as leaders. Asked for what reasons they prefer men, they said that in the county, patriarchy is a key element which gives men dominance in leadership. Men are presumed to be superior and bold to campaign. They can conduct their campaigns at night and in pubs unlike women who are considered to be inferior and weak to campaign at night, in specific areas such as pubs. Women were considered to be very weak and to face challenges accompanied with leadership. Other factors attributed to preference of men over women in leadership were culture such as Maasai and Samburu culture never support women in leadership; women do not come out to seek leadership positions and there is generally lack of support for women by the community. Low levels of education and lack of mentorship for women has contributed to their low preference. This perception, they said, is not only in Kenya but also across the African continent where men are perceived as de facto leaders. Women also lack confidence. Men were said to have more money than women and therefore could buy more votes as opposed to women who are financially challenged.

The respondents, who said women were preferred as leaders noted that women leadership was preferred because there is a constitution provision that stipulates that women have to be represented in leadership (not more than two-thirds gender principle) in order to achieve the gender balance in leadership. Therefore, voters have no choice other than to elect them e.g. the county women representative position. In case they are not elected they have to be nominated to create gender parity in leadership. Some citizens prefer women for leadership on the basis that they have better leadership skills than men mainly because they are able to manage their homes well. Fundamentally, they said, the provision on the affirmative action as per the constitution of Kenya 2010 is the main motivating factor of women being elected.

In terms of performance in conducting county business 83% of the respondents agreed that men, women and marginalized can perform equally while 17% thought otherwise. Those who rated the performance as equal explained that during motions all groups participate equally

irrespective of their gender and social status. Everyone wishing to contribute to the assembly debate is given a chance by the speaker and no one is discriminated against in assembly debates for motions and bills. In addition members are appointed to committee's based on their expertise and experienced and no one is barred to join any committee based on factor e.g. sex, disability or ethnic background. Also during committee meetings all members (men, women, youth, PWDs, ethnic minorities,) are given a fair chance to make their contributions without any discrimination. Some even conceded that some women (in the county assembly and executive) are even more qualified and experienced than men and make more meaningful contributions than most men make. However, those who felt that men perform better said that men are more exposed to leadership and other developmental issues thus surpass the other groups in terms of performance.

On whether they think women and other marginalized groups are adequately represented in Laikipia County, the respondents felt that they were not adequately represented, yet the Youth and women were the majority in the county population. In addition, the persons with disabilities though constituting a sizeable number of the County population, very few of them were in decision making positions. For instance, in the County Executive Committee there was no PWD representative. They illustrated that despite youth being the majority they only appointed one of them. Women and the ethnic minority were hardly represented.

Despite their underrepresentation in county leadership, asked what difference will women's, youth, persons with Disabilities and ethnic minority leadership make in Laikipia county and community, 67% of the respondents felt that increased participation of women and other marginalized groups in leadership can make difference in the running of county affairs. The respondents demonstrated that there would be inclusive and diversified leadership style which would ensure that there would be no section of people lagging behind in the community in addition to being a source of employment and livelihood. In particular having more women and minority groups in leadership would ensure that their issues will be dealt with effectively and efficiently. It is argued that women are not corrupt hence they will take good care of county resources. When women have money, it reaches to everyone in the family unlike men. This would be replicated at the county level which would lead to more development. Women are better managers which have seen women groups being very successful. They would impart the

same skills to the county leadership leading to prudent management of county affairs. Women, it was said, are punctual in whatever they undertake which would lead to timely deliberation and conclusion of county agenda. Women are compassionate and often take care of the less fortunate and oppressed in the society and therefore they stand a better position of addressing their issues at the county level. It is believed that if a woman is empowered you have empowered the whole society but if you empower a man, you would have empowered an individual. It was emphasized that if women are given opportunity to be leaders in the county government they will run and manage the county affairs like the way they manage their homes. Generally, in terms of development women are better performers, which would be very critical for the development of the county.

If youth were given leadership positions they would be in a good position to address their problems better and come up with practical solutions since they understand them better than anybody else. They are also energetic, understand fast, quick and fast thinkers which would add a lot of value to the county affairs. Most youth are modern and digital and hence can be able to utilize current technologies in undertaking county's tasks which would lead to better efficacy and efficiency. They are able to multi-task hence can undertake different roles concurrently. If more youth are given leadership positions they will serve as role models to other youngsters thus motivating them to seek leadership positions rather than engaging in negative activities e.g. drug abuse, alcoholism, crime, prostitution, etc.

Giving people with disabilities leadership positions will change the perception of the society that disability is not inability. This will as well motivate people with disabilities that they are part and parcel of the society and can perform as better as able bodied persons thus acting as role models for other persons with disabilities including the young ones. Since they articulate their issues and concerns better than anybody else they will bring to the fore the issues that affect them so that they can be adequately and practically addressed based on their unique status e.g. in construction of houses, roads, bridges. They can also be able to solicit help from government or donors to help other persons with disabilities to lessen their care work burden on their families. By so doing, this can attract investors to the county to initiate programmes to enhance access of basic services and information to PWDs.

Thus involving more women and other marginalized groups in the county leadership will be very beneficial since people will be able to understand their entitlements in the county government and make them part and parcel of all county affairs. There would be inclusiveness, everyone will be represented and feel as part and parcel of the county government and everyone's problems will be aired and solved since they would be involved in political participation and contribute in motions and policy formulation that are meant to develop the county.

However 33% of the respondents did not think so, on the grounds that the county government was new and thus not able to measure the difference.

Challenges for leadership participation

The baseline sought to identify the challenges that hinder women and other marginalized groups (youth, PWDs, ethnic minorities) from accessing leadership positions in the county.

Women

The respondents cited the challenges encountered by women who wished to participate in governance/leadership positions in Laikipia County as follows

- Blackmail – women were warned of dire consequences including exposing personal matters if they seek leadership positions. Thus they abandon their leadership ambitions.
- Fear and intimidation and threat is a big challenge for women to get leadership positions
- Electoral violence - women were threatened and insulted during campaigns and due to intimidation, women tend to drop their leadership aspirations.
- Lack of funds - Someone need to have adequate funds to finance his or her campaigns. Women are financially challenged and therefore do not have money to dish to the voters who are used to bribes before voting.
- Culture and tradition – some cultures bars women from engaging in leadership. In many cultures there is a perception that leadership is a domain for men only.

- Spousal dictatorship - Married women are barred from vying for political leadership positions by their spouses claiming that they are the caretakers of their families.
- High illiteracy level among women is another aspect that is a barrier for women to ascend to leadership positions. The Constitution of Kenya 2010 has introduced minimum academic qualifications for the various positions. Thus since majority of them do not have the requisite academic standards they are unable to ascend to leadership positions.
- Most of this leadership positions are elective where the best candidate wins. Women are prone to be disadvantaged and therefore lose.
- Women do not elect their fellow women during election due to the socialization process which gives prominence to male leadership.
- Women are not active participants in the public programs like giving contributions building of churches, fundraising etc. hence not popular as their male counterparts who support such public initiatives. Thus they are not popular with voters hence not elected to leadership positions.
- Other challenges include low esteem and confidence among the women looking for leadership positions.

Youth

The respondents argued that youth were not interested in leadership and instead they preferred entertainment, drugs and alcohol abuse. Youth are said to be ignorant and are not serious on leadership issues. As a result even if they were given an opportunity in leadership they still could not have made it. They lacked mentorship and experience to handle political issues. For instance it's reported that youth skip public meetings and barazas where key issues including governance and development are discussed.

Inadequate of funds is also a challenge to youth when seeking leadership positions because campaigns are extremely expensive when indulging in it.

Persons with disabilities

Intimidation – persons with disabilities are insulted on their disabilities and this discourages them from vying for the leadership positions.

Discrimination - Persons with disabilities are viewed in society as the outcast and that should not be given the opportunity to lead. They are not treated as equals when it comes to leadership.

They lack information access which is a key ingredient while looking for leadership positions.

Poverty is a key challenge to persons with disabilities in participating in governance and leadership in the county government. They lack financial muscle to steer a vigorous election campaign.

Some areas e.g. hotels, stadia, halls, etc. are inaccessible to PWDs due to their design. They lack ramps where PWDs can be wheeled to.

Lack of information formats e.g. braille that the PWDs can access information is another challenge.

Some have low self-esteem due to their disability status. Thus they do not come out to seek leadership positions.

Ethnic minorities

Ethnic minorities are outnumbered by the majority communities in getting political leadership because political voting is based on the number of votes a candidate have, of which the majority always sway all the elected positions leaving the minority as masses and spectators. In addition the community does not understand the clear meaning of this term and its application in different regions.

As a cross cutting challenge, lack of information and awareness on appointment process among these groups is a major impediment to inadequate representation in county government. They are not aware of the positions in which they can seek election or nomination. These categories, also, do not understand the constitutional provisions beneficial to them hence they cannot demand their rights.

The respondents identified various strategies to enhance women's and other marginalized groups participation in leadership and the decision making in county government. They include the following;

Women

- Full implementation of affirmative action principle as envisaged in the constitution for the youth, women, PWDs and ethnic minorities.
- Abandonment of cultures and traditions that discriminate against women in leadership
- Addressing electoral violence to create a level playing ground for male and female aspirants
- Economic empowerment for the women so that they can effectively participate in electoral processes
- Community sensitization on the benefits of women leadership
- Enhancing literacy levels for women and girls which is a critical leadership factor
- Capacity building of women on leadership

Youth

- Mentorship programmes for the youth on leadership
- Availing information to them
- Encourage them to engage on beneficial activities rather than engaging in entertainment, drugs and alcohol abuse.
- Coming up with strategies to woo them to attend public meetings and barazas.

Persons with disabilities

- Sensitizing community members to treat PWDs as equals in all aspects of life i.e. non-discrimination.

- Availing information in formats that are accessible to the PWDs e.g. braille, sign language, etc.
- Empowering them economically so that they can engage in meaningful campaigns.

Ethnic minorities

- Full implementation of constitutional provisions that support their empowerment
- Clarity on the actual meaning of ethnic in different contexts

The respondents made the following general recommendations to promote the participation of women and other marginalized groups in leadership at the county level; Training them on leadership, capacity building and encouraging them through campaigns to demonstrate they can make it to leadership positions and support women and youth financially while in their campaigns. In addition it was mentioned that they should be inspired to vie for political positions and be aggressive instead of waiting to be appointed or nominated. They should also be given financial empowerment through women fund enterprises to support their leadership endeavours. They also recommended that information on elective and appointive positions should be disseminated in advance so that they can offer themselves for these positions and also participate in the process. In addition sensitization of the women and marginalized groups on the constitution, especially those provisions that empower them was underscored.

It is important to introduce organizations that mentor young women on leadership and governance as well as enlighten the community on the importance of having women in leadership positions in the county government.

CITIZEN/PUBLIC PARTICIPATION

In line with constitutional provisions and legal requirements particularly as enshrined in the County Governments Act, 2012, the baseline sought to establish whether there are other avenues/strategies/mechanisms for women and other marginalized groups' participation in the county government affairs. 67 % of the key informants said that there are other strategies or devolved structures to enhance citizens' participation in the affairs of the county government. They were identified as; holding public forums at the ward level to get the citizens views and

input especially on critical development priorities and plans such as the County Integrated Development Plan (2013-2018); Ward public consultative forums on the County budgeting. The public forums are attended by all (men, women, youth, PWDs, minorities, etc). They pointed out that they mobilize the various categories through their groups e.g. women groups, youth groups, PWDs groups, etc. However, this was not corroborated by the FGD participants. Asked whether the leaders they elected were involving them in county affairs including in planning, budgeting and in other critical decisions making, they stated that, they had not yet being involved unless the leaders were involving those citizens who are close to them and campaigned for them and also party members. They sighted lack of clear communication channels as one of the obstacles for their participation.

The respondents said that they would like their leaders to involve them in county affairs through being selected into committees and be involved, through continuous and consistent consultations, in decision making concerning their affairs and developmental needs and priorities. In addition, they emphasized the need to be involved in selecting leaders in various committees and organs (at the County, Constituency, Ward and village levels). They wanted their leaders to give them information and decentralize meeting venues so that they can be in a position to participate in county affairs in a timely and effective manner. They also felt that their leaders should consult them (men, women, PWDS, youth, minorities) so that they can get realities on the ground before embarking on any projects or programmes and before developing county plans, laws and policies. They said that they would like the budgeting to be done at the village level where most people can give their views on the things (projects) they want to be considered in the budget. They also wanted to keep vigil over the management of the county government projects by being involved in monitoring committees.

It is evident that the citizens particularly the women and the marginalized groups are not involved in the county affairs especially on critical issues such as county budgeting, County Integrated Development Plans, county laws and policies. Significantly, it emerged that most citizens interviewed did not participate in the development of the County Integrated Development Plan (CIDP) from which the annual budgets in every sector shall be based. This is because the information dissemination mechanisms are not clear and streamlined. Though the county officials and leaders, as moving forward, said they would enhance participation of

women and marginalized in the county affairs through implementing the constitution to the letter especially provisions related to the representation of women and the marginalized and making sure that in each committee women marginalized and other groups are represented in the county government, more needs to be done. It is imperative to come up with concrete strategies to enhance citizens particularly women and marginalized groups participation in matters affecting them, decisions making and related county governance affairs.

SERVICE DELIVERY

The baseline intended to establish whether the citizens were aware of the services the county government was supposed to provide to them. During the FGDs, only a few (4) of the respondents were vaguely aware of the services that the county should provide to the citizens which they identified as health services, housing, agricultural, village polytechnics, poverty alleviation, provision of clean and safe drinking water, irrigation water, support for agriculture inputs, provision of markets for agricultural produce, construction of industries, value addition for milk, potatoes and fruits, infrastructure development as well as a number of other obligations and functions which they share with the national government. However, they couldn't name the specific organs and institutions of the county government involved in providing these services.

Asked whether service delivery has improved now that there is the Laikipia county government, they claimed that there has been no change in service delivery since the county government had not yet received money from the national government in order to start implementing devolution and providing services to the people. The FGD respondents said that they will give county ample time and wait to see whether devolution will take its roots and improve service delivery. This was echoed by 50% of the key informants' respondents who denied any service delivery to the citizens on the account of late disbursement of funds from the national government to the county government.

However, despite not having received the funds, 50% of the key informant respondents felt that the Laikipia county government has put appropriate measures to enhance service delivery to the citizens. For instance, there has been establishment of committees such as labor, social welfare, community services committee which deals with all matters relating to gender, culture and social welfare. In addition, the county assembly has operationalized ward public forums to

ensure public participation and get their views on various areas of service delivery. The county government had ensured gender balance in order to enhance service delivery to all categories of Laikipia citizens.

In addition, 83% of the respondents said that once they receive funds they will start delivering services to public through implementation and operationalization of county structures, projects and programmes. They were also intending to improve on county facilities and setting of funds for women, persons with disabilities and youth. Provision of internship for the youth and implementing critical services such as access to health, education and safe and clean water were also considered pertinent once the County receives funds.

In line with the above, the respondents suggested how service delivery to the citizens can be enhanced by the county government. For instance, the county government should work closely with the citizens to know the problems in rural areas. This include, involving the public during planning of the development projects. Services delivery should be devolved to the village level. Members of the county assembly should concentrate on development and making policies that improves the lives of the common people and be accountable for money received and spent in the county government projects. They should put politics aside and provide services to the people.

TRANSPARENCY AND ACCOUNTABILITY

100% of the key informant respondents said that there are mechanisms to involve citizen's participation in developing the county's budgets, development plans and fiscal plans. This was through conducting public consultative forums at the grassroots level and also holding of meetings with the citizens at the village level to deliberate on the plans and budgets. These forums are organized in the county assembly under the leadership of the chairman of finance and county planning where citizens can air their views and contributions. In addition, 100% of the respondents stated that there are deliberate mechanisms to involve women and other marginalized groups in the county budgets and development plans because all the groups are invited to attend the county public meetings and everyone is given a chance to participate. However, FGD respondents confirmed that they were not involved in the county's development plan development process because it was yet to start. On inquiring whether the respondents were involved in developing the county budget the FGD respondents said that

only one of them was a participant in the county budget forum held in the Municipal Hall. She, however, did not understand the budget issues being deliberated on and hence did not make any contribution during the forum.

All the key informants said that citizens are aware of how much money the county government has been allocated this year through various mechanisms such as the newspapers and the gazette notices. It emerged that the county budget was taken around the county in every ward and people were able to access and give their contributions. Over and above the budget was passed and the copies of the county budget are available in the department of finance so that anybody can access and make a copy of it if anyone wishes to do so. However the FGD participants said that they were not aware how much money had been allocated to the County or even the three constituencies in the County. What they knew was that the County budget had a deficit of Kshs 1.3billion.

In terms enhancing information access to women and marginalized groups the key informants said that they had copies of hansard and anyone can assess it. One of the Members of County Assembly was distributing copies of the hansard to citizens of his ward through his ward office. He had also been recording key debates using his mobile phone and share it with people of his ward. Other methods of information dissemination was barazas and also holding public meetings at the ward office with different stakeholders where they would be briefed on various issues and also get their views on various issues.

In terms of involvement, 83% of the key informant respondents said that women and other marginalized groups are involved in implementing the county's projects and programs by involving them in the planning, meetings and consultative forums that deliberate on these projects and programs. They said that in every committee the aforementioned groups have been represented and thus able to give their views for consideration whereas 17% refuted such involvement on the basis of lack of funds to do so.

The key informant respondents identified a number of plans underway to enhance women and other marginalized groups get involved in the county work. They include;

- nomination of a PWD as county representative in charge of PWD group affairs

- ensuring that in public meetings all groups are invited to attend and if possible bringing the disadvantaged groups like women, youth and minority together through organizing cultural festivals and urging them all to come on board.
- Meeting women in groups and individually to discuss their issues
- Holding public forums targeting women and the youth
- Meeting the youth through youth groups and football clubs and talk to them
- Meeting them at places of work e.g. boda boda operators and sharing with them county agenda

This, they said, is to ensure that women and marginalized groups are part and parcel of the county government development process.

On their part the community would have wanted to be involved in implementing county projects and programs by county leaders and officials through holding of consultative forums at the village level and take the citizens views on development issues and in identifying projects. They should also be made aware of the funds allocated to the different projects. This disclosure of funds should be made at the village level. They also felt that the community should select the committee members mandated to run development projects instead of politicians appointing people who don't have the interest of the community at heart.

MONITORING AND EVALUATION

Although all the key informants said that their institutions had a monitoring and evaluation framework they could not describe in detail the content of the framework neither could a copy of the same be obtained. They pointed out that the M&E framework is general but instead issues of women and marginalized are addressed through projects and development plans.

In terms of involvement in monitoring, 67% of the respondents said that women and other marginalized groups were being involved in monitoring county activities through, for instance, being in committees that are in charge of those activities thus monitoring what is happening. Also, provision of copies of hansards to women at the grassroots helps them know what is going on in the county assembly and are able to make judgment on the members of county assembly performance. However, 33% of the respondents refuted this and pointed out that women are not involved in monitoring of county activities because no funds had been received

by the county to start its operations. So nothing to monitor since no projects have been implemented. This seconded by FGD respondents who admitted that they have not been monitoring the county leaders and officials while undertaking county affairs due to the fact that the county government had not received money to start its projects.

In terms of challenges, the respondents said that the main challenge they encounter in monitoring county affairs is that national government had not yet sent the money to enable county government start its projects and development initiatives hence nothing to monitor. Other challenges cited include; higher level of illiteracy in the county and lack of information amongst the women, youth and marginalized groups.

The respondents were of the view that for monitoring role of the county government to be possible there should be establishment of monitoring committee, in every ward, selected by citizens and be given allowances in order to monitor and evaluate all projects undertaken across the ward and send the report or finding to an independent body. The committee should be trained on social audits and information dissemination. Also they should be educated on the roles and responsibilities of various leaders and county organ so that they can monitor whether they are fulfilling their mandates. The list of tenders, projects awarded and amount allocated for each tender should be publicized for public scrutiny. Also capacity enhancement for community members on monitoring was cited as critical to help them monitor effectively the affairs of the county government.

In addition for women and other marginalized groups to monitor the institution's role they should be facilitated to attend consultative forums to monitor affairs of the county. They should be sensitized on resources available, how the resources have been allocated and channels of engagement with the county government so that they can put county leaders and officials on toes for accountability purposes. Eventually programs which enlighten them on their rights and how they should be monitoring the performance of the county institutions needs to be introduced.

PART 3: RECOMMENDATIONS

The baseline survey has established significant gaps in terms of participation of women and other marginalized groups in the Laikipia county government. To move the devolution strategy ahead and enhance people's participation in local governance as well as protecting and promoting the rights of minorities and the marginalized within the devolved system of government reflection and consideration of the following proposals is critical. It is however important to note that most of these recommendations are covered in part 2 under research findings and therefore this section consolidates and elaborates them further.

Capacity building of county officials and leaders: Though 50% the county officials and leaders confirmed that they had attended some orientation sessions organized by different stakeholders, capacity gaps were still imminent. For instance some of the oriented could not distinctly distinguish between the roles and functions of the county assembly and county executive. There was some confusion. In addition to ensure smooth operation of the county all the county officials should be oriented to ensure that they are reading from the same script while conducting county affairs and agenda. Having one group trained and the other not being trained can compromise optimal undertaking of county business. The non-oriented group may feel disadvantaged affecting their contribution to county agenda. It is therefore critical to conduct intensive training for all county officials and leaders so that they can fully understand what is expected of them and enable them conduct county affairs professionally, effectively and efficiently. This orientation/training should also cover the various legislations that guide devolution since most of the county officials and leaders partly or totally unaware of these legislations. These legislations are the cornerstone of devolution and if those in charge of their implementation don't understand them then the operationalization of devolution may be in jeopardy. For county officials to perform effectively and efficiently to meet the expectations of Kenyans in as far as devolution intensive and extensive capacity building for them is not a must. During capacity building for the county officials and leaders special focus should be given to women, youth, PWDs and ethnic minorities representatives serving in the county government due to the additional disadvantage associated with their social status.

Democratic nominations and appointments: In terms representation of women, youth, PWDS, and ethnic minorities in the county government the respondents were on the affirmative

especially due to constitutional and other legal provisions which made it mandatory for their representation. However most of these categories were nominated and appointed since the masses could not elect them especially in the county assembly. Despite this, the citizens felt that those who were nominated to represent the various interest groups were not the right candidates since most of them were nominated or appointed based on personal or political reasons. They felt that these representatives could not adequately represent the issues of the various interest groups since most of them did not have the capacity to do so. For instance, nominees to represent the ethnic minorities did not actually come from those communities hence it would be difficult to represent the interests of those communities in the county agenda. Hence it was recommended that in selecting such representatives the community members should be consulted so that they can forward a representative who will adequately represent their issues and advocate for their rights. Handpicking of such representatives without consulting the community members in most cases led to selection of the wrong representatives. Having a democratic process in appointments and nominations was underscored.

Strict adherence to the constitution: The constitution is very specific in terms of representation of women, youth, PWDs, and ethnic minorities in county governments. It should be followed to the letter especially during nomination and appointment of representatives of these special interest groups. This will avoid cases of fraudulently selecting persons who do not fall under these categories, which was cited a challenge by the community members during the baseline survey. Subsequent legislations and policies advocating for the rights of these special interest groups should also be implemented fully and strictly.

Community sensitization for attitude and perception change: The baseline established that majority of the people in Laikipia county preferred male leaders than female leaders. This was attributed to the patriarchal nature of the society which perceives leadership as a male domain. To offset this attitudinal bias against women leadership it is critical to conduct massive community sensitization on the importance and value of women leadership so that the community can change their perception on women leaders. Women are also able and competent leaders and if given an opportunity they can lead the same as men or even better and bring a lot benefits to the community. This sensitization will lead to an increase in the number of women elected through the ballot and save Kenyans millions of shillings for paying nominated women

to adhere with constitutional provisions. The same campaign should focus on other marginalized groups e.g. youth, PWDs and ethnic minorities and leadership and change community perceptions and attitudes with regard to their leadership capabilities.

Dealing with retrogressive cultures and traditions: The constitution outlaws any form of discrimination. The baseline established that archaic cultures and traditions are serious impediments to women's and other marginalized groups ascension to leadership. Apart from advocating against such traditions and cultures, perpetrators of the same should be prosecuted and punished in accordance with the law. This will set the pace for creation of a level playing ground for all political contestants leading to more women and other marginalized groups holding leadership positions. It is recommended that interaction and massive awareness creation amongst the elders of this communities be enhanced.

Full enforcement of electoral laws: Electoral malpractices such as voter bribery, electoral violence, physical and sexual harassment, etc were cited as a main handicap for women and other marginalized groups in elective processes. As such most of them do not come out to contest elective positions. Since we now have elaborate electoral laws with punitive penalties those who perpetrate such malpractices should be brought to book and punished as per the law to deter other who may be harbouring thoughts of committing such offences. This will ensure a free and fair electoral process where everyone including women, youth, PWDs, minorities can participate without fear.

Economic empowerment: Majority of women and other marginalized groups have weak financial base which makes it hard for them to launch and conduct an aggressive campaign both at the county and national level. Empowering them economically through sustainable economic programmes can surmount this challenge.

Active participation in county affairs: Women and other marginalized groups are not involved in county affairs, apart from those who hold positions in the county assembly and county executive. For sustainable development of the county government participation of all (men, women, youth, PWDs, minorities) is a prerequisite. The county leaders and officials should actively and adequately involve women and other marginalized groups in the county affairs through continuous and consistent consultations on: development needs and priorities;

selection of leaders in committees and boards; budgeting and formulation of development plans and policies; sharing information in a timely manner so that they can give their views on various issues, etc. Public consultative forums should be decentralized to the village level so that women, youth, PWDs, minorities can also give their views on various county issues. Simply stating, it is imperative to come up with concrete strategies to enhance citizens particularly women and marginalized groups participation in the county affairs.

Enhance service delivery to citizens: At the time of conducting the baseline the county, just like other counties countrywide, had not received funding from the national government, hence nothing much was going on in terms of service delivery. One of the key objects of devolution is to bring services closer to the people. Since the county assembly has established various committee and the county executive has established various departments, the county should actualize this devolution principle and ensure that every citizen in the county (men, women, youth, PWDs, minorities) access services easily and closer to them based on their needs by putting in place proper structures and systems that are responsive to and in tandem with citizens needs and priorities. The services delivery structures and systems should take cognizance of the vulnerability of women and other marginalized groups in accessing services and come with deliberate measures to ensure that they also enjoy services enjoyed by others in the county.

Sensitization on county service delivery functions: In addition it is important to sensitize the citizens (men, women, youth, PWDs, minorities) on the services to expect from the county government. The baseline established that the citizens particularly the women and other marginalized groups are not aware of the service delivery functions of the county government. Therefore they cannot be in a position to hold county leaders and officials accountable if the services are not delivered to them since they don't understand them. It is important to sensitize them on these functions so that they can demand better service delivery and hold the county leaders and officials accountable if they fail to deliver them.

Enhance transparency and accountability: The baseline established that most citizens (men, women, youth, PWDs, minorities) were not aware of the funds allocated to the county and their respective constituencies. Majority had also not being involved in county budgeting. They had no idea of financial aspects of the county government operation. For citizens to demand

accountability they should be involved in financial aspects of the county including budgeting which should be done in a transparent manner. Its only when citizens are aware of the resources that are available and for what projects that they can be able to hold their leaders accountable. In ensuring transparency deliberate measures should be taken to ensure that women and other marginalized groups are part and parcel of county fiscal planning process.

Strengthening M&E capacity: Though the county institutions (assembly and executive) claimed to have an M&E framework, this claim could not be substantiated since a copy could not be accessed. Nevertheless, it is important to strengthen the capacity of the county institutions to formulate M&E frameworks that integrates issues of women and other marginalized groups. This will ensure that when county activities are being monitored or evaluated the differential impact of county activities on women and other marginalized groups can be captured. This will help in addressing any gaps that may have arisen in the previous activities during implementation of subsequent activities.

Social audits: The citizens were not monitoring the county affairs since the county had not started operations owing to late disbursement of funds from the national government. However even the county had started operations majority of the citizens lacked the capacity to conduct monitoring. Therefore to enable them monitor county governments effectively it's important to enhance their capacity and provide tools especially on social audits. Social audits are process in which citizens evaluate the impact of government services and programmes and projects over a period of time. Through these audits, citizens are able to collect information on government services that enable them make a judgment on the impact of government programmes and services. The community can collect this information through interviews, accessing statistics from government and other institutions, recording of cases of failure or success of the programme and from observation of implementation of the project. Such a process should also involve government officials responsible for the particular programme or a particular service that is of interest to the community. The community is then able to use these audits to talk to their leaders, provide feedback and demand for better services.

Citizens can use social audits to assess the effectiveness of county governments in the following areas

- Effectiveness of Laws and policies developed by county governments
- Implementation of the development plans and programmes
- Implementation of the county budgets
- Service delivery by the county governments
- Public participation

It's a participatory way of tracking county development and holding leaders accountable.

Other recommendations

There is need for more civic education to the people on the new constitution and particularly the chapter on devolution, because information is a tool of empowerment which enables citizens to influence the government's decision making process in matters that concern their lives. County government officials should be trained on good governance and leadership, over and above there should be checks and balances in county government to avoid impropriety of public resources.

Pertaining to service provision to the people and enhancement of women and other marginalized groups participation in political leadership and decision making is it is important to build the capacity of the public and county assembly members on the importance of inclusive leadership of all groups in the society. Notwithstanding, women and other marginalized groups in particular should take stock of the significance of affirmative action principle with a view to optimizing the benefits and mitigating emerging challenges.

PART 4: CONCLUSION

Devolution is no doubt one of the best avenues to promote citizens participation in governance as well as bringing power and resources closer to the people. In addition it is the surest way of safeguarding the interests and rights of marginalized and minority communities and groups as well as promoting their participation in county affairs.

With proper implementation, devolution can play a crucial catalytic role in positively transforming the development of this country and improve the well being of the citizens. However for it to be successful all citizens (men, women, youth, PWDs, minorities) needs to participate adequately effectively in the devolved government in the spirit of inclusiveness. Once this is done the country will be on a good platform to achieve Kenyan Vision 2030 as well as other global and regional development targets.