SHIFTED RESPONSIBILITIES

CASE STUDIES OF KENYA'S PARTICIPATORY

LOCAL AUTHORITY SERVICE DELIVERY ACTION PLAN (LASDAP)

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Sade Owolabi

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Sade Owolabi, Ph. D.

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A shift has taken place in the structures of local governance in many developing countries. Whereas in the past, the central government provided local infrastructure (water and sanitation systems, roads, electricity, schools, and healthcare), today communities face these responsibilities themselves. The shift has been prompted and accompanied by changing global thoughts on appropriate development approaches and forced by difficulties in fiscal affairs. The shift matches a belief that more participation and more decentralization result in more democracy and better development. To this effect, neoliberal decentralization policies have been enacted in various countries to promote this "bottom-up" strategy. The strategy favors decision-making at the local level, through an alliance among local governments, non-governmental organizations (NGOs), community-based organizations (CBOs), private firms, and citizens to identify, prioritize, implement, and monitor projects.

This study examines the impact of the participatory approach in two communities in Kenya—one of several East African countries to have instituted participatory development programs over the last decade. The study assesses the physical, socioeconomic, and political impact of the Local Authority Service Delivery Action Plan (LASDAP), a national development program. The findings are based on interviews conducted with government and local officials, reviews of documents,

interviews with local residents, and visits to project sites within the boundaries of two local government councils: the Municipal Council of Nakuru (MCN) and Gusii County Council (GCC).

Examination of the LASDAP program in Kenya suggests that despite the ideological fervor that often accompanies this development approach, program outcomes failed to measure up. Very little of the development funds were spent on the implementation of projects, local participation rates were low, and the process did not fare well at promoting greater transparency and accountability within local governance structures. Furthermore, local power dynamics were simply too strong, too complicated, and too intertwined to be inconsequential to the development process. As a result of these shortcomings, residents have developed an attitude of resignation rather than enthusiasm, with participation.

In the conclusion, technical solutions are recommended for addressing the key problems encountered within these two communities' development processes. However, this research finds that achieving long-lasting solutions to these communities' social ills will require both a technical *and sociopolitical* approach to development. A sociopolitical approach is required because elite capture of the development process has not only resulted in an unequal distribution of new resources, but also continues to *reinforce* the norm of inequality. Prior development programs did not fare any better. Thus, addressing the underlying issues of social justice and unequal power will demand that the development process be politicized, and not simply be conducted as a technical exercise.

Rather than focusing on the primacy of the individual, this research focuses on the state, and finds that the state needs to play a bigger role in the provision of basic needs. An interventionist state is proposed, one which enacts socially democratic policies to ensure that amongst other things, the basic needs of each community's most vulnerable members are met. Without such, this and future development programs will only be trying to eradicate the very inequality that is being recreated by the current system of neoliberal policies.

BIOGRAPHICAL SKETCH

Sade Owolabi's childhood roots span across four countries on three continents, including the United States of America, Nigeria, the Netherlands, and Austria. Her international experiences during those formative years laid the foundation for her interest in global development. In 1991, she returned to the United States, and subsequently earned a Bachelor of Science in Civil and Environmental Engineering as well as a Master of Science in Urban and Regional Planning from the University of Iowa. In 2004, she began her doctoral studies at Cornell University in the Department of City and Regional Planning. During and in-between her schooling years she worked in various fields, including health research, youth development, civil engineering, and urban planning. She is currently based out of Washington D.C.

dedicated to all those who made this possible

thank you!

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Many thanks to my three committee members—Bill Goldsmith, my committee chair, Porus Olpadwala, and Fouad Makki. Bill took me on as a student when it seemed no one else would. He taught me to write clearly, insisting that when you think clearly, you write clearly. I simultaneously looked forward to and dreaded his detailed markups on my work. Porus Olpadwala was full of encouragement, and helped me flesh out the important pieces of my work in early paper drafts. I am forever grateful for our weekly Tuesday meetings. Fouad Makki believed in me from the very beginning and taught me to think critically about this “thing” called development. Special thanks also go to Susan Christopherson, who listened and offered multiple research angles when I couldn’t see a way forward. Thank you Susan!

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This work would not have been possible without the network of friends, colleagues, and those who opened up their homes to me during my trips to Kenya in 2006 and 2008. During the summer of 2006, I stayed with my friend Nnenna Okali's father in Nairobi and used his residence as the base of my travels in and out of Nairobi. In Nakuru, I stayed with "mama Chris" and her family, who I was connected to through a friend of a friend. In 2008, Professor and Mrs. Kiminyo, parents to my friend Brenda Bode, graciously offered me a room in their home in Nairobi. From there, I traveled back and forth to my case study sites. During my time in Nakuru in 2008, I stayed with Reverend and Mrs. Kinyanjui, who also graciously offered me a room in their home after one of my friends contacted their daughter, with whom she was friends. Leslie Young, a CRP alum, offered me her couch during a week when I needed to make alternate living arrangements and couldn't afford to get a good hotel room in Nairobi. My work and time in Kenya was made a lot easier by all of these homestays. Back in the US, Nnenna Okali and Toyin Tomori both offered up their

homes at different times in order for me to have a quiet place to stay and write.

In 2008, I was granted the use of office space at an international non-governmental organization (NGO) in Nairobi. Not only did this arrangement provide me with professional work space, it also connected me to a number of people who would become sounding boards for my research, as well as friends. Carolyne Nekesa and Paul Chege are two of them. I was also able to work out of this NGO's office in Nakuru. I was also assisted in a myriad of ways by many of the people I came in contact with during my fieldwork. Grace Lubaale, Andy Harris, and Lawrence Esho were all doctoral students working on topics related to my own. We were able to share ideas and resources. In Nakuru, Solomon Mbuguah provided me with GIS mapping data and helped me secure two field assistants, Ann Morgan and Herman. He also helped gather other key data. Duncan Gitonga and his friends helped me find my way around town and provided me with local knowledge of the area. Patrick Mwanzia and his colleagues offered hours of intellectual discussion on the state of development in Nakuru. Patrick Adolwa did the same regarding the state of local governments in Kenya. In Kisii district, I had the field assistance of Robert Ochoro. Robert Ombaso was also invaluable to my work in Kisii. He and some of his colleagues at the Council assisted me with getting the fieldwork accomplished. I also have to thank the entire staff of the Kenya Local Government Reform Program, who took me under their wings and provided with information, advice, and logistical assistance to complete the fieldwork, especially in Kisii district.

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TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF ABBREVIATIONS

ALGAK	Association of Local Government Authorities of Kenya
ASAL	Arid and Semi-Arid Lands program
CACC	Constituency AIDS Control Committee
CBF	Constituency Bursary Fund
CBOs	Community-Based Organizations
CDF	Constituency Development Fund
CDP	Community Development Program
DAC	Development Assistance Committee
DANIDA	Danish International Development Agency
DC	District Commissioner
DDC	District Development Committee
DDG	District Development Grant
DDO	District Development Officer
DF	District Focus
DfID	Dept. for International Development, Birmingham University, UK
ERS	Economic Recovery Strategy for Wealth and Employment Creation
EU	European Union
GCC	Gusii County Council
GoK	Government of Kenya
GPT	Graduated Personal Tax
IMF	International Monetary Fund
IRDP	Integrated Rural Development Program
KANU	Kenya African Nation Union

KADU	Kenya African Democratic Union
KLGRP	Kenya Local Government Reform Program
KPU	Kenya People's Union
KRDS	Kenya Rural Development Strategy
LA21	Localizing Agenda 21
LASC	Local Authority Service Charge
LASDAP	Local Authority Service Delivery Action Plan
LATF	Local Authority Transfer Fund
MCN	Municipal Council of Nakuru
MoF	Ministry of Finance
MoLG	Ministry of Local Government
MoPND	Ministry of Planning and National Development
MP	Member of Parliament
NARC	National Rainbow Coalition-Kenya
NDP	National Development Plan
NGOs	Non-Governmental Organizations
NPEP	National Poverty Eradication Plan
ODM	Orange Democratic Movement
OECD	Organization for Economic Cooperation and Development
PC	Provincial Commissioner
PDC	Provincial Development Committee
PEC	Poverty Eradication Commission
PRSP	Poverty Reduction Strategy Paper
PSC	Public Service Commission
REPLF	Rural Electrification Program Levy Fund

RMLF	Roads Maintenance Levy Fund
RPP	Rural Planning Project
RPRLGSP	Rural Poverty Reduction and Local Government Support Program
RWP	Rural Works Program
SAP	Structural Adjustment Program
SDD	Social Dimensions of Development
SRDP	Special Rural Development Program
SSP	Strategic Structure Plan
UN	United Nations
UN-Habitat	United Nations Human Settlements Program
UNDP	United Nation Development Program
WB	World Bank

CHAPTER ONE

Introduction

Setting the Context: The Reality of Life in Nakuru, Kenya

It was July 2006 and I was in Kenya doing some research on a United Nations Human Settlements (UN-Habitat) program that had begun in the town of Nakuru a decade earlier. In 1994, Nakuru had been chosen as one of four pilot sites for the Localizing Agenda 21 (LA21) program.[1] I had come to examine the results of the program after a decade of city-to-city partnership, the purpose of which was for each city to share its "best practices." In Nakuru, the emphasis was on development planning, including improvements to service delivery mechanisms for water, sanitation, healthcare, and affordable housing.[2]

Each day, along with making inquires, conducting interviews, and compiling interview notes, I also had to strategize about where to have lunch. This was not because I was a picky eater. I can eat just about anything. I love trying new and different cuisines, and lots of places were reasonably priced and had good food. Strategizing about where to have lunch had to do with identifying a place that also had restroom facilities *with water*. Most eateries did not have public restrooms with running water. The sanitation facilities at the local government offices where I spent

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[1] The Localizing Agenda 21 Program (LA21) is a UN Habitat partnership program between local authorities in the global North and those in the South. The ideology is that the North-South partnership would enable both localities to benefit from mutual sharing of information and practices, improve cultural understanding, and most importantly, provide a platform whereby funds are made available from the northern partners to those in the South. The program's primary aim is to help local authorities in the global South achieve more sustainable development by implementing a participatory environmental planning and management process to identify and address priority issues. The LA21 program has since been implemented in many cities around the world. The program in Nakuru was in partnership with the Post Graduate Center for Human Settlements at the Catholic University in Leuven, Belgium. The Center formed a partnership with Nakuru and three other sites (Essaouira, Morocco; Vinh, Vietnam; and Bayamo, Cuba). The University's involvement was financially supported by the Belgian Development Cooperation. The program ran from 1994 to 2004 in Nakuru. For more on the LA21, see United Nations Chapter 28 of the Rio Agenda 21 (1992) and Loeckx et al. (2004).

[2] For more on LA21 in Nakuru, Kenya, see Tuts 1998, Mwangi 2000.

most of my time when I was not out conducting interviews lacked water the majority of the time. I would later learn of another restroom in the building that had running water. However, it was under lock and key. When I got to know the ladies that kept the key, they were gracious enough to give me permission to use it. I was their foreign guest, and they were very kind to me.

To many Westerners, this restaurant-selection business might not seem like a task that needed to be so calculated. However, I did not have a lot of contacts who worked outside the local government offices and since I was staying in a residential area of town some distance from the central business district (CBD), my options were truly limited. There were no public facilities in the CBD.[3] Inadequate sanitation was not just limited to the CBD where I was working. It extends into many low and middle-income residential neighborhoods as well. In the low-income neighborhoods, pit latrines are the predominant form of available sanitation. Due to their old age or poor construction, the seepage of effluent flow into open trenches is not uncommon, since the pathway for flow into septic tanks is often blocked. There is no need to elaborate on the impact of such environmental conditions on human health. Such conditions have been well documented. In the middle-income neighborhoods, the intermittent supply of water often hinders the effectiveness of flush toilets. Water supply in the upper-income neighborhoods of Nakuru is more reliable. Individual wells are not common in this area, unlike my home-country of Nigeria, where seemingly every household has its own well because they are not served by their municipality.

On this initial visit, I also witnessed the fact that access to adequate healthcare

[3] The quasi-good news is that during my stay, a local NGO had just started construction on the only soon-to-be public shower and restroom facility within the CBD. However, an inspection of the construction plans revealed it was to be on a very small scale, increasing the likeliness of overuse and early damage.

is not available to many Kenyans.[4] One of my many examples is a woman I met through an acquaintance who runs a small NGO in Nakuru to help the destitute from the surrounding areas. He supplies them with small amounts of basics like rice, beans, and cornmeal. He often talked about how he is forced to address other issues apart from sustenance, such as helping his clients gain access to healthcare. Naturally, he is reluctant towards paying hospital or other bills. Yet, he is compelled to do so every now and again. He'd often lament that his clients do not have anywhere else to turn—but him.

In this instance, he had used his personal vehicle to transport a sick mother to the Provincial Hospital of Nakuru, the largest public hospital in the region. When they got there, they were told she needed some x-rays but the hospital's x-ray machine was out of order. They needed to go back to town and search for a private clinic that offered x-ray services, and where, unfortunately, the costs would be higher. It took them awhile, but eventually, they were successful in finding a clinic. He reluctantly paid the bills and they headed back to the hospital. She was admitted for observation, although the doctor on duty could not tell what was wrong with her. She hadn't been able to hold down food for a few days and was very weak. However, besides a basic health screening no other tests were conducted.

The following day, four of us accompanied John to the hospital to see her. There was a guard at the front gate and only a few people were being allowed in. After much cajoling, all four of us were given permission to go in. Despite my varied international heritage—having grown up among the middle-class in Nigeria, then in Europe, and later, the US – I was struck by the barrenness of the hospital. It was supposed to be *the* best alternative to private healthcare in the region, which only a

[4] Kenya Institute of Economic Affairs 2002

minority could afford. Bedside equipment was absent, and there were few doctors, nurses, and nurse's aides. The walls were bare, the examination rooms were empty; the interior was simply cold. I had expected that for the main public hospital in the 4th largest city of the country, the conditions would not be as stark. Perhaps it was because I had grown accustomed to the high level of healthcare in the US, where I resided. Or perhaps I had been fooled by the reassurances of ongoing "development activities" in Kenya into thinking that the conditions would be better. Either way, I was simply taken aback by what I saw.

There was only one nurse at the entrance of the general ward. When it came to our turn, we told her who we were there to see. She didn’t know which bed the patient was in but gave us permission to look around for her. We found her on the opposite end of the large room. She tried to sit up when she saw us but was so weak. She spoke softly. There were no intravenous lines or monitors on her. None of the ward's patients were hooked up to any machines. There were no doctors in sight and the only nurse was the one stationed at the desk where visitors checked in. There must have been at least 60 patients in the room, two to a bed. We visited with her awhile. She hadn't undergone any further tests or procedures beyond what had been done the day before and the doctors still had no idea what was wrong with her. We eventually said our good-byes and wished her well. Two days later, we got the news that she had passed away. Cause of death unknown. She left behind a young daughter.[5]

[5] Gilligan (1996) attributes such "non-natural" deaths to the "structural violence" inflicted upon those at the lower rungs of society. Structural violence—the term used to describe the systematic ways by which certain social and institutional structures prevent the poor from meeting their basic needs—is also cited in Farmer's (2003) account of the social and economic injustices he witnessed while working as a physician with the poor in Haiti, Peru, and Russia. Scheper-Hughes (1992) uses the term "normal violence" to describe the plight of the poor in Northeastern Brazil, where, as she observed, the marginal existence of the sugar cane cutters is defined by hunger, disease, and ignorance—all because of economic exploitation. Many readers are shocked at Scheper-Hughes's accounts, which detail the economic, social, and historical context of this violence, including vivid accounts of how many mothers hasten the deaths of their infants by refusing to nurture babies who are sickly and appear likely to die. I wasn't so much shocked as appalled by the conditions of the poor in Kenya; that in such a plentiful

For this mother and so many others in Kenya, access to basic needs such as good sanitation facilities, potable water, affordable housing, as well as adequate and affordable healthcare is restricted. Amongst other factors, institutionalized elitism, poverty, and racism have helped fuel a social structure that effectively locks out a large proportion of the country's population from gaining access to these everyday needs. It was the promise of heading off such crises through the LA21 program—whether it is healthcare, water, or otherwise, by making them more readily available and affordable— that I had come to investigate in Nakuru. The Program was about forming local and international partnerships with secondary cities in the South to help manage everyday issues such as the lack of water, adequate solid waste disposal, and provision of adequate healthcare.

In Nakuru, one of LA21's pilot projects was the construction of flush toilets at the *Flamingo Phase I* complex, a low-income housing estate just outside the CBD. On one occasion, I visited the estate in the company of an officer from the municipal council.[6] As we walked into the estate, we came upon a large group of women and children huddled around a fixture. It was hard to see where the water was coming from, but the long lines of large jerry cans and basins indicated that they were all there to fetch water. Water was scarce here. Serviced by the municipal council, residents here typically get water twice a week—during the early hours of Saturday and Sunday. They were lucky that day because it was a weekday but there was water. The word had gotten around and everyone was out to fill up their containers. We listened as the women talked about their hardship of not having adequate water, then bid them farewell. As we walked away, the council officer said it was difficult to supply water to this estate regularly because the rents they pay per room is so small it is not enough

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world, many have to endure and make do with so little which others waste so much of their excesses.

[6] In this study, the terms local authority; local government; and local, municipal, town, or county council are used interchangeably, as they often are in Kenyan society.

to fund all the utilities. When they try to raise rates, they are often met with opposition by the Councilor (local politician) serving that area. The water stations are communal so individual billing is not feasible. "So, Sade, what do we do?" she asks.[7]

We walked further into the estate to inspect the sanitation upgrading project undertaken through the LA21 program. It was a combination shower and flush toilet, which replaced some of the old outdoor bathhouses and pit latrines. Each of the twelve new facilities was located in the gap between two buildings and was shared by those eight or more households.[8] A water tap was also included in the design. The only problem was that most of the time, there was no water to operate the new showers and toilets. When they can afford it, some residents resort to buying water from local vendors to meet their needs.

In the subsequent days, I had several conversations with residents and former and current local government officials about different approaches to social development in Africa. We also talked about the meaning of commonly used terms in the field of planning, such as "development," "partnerships," and "sustainable development." As I left Nakuru that summer, one of the comments from those conversations that stuck with me was that posed by one of the local government staff. He was disappointed at how the LA21 partnership program with Leuven, Belgium had

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[7] The houses on the estate consist of several one-story stand-alone buildings, each divided into four quadrants. Each quadrant consists of one room and each is usually occupied by a different family, although some families rent two rooms. Each room serves as a combined living, cooking, and sleeping quarter. Cooking takes place on small kerosene or charcoal stoves inside the rooms. Ablution blocks are located adjacent to the living quarters. They include six small wooden enclosures with dirt floors for bathing on one side and six pit latrines on the opposite side. These quarters were originally built in the early 1900s to house men who came to work on the railroad that passes through town. Then, each room housed one man. For those who had families, their families stayed in the rural area while the men commuted between the villages and Nakuru town on a weekly basis (Kenya Municipal Council of Nakuru, 1999, Strategic Structure Plan, Volume I). Thus the rooms—now family homes—were never meant to house a large permanent population like they do today. This is also the reason why there is limited water supply here. The population has over-exceeded the original design.

[8] The local municipal council was supposed to have built more showers and toilets to cover all the households in the estate but other legal issues are said to have kept those plans on hold.

gone sour, and how many of the projects that were started under the program had not moved beyond the pilot phase. He said,

> "partnerships are good enough but for the sake that we get to know one another…we do a few things together; it's not enough…the issue of partnership and networking should be included into the Council in terms of administration, networking, and financing, because often, we talk about partnerships [but] we leave everything to the donor."

The scenario this staff member was proposing was exactly what the Local Authority Service Delivery Action Plan (LASDAP) was set up to realize. Unlike the externally proposed, donor-funded, and donor-directed LA21 program, the LASDAP was a national program, instituted at each of Kenya's 175 local authorities in 1999. The goal of the LASDAP program is very similar to that of the UN's LA21, having been conceived from the same ideology—that decentralized community participation methods result in better development. Under the LASDAP framework, each local government is to work in partnership with its community organizations, private business firms, and some residents to identify, assign priorities, implement, and monitor community infrastructure projects to meet their needs. By working this way, the government invested heavily, hoping it could positively influence its people's struggle to meet basis needs such as water, sanitation, and adequate healthcare.[9]

Combined, these personal experiences provide the context for why I decided to focus my doctoral research on this idea of *democratic decentralization.* This is the term used by Olowu and Wunsch (2004) to describe the transfer of fiscal resources and local governance responsibilities from the central government to the local governments, who in turn then pass on that responsibility to local citizens by calling for the civil (as well as the private) sector to play a greater role in the management of

[9] Since 1999, more than Ksh 47 billion (Kenyan Schillings, USD 677 million) has been allocated to Kenya's 175 local governments to manage local operations and develop local infrastructure (using an exchange rate of I USD = Ksh 69.4).

urban and rural centers. To use Hirschman's (1958) phrase, it's a development model "in the small." Doing so would enable me to evaluate this dominant "mainstreaming of the 'participation in development' approach," by assessing its impact in two Kenyan cities. Focusing on one country would also allow me to concentrate on exactly how Kenya's sociopolitical context affects the program's impact.

Good Governance as Democratic Decentralization

Since the 1990s much positive attention has been paid to participatory forms of governance; so much so that it has come to signify what it means to practice "good governance." Small-scale, grassroots, community development practices have been in place for decades. However, the participatory model escalated to a dominant development model in the late 1980s following an explicit drive to turn the once organic community development practice into a manufactured top-down practice. This change in global practice was caused by several factors, including rising global poverty, rising national debts, increasing domestic and international demand for democratic governments, reduced government spending, poor urban management, and the failure of several government and donor-led large-scale projects that sought little or no community input. To combat these problematic shortcomings, leading development agencies such as the World Bank and United Nations advocated more participation and decentralization, which they felt would lead to greater democracy and better development.[10]

For example, in 1989, the World Bank suggested that inept governance was the single most important factor, if not the sole cause of Africa's underdevelopment,[11] and

[10] For more from the proponents of decentralization, see Cheema and Rondinelli 1983, Dillinger 1994, Oyugi 2005, Manor 1999, Stren and Eyoh 2007, and World Bank summaries on decentralization. For case study examples see Devas 1998, Bird and Vaillancourt (eds.) 1998 , Shah and Thompson 2004, Smoke 2004, Cheema and Rondinelli 2007

[11] World Bank 1989a. By *development*, I refer to the traditional meaning of the process of growth and progress. However, the very notion of development evokes various questions such as development to whose standards and prescribed by whom? The measure of development (or underdevelopment) is

as a solution, presented its principles for participatory governance at workshops and seminars. Accompanied by plenty of ideological fervor, those principles included instructions on community participation; the building of consensus; promoting accountability; enabling transparency; fostering responsive, efficient, and effective institutions; enforcing the rule of law; and promoting equity and the inclusion of all people in resource management.[12] Today, more than 80 percent of African countries have enacted such participatory good governance policies in one form or another with mixed results.[13]

Besides the claims of greater equity in the distribution of resources and greater democracy in decision-making and all matters of governance at the local level by increasing ordinary people's participation in it, there are also broader claims of what participation can do as a process for development. They include: reduction in poverty levels, enhanced human dignity, use of "underutilized" human resources, increased social awareness, increased use of local knowledge and initiatives, increased grassroots democracy through popular participation in social, economic, and political issues, accelerated social and economic progress, strengthened individual and community bonds, and greater empowerment of individuals or groups.[14] Accordingly, participatory development has evolved in the minds of its many proponents from merely being a good development practice to a prerequisite for positive social change.[15]

Indeed, in Kenya, active community participation in local governance matters

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based on who is performing the assessment and the model against which it is being compared.

[12] WB 2003 Module 1: City/Municipal Management Strategy

[13] Smoke 2001, Crawford and Hartmann 2008. For example, see Francis and James 2003, Chinsinga 2003, Golooba-Mutebi 2004. In this study, the term participatory development refers to participatory social development, including improvements to basic infrastructure needs such as water and sanitation facilities, schools, healthcare centers, and other community-based facilities.

[14] Midgley 1986, Omiya 2000, Njeru 2000, World Bank 2003, UNDP 1991, UNCHS 2001b

[15] Shatkin 2007

was passed into law in 1998 as a means of engineering both physical and structural social change. The passage of the Local Authority Transfer Fund (LATF) Act came one year after the successful campaign and election of a significant number of non-KANU (Kenya African National Union) party members into Parliament. KANU was one of the first major political parties in Kenya, and its leaders had assumed the Presidency since independence in 1963. Between 1982 and 1992, it was declared the only official political party, ensuring KANU's continued control of government for another decade.[16]

Following the 1997 elections, almost half of the new members of Parliament (MPs) were from opposition parties. The political victory of these MPs was viewed as a positive step towards an end to ethnic dominance in government. For many years, accusations of corruption and ethnic bias in the distribution of resources had been an issue of contention.[17] Consequently, the 1998 legislation to decentralize development funds to each community (using local government boundaries), where decisions could be made locally by residents, was widely embraced.[18]

Although not negating the benefits of decentralization itself, in recent years, many scholars have challenged the pervasive belief that democratic decentralization is unequivocally good. In 2001, Cooke and Kothari (eds.), along with other academics and practitioners, asserted through different analyses that in practice, participatory development reaches nowhere near the bottom-up, open, transformative development approach that it is commonly thought to be. Labeling their book *Participation: The New Tyranny*, the authors asserted that participatory governance does not function as a

[16] The long-term control of government by KANU was especially significant because in Kenya, political parties have generally formed along ethnic lines (IRI Kenya 1999). Thus KANU's control of government also meant that the government was largely dominated by one ethnic group.
[17] Rakodi 2000, Cohen 2001, Smoke 2004
[18] Kenyan communities are largely ethnically divided, although cities and major towns do house a mix of ethnic groups.

tool for empowerment and the redistribution of power like its rhetoric might suggest. Rather, this development approach largely maintains existing power relationships, masking them behind the rhetoric and techniques of participation. The failure to acknowledge and address uneven power structures makes the practice of participation tyrannical. Cooke and Kothari identify three types of tyranny. One is the dominance of multilateral agencies in decision-making. Another is the obscuring of the limitations of participation and the manipulations that suppress local power differentials. The third is the limited discussion or consideration of alternative methods for cultivating development due to the immutable dominance of prescribed participatory methods. In all, Cooke and Kothari identify issues related to the agency of local actors, the exercise of power, individual rights, conceptions of community trust and social capital, the existence of an enabling structure for social change, and limitations within the widening of policy spaces—all of which are assumptions that underpin the ideology of participation. Devas and Grant (2003) also identify the tension between representative forms of democracy and popular participation as an issue that needs to be addressed.

Previously, Moore (1995) had also cautioned that one must not confuse the ideology of equity that is at the core of today's dominant participatory development model (advocated in multilateral and national policies) with state or socially regulated distribution of resources. For the most part, states have moved from an earlier ideological era of state-led growth, industrial planning, and social welfarism that characterized the post-colonial period and the emergence of the concepts of developed and underdeveloped, to a new era of neoliberalism. This ideology (era) is based on the notion of an impartial economic market for the distribution of assets, a market to which individuals have equal access. Thus now, equity is framed in terms of giving the poor access to assets and alleviating poverty but not in terms of redistributing wealth. Moore points out that this manner of providing access to productive resources is inevitably accompanied by control. Furthermore, he asserts that international financial institutions such as the World Bank have sought to promote this means of production and reproduction by taking assets away from the state and placing it within the economy of the market. He goes further to state that the notion of democratic participation is promoted because of the need to include civil society in the "renovation" of the state towards a new version that serves the interest of capital. This involves the transformation of states from being focused on organizing and maintaining employment, welfare, and protection of the national economy from external forces, to ones focused on the demands of capital. If such "renovation" were not the case, the state would be more accessible to the poor than it is now. Moore argues that the discourse continues to be framed by the dominant social class in such a way that it benefits capitalist notions of unlimited accumulation, but in a manner that seems quite "natural" and "immutable." Several other development scholars—Cammack, Mitchell, Ferguson, Frank, Leys—concur with Moore's analysis.

In response to Cooke et al., Hickey and Mohan (eds., 2005) countered that despite those timely and important observations about participatory development, it would be wrong to dismiss participatory development altogether because there *are* some success stories of participation that have led to transformative outcomes, mostly as participatory governance strategies initiated by leftist political parties with strong social movements.[19] They argue that what is needed is a broader view of participation—one that reengages with radicalism and goes deeper to understand how

[19] As such, participatory strategies have been observed to be most transformative when 1) it has been promoted as part of a broader political project, 2) it engages with underlying processes, such as uneven processes of the state, market, or civil society formation, and is not limited to specific interventions, 3) it focuses on participation as citizenship—that is transforming the political process to alter the processes of inclusion and exclusion—to ensure individuals can claim their right to participation and resources, 4) there is a separation between the means of accumulating political and economic power.

underlying processes of development can strip away people's agency. This necessitates the political, claim-making practice of "substantive citizenship," where the claim is "from below" through organized struggles, as opposed to "procedural citizenship," which is bestowed "from above." In other words, participation needs to be more than just an end in itself; it needs to be a means to an end that is social justice. Rather than dismiss the practice of development, Hickey and Mohan contend that there needs to be a rethinking of development along the lines of Peet and Hartwick's (1999) notion of critical modernism, whereby there is an acknowledgment that the tenets of modernism—democracy, emancipation, development, and progress—are subject to the best and worst of human practices because they can be engaged in multiple ways. The challenge, Cleaver (2004) contends, is to use the field's understanding of the dynamic nature of such duality to identify opportunities for change.

Different Forms of People's Participation

Before discussing the Kenyan case, it is important to make a distinction between community participation *for development efficiency* and its counterpart, community participation *for social change*.[20] The approach that is often employed when executing these two forms of participation is different. Table 1.1 outlines those differences. Based on the different approaches to executing each form of people's participation, the potential outcomes vary. However, the two forms of participation are often conflated, and usually with the expectation that exercising one approach—usually participation for development efficiency—will result in both the efficient use of limited resources, *as well as positive social change*. In this manner however, the

[20] Mohan (2001) includes another category of "participation for open-ended development" but it is unclear how this really differs from the category of participation for development efficiency. He argues that the former emphasizes dialogue between the coordinators (who are described as outsiders of the locality) and recipients (local community members) of the activity before any decision is made on the trajectory that will be embarked upon. To me, this is essentially embodied in the latter category of participation for development efficiency, and represents how the approach is practiced in Kenya.

expectations do not match the approach that was exercised.

Table 1.1: Differentiating the Two Forms of Community Participation

Community participation for development efficiency	**Community participation for social change**
mobilization from 'above,' and unpaid	'internal' mobilization
those in power calling for collective action to meet social needs	use of confrontational tactics to make demands known to authoritative powers
focus on social needs	focus on social, economic, or political needs
advocates not concerned with structural changes *per se*. Burden is on the people themselves to make any structural changes	participants challenge authority to make structural changes in societal system
rhetoric of people being empowered through external influence	people empowered because of their own actions
people's participation is instrumental, a means to an end for achieving specific needs	people's participation is to force a transformation or reordering of society's current value system
non-participation of people in decision-making considered *an operational barrier*, requiring financial, educational, technical, or administrative solutions	non-participation of people in decision-making considered *a structural barrier,* requiring changes to the system's structure in order to move forward

Source: Table compiled from text within Midgley 1986 and Chinsinga 2003

When communities are mobilized as they are today to assist with setting priorities and implementing community projects, the mobilization is often from above. That is, it is initiated by the central or local government. Reliance on unpaid local input such as the donation of time, money, or labor towards the construction of infrastructure projects has dominated the development paradigm in the last couple of decades. Unlike its counterpart, this form of community mobilization is simply to meet a community's social needs, not to articulate structural changes to the ways in which a society's infrastructure needs are determined or met. It is, if you wish, helping the community to supply itself with fish, rather than assisting the community to learn how to fish. If the people want structural changes, it is up to them, not those currently in power, to devise a means for enabling the desired changes. Those in power merely open the door to allow ordinary people the means of gaining the possibility to advocate for or actively implement methods for bringing about desired changes. Thus the rhetoric from advocates of community-led development is that the masses are "empowered" to actively participate in their own governance.

Here people's participation is instrumental: participation which is invited in order to fulfill a specific purpose. It is a means to an end. If people choose not to participate, the operation of community-led development hits a snag. Yet, people are not generally consulted to identify reasons behind their non-participation. Rather, financial, educational, technical, or administrative solutions are usually sought to correct people's non-participation.[21] This response suggests that there is no alternative to this development paradigm, which is perhaps most evident through the prevalent use of the approach during the last two decades.

It is important to distinguish between this and other instances, where communities self-mobilize in order to use confrontational tactics to make demands on those with authoritative power. This form of mobilization is usually referred to as *community participation for social change*. The change demanded can be social, economic, or political. Socially driven confrontation seeks to reduce the impact of poverty by calling upon government organizations and commercial interests to provide better neighborhood services in working class districts and industrial zones. Saul Alinsky is often cited in the American literature for his efforts in organizing meat-packaging workers from the Back of the Yard neighborhood in Chicago to protest against poor working conditions at the Union Stock Yard in the 1930s.

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[21] Chinsinga 2003

Economic and politically driven confrontations often go hand-in-hand. These protests usually seek to draw attention to unequal land rights, the need for economic reform, recognition of ethnic minority or indigenous groups, or political participation of marginalized groups. Social movements—such as the Anti-Apartheid Movement in South Africa, the Zapatistas of Mexico, and the MSTs of Brazil—all employ politically driven protests to further their cause. Politically driven protests are also used to contest election results, as witnessed in the aftermath of the 2007 Presidential elections in Kenya.

All of these groups were formed and operate on the basis that individuals gain more power through mass organizing with others. Participants seek fundamental structural changes in the way their respective societies operate, whether it regards land ownership or the provision of better neighborhood services. They do not believe that they will gain equal access to goods and services within the current system. Thus, they use their protests and actions as a way to forcefully bring about a dialogue with authorities about those structural inequalities in the hope that those discussions will help bring about positive change. For them, the issue of the have and have-nots (resulting in poverty for some) cannot be corrected on an individual basis. It must be corrected by changing the structure of the system that propagates it. Thus, such protests seek to increase the political consciousness of everyone about the uneven distribution of resources. Non-participation of affected persons is considered a structural barrier to decision-making, an issue which must be resolved.[22] As might be expected, Peattie (1990), Abers (1995), and Hyatt (2001) all note that people with greater needs and problems are most likely to participate in such confrontations,

[22] It should be noted that non-participation can also be a strategy for exerting power through absence. An example of this is the absence of two key rebel group leaders at a recent conference in Tripoli, Libya to negotiate peace in Darfur, Sudan (BBC News 10/29/2007).

particularly when the mobilization addresses their needs or concerns.[23]

Given the frequent and persistent use of the term “participation” in the development literature, identifying this delineation is important because it illustrates two very different sets of intentions, expectations, and possibilities that are invariably tied to the same term. Consequently, participatory processes need to be examined to identify what form they take, as doing so provides a clearer understanding of the intentions, expectations, and possibilities behind people's participation.

Addressing Social Service Needs

At the heart of this dissertation is the assessment of participatory development as a prerequisite for social change. For proponents, it fulfils two areas of great need in developing countries like Kenya: improvement in social services and improvement in governance capabilities. Thus, sociopolitical transformation of society is the articulated end goal. For Kenya, improvement in social services is a major task because in the forty plus years since Independence, Kenya has yet to make significant progress in the provision of core services for most of its population. Specifically: access to health care, education, clean drinking water, electricity, and housing.[24] Only 43 percent have access to improved sanitation, while 61 percent of the population has access to an improved water source. On the healthcare front, there are 14 physicians for every 100,000 people, and 65 percent of Kenyans have poor access to qualified doctors.[25]

These statistics are not surprising when coupled with the fact that over the last 30 years, public expenditure on basic social services has declined, dropping from 20

[23] The discussion of "participation" first emerged out of poor people’s struggle for change. As such, discussion of participation started as "participation of the poor" (Chambers 1983). It largely continues as such today, given that the most vulnerable and excluded groups are the poor. Critics assert that Alinsky and Peattie do not propose shifting of structural barriers, no matter how much they may see organizing as a means of to confronting existing inequalities.
[24] UNDP 2004 Third Kenya Human Development Report
[25] UNDP 2006 Fifth Kenya National Human Development Report

percent of the government's budget in 1980 to 13 percent by 1995. The bulk (84 percent) of social services expenditures by 1995 were on primary education. Expenditures on healthcare, water, and sanitation were much more limited, at 10 percent, 2 percent, and 2 percent respectively.[26] By the turn of the new millennium, overall public expenditure on social services had further declined to 9 percent of total expenditures. Nevertheless, they were projected to increase back up to 25 percent of overall expenditures by 2007.[27] However, by the government's own estimates, the number of stalled government-led development projects was on the rise, numbering in the hundreds by the mid-2000s,[28] and the average underutilization rate of development expenditure was 14 percent.[29] It should be noted that the expenditures quoted here do not include those from the LASDAP program.

Social services aside, proponents of participatory development also cite decentralization of governance as the best way of overcoming poor urban management and other shortcomings of central government. While often regarded as one of the most stable democratic countries in East Africa, Kenya has nonetheless had its share of international calls to address blatant corruption and extreme tribalism within government structures, and has been forced to adopt various economic and political reforms that advocated for the decentralization and liberalization of its economy.[30] Calls for decentralization gained more prominence in the wake of the 2007 post-

[26] 1999 Kenya National Human Development Report

[27] These estimates were projected as part of the International Monetary Fund's (IMF) 2005 Poverty Reduction Strategy Paper (PRSP) for Kenya. The line-item allocations for those expenditures were to be determined by the central government through the Economic Recovery Strategy for Wealth and Employment Creation (ERS) program.

[28] The government estimated that Ksh 90 million would be required just to review the state of those stalled projects, and decide whether construction should be terminated or completed (2005 IMF Kenya PRSP p20-22). While this equates to a relatively miniscule amount compared to the Ksh 45 billion in annual projections for government-led development expenditures during that time, it is still a significant expenditure that most likely could have been avoided with better project management.

[29] Kenya Physical Infrastructure Sector Report (2010/2011 - 2012/2013) p32

[30] See O'Brien and Ryan 2001

election violence that turned from protest against disputed election results to ethnic violence caused by long-held grievances against land distribution, uneven development, and the like. The argument for more decentralization has also been extended with the recent passing of a new Constitution, which would further decentralize political systems, limit Presidential powers, and replace corrupt provincial governments with local counties.[31]

Research Questions

Given this background, the study was initiated to conduct an on-the-ground assessment of Kenya's participatory LASDAP development planning approach, detailing its impact on service delivery mechanisms and local governance processes. The study will also document what impact, if any, the participatory approach has had on effecting grassroots social change—change which includes less inequality, greater transparency and accountability, and more inclusive decision-making processes. What types of projects have been implemented and what types of socioeconomic impact have they had? Furthermore, what kinds of impact has the program had politically, in terms of enabling greater community voice in decision-making and oversight? How have these communities embraced the program to effect lasting structural change, an inherent byproduct of the participatory process according to the theory of participation? The study builds on previous studies, by not only examining the nature of participation, but by also examining how who participates impacts the nature of the outcome and how community power dynamics and interpersonal relationships serve to include or exclude people from the participatory development process. By examining the community participation process, including its governing regulations and program structure at the national and local level, I will be in a better position to articulate

[31] "Kenya President ratifies new Constitution," Online *BBC Africa News*, August 27, 2010

whether a better process to participation is what is needed or whether the approach itself is plagued with enough shortcomings that an alternative should be considered. To answer these questions, I examine the physical, socioeconomic, and political impact of the LASDAP program in two types of local authorities: the Municipal Council of Nakuru and Gusii County Council. More specifically, I sought answers to the following questions:

1. What are the physical, socioeconomic, and political impacts of the LASDAP program?
    a. How has the program influenced local spending and other council undertakings?
    b. What types of socioeconomic changes have occurred, if any?
    c. What is the relationship between the various local actors?
2. What factors shape the setting of priorities and construction of projects?
    a. Who participates in the development process and in what capacity?
    b. How does the program's organizational structure influence program outcomes?
    c. How do the interests and incentives of local politicians influence the program's outcomes?
3. How has the program reorganized access to infrastructure?
    a. Where have the construction projects occurred?
    b. What is the type, quantity, level of sophistication and breadth of coverage?
    c. What sorts of benefits have been derived from the projects?

As the dissertation weaves together the global and national context under which the program was designed, its impact locally, and how those findings relate to the theoretical claims and critiques of participatory development, the day-to-day reality of life for many Kenyans must be kept in mind. Lose track of those realities, and one's lost track of the fact that behind the rhetoric, debates, and statistics, there are real people with vast needs yearning for a better life.

According to the 2006 Human Development Report, 52 percent of Kenyans live below the national poverty line. Fifty-eight percent live on less than US$2 a day. Accordingly, Kenya ranked among the bottom quartile on the 2006 Human

Development Index.[32] In order to improve these statistics, there needs to be significant investment in infrastructure and other areas of development which contribute to economic development. The challenge during the coming decades is to determine how.

The Structure of the Study

Chapter Two of this thesis summarizes the history of social infrastructure development in Kenya, focusing on key government-led programs for the provision of basic services such as water and sanitation systems, as well as education and healthcare facilities. The chapter starts off by summarizing the core aspects of the Kenyan government's multiple administrative systems, knowledge of which is deemed necessary for understanding the nuances related to the LASDAP program as a local government-led program. Next, the key strategies that have been used to promote social development in Kenya are discussed, grouped into three eras: Independence to the 1970s, the 1980s to the 1990s, and the 1990s to the present. For each of these periods, the global-local connection, and center-local interplay surrounding the implementation and practice of the dominant development programs of the time is discussed. The history reveals that the national approach to development during these periods corresponds with the *international* development ideology of their times. Furthermore, this narrative shows that despite the country's current development ideology of local government-led development, the central government has historically been disinterested in embracing local governance structures. Nonetheless, a local government-led approach to development is currently being practiced because, as usual, the national practice is based on global prescriptions. This global-local connection underscores the point that overall evaluation of the LASDAP program

[32] See Appendix B for the percentage distribution of different social amenities.

must also include the international political economy. In conclusion, the narrative in this Chapter reveals that the center-local struggle has resulted in a cycling back and forth between the loosening and tightening of centralized political control, while intermittently allowing for the marginal inclusion of community voice and popular participation.

Chapter Three focuses on the structural details related to the Local Authority Service Delivery Action Plan (LASDAP). The chapter is divided into four sections. The first provides the background on how the LASDAP program came into fruition. The narrative starts in 1992, when the World Bank initiated a municipal reform program to improve the finances of seven municipal local governments in Kenya. That program would later expand into the Local Authority Transfer Fund (LATF) and include *all* 175 local governments. The LASDAP development process—which is the focus of this thesis—is one of the main components of the LATF. The second section discusses the effect of this intergovernmental transfer grant on local governments' revenue and expenditure, focusing on the financial data for FY 2004/2005 to FY 2007/2008. On average, the LATF grants represent approximately one-third of all local governments' revenue. However, the total amount of each LATF grant is significantly smaller than what the central government estimated it would be. The original plan called for the central government to transfer five percent of the national income tax receipts to the local governments. During the four years under review in this study, the total amount of tax receipts transferred each year has been two percent or less. The data also reveals that whereas the combined capital expenditure for all councils increased by a total of 123 percent during the four years under review, the annual proportion of capital expenditures remained the same, at around 10-15 percent of total expenditures. Furthermore, the proportion of money spent on maintenance remained constant, at around 4 percent of total expenditures. The third section of the chapter describes the details of the ideal LASDAP development process, as outlined in the guidelines developed by the central government. The fourth section introduces the study's two case studies.

Chapter Four and Five of this thesis provide the details about the impact of the LASDAP development planning process in each of the two case studies: the Municipal Council of Nakuru (Chapter Four) and Gusii County Council (Chapter Five). Both chapters are formatted in the same manner and are thus summarized here together. Each begins with a description of the site, including the current state of basic services, as well as a summary of the characteristics of the council. Next, the planning process at the council is evaluated against the stated ideal. The third and main section of each chapter is devoted to the findings of the physical, socioeconomic, and political impact of the development planning process in each respective council. Overall the findings reveal that so far, neither council has been able to achieve the vision behind the LASDAP program. That is, neither has been able to develop the process into one that serves as an avenue for deliberate sociopolitical transformation within their respective communities. In relation to need, very few community-identified projects are implemented each year. Furthermore, the distribution of benefits still depends on the social and political status of the individual, and the ability to exercise individual agency is hindered by unequal power structures. As such, residents have developed an attitude of resignation rather than of participation.

Chapter Six is the concluding chapter. It begins by summarizing the research findings. This is followed by recommendations for both technical and structural changes to improve the development planning process and the availability of basic services in Kenya.

CHAPTER TWO

Social Infrastructure Development in Kenya: from Independence to the Present

For more than a decade now, Kenya has followed the call of the United Nations (UN) to focus on local governments as the engines of development because they are the "level of governance closest to the people" and because they "play a vital role in educating, mobilizing, and responding to the public to promote sustainable development."[33] Since 1998, the Local Authority Service Delivery Action Plan (LASDAP) has been ongoing in all 175 of Kenya's local authorities.

When viewed in historical context, this supposed widening of political spaces[34] at the local level presents a conundrum for Kenya. Kenya's social infrastructure development history shows that the central government has been resistant to the type of grassroots, local government-led system advocated by the UN. Furthermore, history reveals that this center-local struggle has resulted in a cycling back and forth between the loosening and tightening of centralized political control, while intermittently allowing for the inclusion of community voice and popular participation.

This chapter presents a summary of that social development history—by which I am referring to the provision of social amenities such as water and sanitation systems, as well as education and healthcare facilities—because the current attempt and achievements at fostering social development must be understood within a historical context. This history was shaped by the national and international political

[33] United Nations 1992

[34] Cornwall (2004) writes that when analyzed through the concept of "space," the political ambiguities of participation become all the more apparent, even though participatory development is often referred to as a "widening" of "political spaces," despite the imbalance in power relations that is often present amongst most groups of stakeholders. However the Habermassian assumption that the creation of public spaces outside the domain of the state is a precondition for citizen engagement that does not simply serve to legitimize the existing political system (Habermas 1984) underpins many forms of participation. Kohn (2000) and others have criticized this core assumption, arguing that "deliberative spaces are discursively constituted in ways that permit only *particular* voices and versions to enter into debate."

economy of different periods, as well as ethnic and class struggles. Without this historical political-economic dimension, this research would lack the necessary foundation for determining whether Kenya's LASDAP development process can lead to the type of transformative sociopolitical change that is envisioned by its proponents. Furthermore, such framing is of utmost importance in understanding what *is* possible, and the probable reasons behind the observed obstacles to social transformation and increased levels of social inclusion.[35]

The narrative is divided into three eras, representing the political economy of the time, and includes the period's approach to social development, the institutions and intellectuals who influenced the nature of development theories and methods of practice, as well as the period's approach to participation and the level of society's engagement. Since the ensuing discussion makes several references to them, a brief overview of Kenya's administrative systems is first reviewed.[36]

Kenya's Administrative Systems

There are four main administrative systems in Kenya. They include the sector- or function-based government ministries, the Provincial Administration, the Constituency, and the Local Government. Each of these systems is managed by different funding streams, including central and local government resources, as well as international- and domestic-donor resources. However, while all of these systems have been set up to work alongside one another, they do not necessarily work in tandem, as the ensuing discussion will illustrate.

1. Sector-Based Ministries

At the national level, Kenya's government has various ministries, each representing a different sector. In all, there are 40 Ministries, devoted to an assortment

[35] Bebbington 2004
[36] Here, as well as in other sections of this chapter, more detail has been provided on the local government system, since this is the system that is most relevant to this study.

of sectors, including the Ministry of Agriculture, Ministry of Finance, and the Ministry of Planning, National Development and Vision 2030. In addition to offices in the capital city of Nairobi, several ministries operate field offices at the provincial, district, and local government levels. In the rural areas, a large proportion of services and infrastructure development activities are managed through these field offices.[37]

2. The Provincial Administration

There are 8 provinces in Kenya, shown in Figure 2.1. Each of these is further subdivided into districts, divisions, locations, and sub-locations.[38] The Provincial Administration dates back to Kenya's colonial era, when it was the main form of administration under colonial rule. After independence, oversight of the Administration was transferred to the Office of the President, with its structure remaining intact.

Essentially an outpost of the central government, the Provincial Administration consists of field offices at the provincial and district level, whose duty is to coordinate the central government's activities in the Provinces. Those activities are coordinated through sector-based departments at each of these two levels. The departments are funded by yearly allocations from each department's Ministry headquarters in Nairobi. The departments include but are not limited to education, health, and social services. Civil servants are appointed to staff these offices while Provincial and District

[37] Certain ministries, such as education and health, are also responsible for staffing their respective service centers around the country. Thus public schools and central or local government run health centers are staffed by government employees. It is however the responsibility of each local government to make provisions for the construction of educational and healthcare centers as they see fit, in addition to maintaining an adequate supply of books or drugs at those centers.

[38] In July 2009, the Provincial administrative structure was altered whereby the 8 provinces are now subdivided into 22 regions. These regions were then divided into 254 districts (formerly 70), and the districts were subdivided into 652 divisions (formerly 497). There are now 2,835 locations (formerly 2,427) and 7,323 sub-locations (formerly 6,612). It remains unclear whether the sharp increase in the number of districts will translate into an equivalent deployment of more District Commissioners, or whether old Commissioners will be asked to cover more than one District. If the former is true, this would mean a tightening of the central government's reach (and ability to police) at the subnational level, despite any constitutional debate over greater decentralization or democracy at the grassroots.

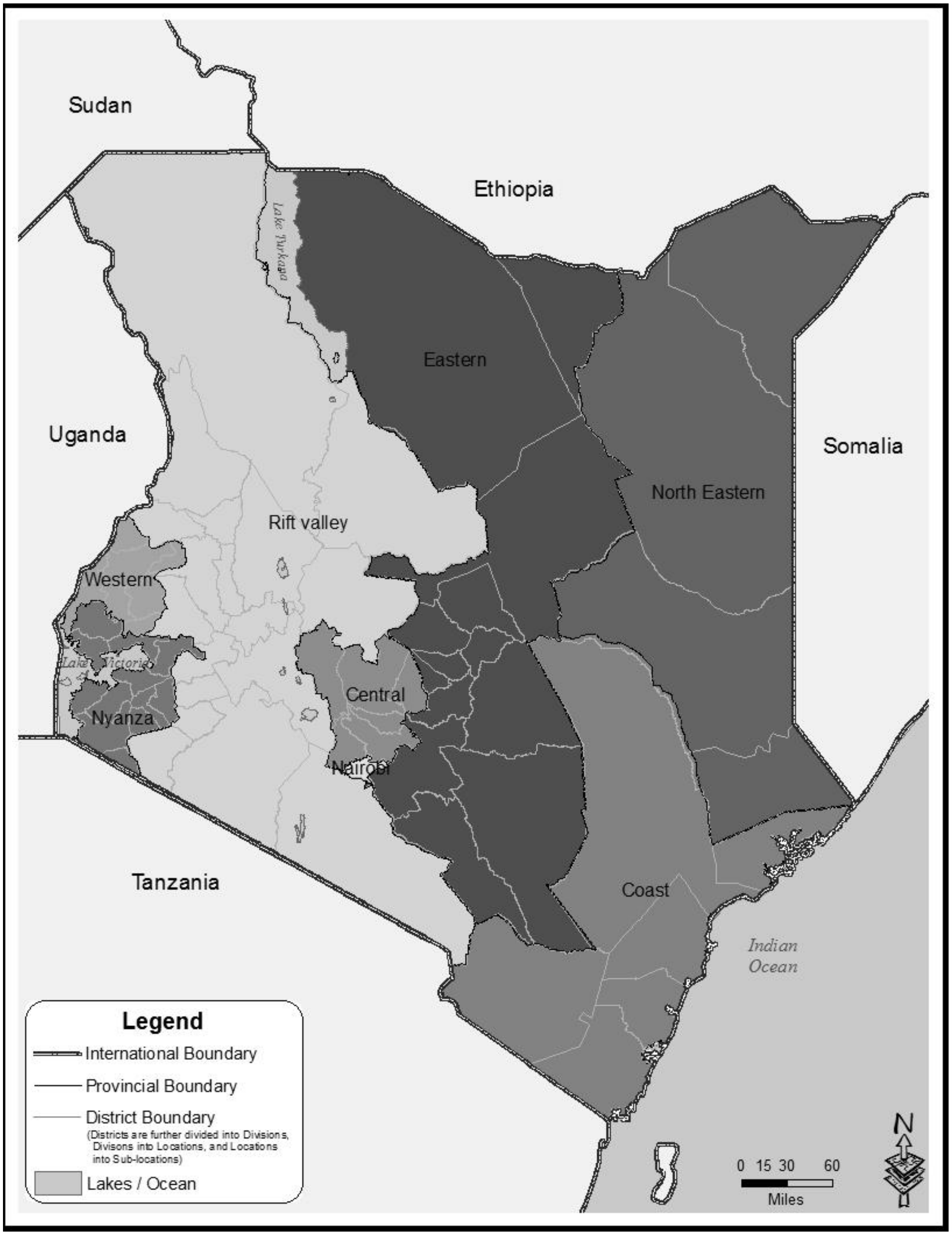

Figure 2.1: Map of Kenya's Provincial Administration

Commissioners are appointed to head each respective level. Chiefs and Assistant Chiefs are appointed to oversee matters at the location and sub-location.

3. The Constituency

The main purpose of the Constituency system is to elect Members of Parliament. Thus more than anything else, it is a political administrative unit. There are 210 constituencies in Kenya and one Member of Parliament (MP) is elected from each. Constituencies are further subdivided into wards. A representative is elected from each ward to serve in their local government's council, exemplifying the overlap between the local government system and the constituency system.

4. The Local Government System

Kenya's current local government system has been in existence since its independence in 1963. Administratively, Kenya's local governments are semiautonomous bodies. While they are free to make internal decisions—such as how to control the spread of development or the regulation of social services within their boundaries—they are also controlled by the central government through mandates from the Ministry of Local Government (MoLG). Each local government's functions and responsibilities are controlled by the Local Government Act (LGA), which spells out how they should be structured, their regulating powers, and their duties.

There are 175 local governments (also referred to as local authorities or local councils); comprised of 1 city, 44 municipal, 63 town and 67 county councils. Municipal councils cover large urban centers and provide a wide range of services, albeit in limited proportions to need. Town councils cover smaller urban centers. County councils cover those areas not covered by municipal or town councils (rural areas) and offer a more limited amount of services. The capital city of Nairobi currently has the only city council, although proposals have been written to upgrade the municipal councils of Mombasa and Kisumu (the 2nd and 3rd largest cities) to city councils.[39]

The decision-making body within the local government is made up of:

- the *policy arm*—comprised of locally elected and nominated politicians (known as Councilors[40]). They are responsible for making policies.
- the *administrative arm*—comprised of appointed civil service personnel.[41] They are responsible for working within their respective departments to implement the policies created by the Councilors.

While Councilors are elected locally, upper-level civil service personnel are appointed by the central government via the Public Service Commission (PSC) in Nairobi and posted to various local government offices around the country. These include planners, architects, engineers, treasurers, and Town Clerks. The Town Clerk is the most senior civil service officer at each local government. He or she acts as its "Chief Executive," with all departments reporting to him or her. While most technical staff tend to be assigned to a particular local government for extended periods of time, the terms for Town Clerks and treasurers are usually shorter, sometimes as little as one or two years. Junior civil service personnel, such as those who collect market fees or perform cleaning services are hired directly by each local authority.

After each voting cycle, Councilors convene at their respective local councils and take a vote amongst themselves to determine who will serve as the town's Mayor and Deputy Mayor.[42] Each Mayor serves for a maximum of two years. Since Councilors are elected every five years (during the presidential elections), the first two

[39] Such an upgrade would allow the councils to be more autonomous and limit oversight by the Ministry of Local Government.

[40] Each councilor represents a ward (neighborhood) within the boundaries of the local authority. Besides the locally elected councilors, approximately 3-5 councilors are nominated by the central government to serve in each local authority.

[41] The term 'civil service personnel/officer' is used to denote those who work in the public sector; those in the Ministry, local government, and other public offices at the different subnational levels.

[42] The Mayoral post is only applicable to Municipal and Town councils. County councils appoint a 'Chairperson' to serve as leader of the Councilors. Unlike some other municipal systems around the world, Kenya's Mayoral post does not make the Mayor the highest ranking municipal officer. Neither does the Mayor possess any special legislative powers. Rather, the Mayor is the head of the Councilors while the Town Clerk is head of the civil servants.

Mayors serve 2-year terms while the third Mayor in that election cycle serves for about 9 months (councils are dissolved approximately 3 months before new elections take place). Of importance here is that Mayors are not elected by the general public. This makes them only accountability to their colleagues and the constituents from the neighborhood that they represent.[43]

Day-to-day administration is guided by resolutions that are set in council committees. These committees are common across most local governments[44] and include:

1. Finance, Staff, and General Purposes Committee *(Town Clerk's Department, Municipal Treasurer's Department)*
2. Internal Audit Committee *(Municipal Treasurer's Department)*
3. Town Planning and Works Committee *(Town Engineer's Department)*
4. Social Services and Housing Committee *(Social Services and Housing Department)*
5. Environment Committee *(Department of Environment)*
6. Education Committee *(Education Department)* and
7. Public Health Committee *(Public Health Department)*

Each committee is comprised of a handful of Councilors and senior civil service personnel, who work together to draft resolutions.[45] Resolutions formed in committees are then ratified by all the Councilors and senior civil service personnel during a full council meeting[46] and slated for implementation by the relevant departments

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[43] While independent local government advocacy organizations such as the Association of Local Government Authorities of Kenya (ALGAK) have advocated for the direct election of Mayors by voters in order to enhance accountability in the councils, Parliament is yet to debate the issue (*Business Daily*, December 14, 2009). This is not surprising however, as many members of Parliament started their political careers as Councilors. One could argue that if Mayors were elected, they would put more pressure on Councilors to perform while in office. Parliament's inaction could thus be interpreted as a desire to maintain the status quo for those coming up behind them.

[44] Depending on the type or size of the local authority, some committees are combined to operate as one. For example, Gusii County Council operates with a combined Education and Social Services Committee.

[45] All the Councilors are typically members of the Finance, Staff, and General Purpose Committee because it holds considerable authority in regulating and controlling the council's revenue and expenditures. The Mayor and Deputy Mayor are ex-officio members on all committees.

[46] A "full council" meeting refers to a meeting that requires the presence of all councilors and all senior

(italicized in brackets above) when applicable.

Under the current Local Government Act, local governments are only mandated to provide burial sites and bury the destitute.[47] They are not mandated to provide basic utilities such as water, sanitation, or electricity. Instead, local governments are "permitted" to provide these and other services, including housing, transportation, education, public health, recreation, and open space.[48] This structure creates problems of oversight since the general public cannot hold their local government accountable for inadequate service provision. Local governments are legally protected to choose what types of services they offer and the extent to which they do so. While no other authority is tasked with ensuring the adequacy of basic services at the local level, both the central and local governments have operated under this ambiguous definition of responsibilities since the Act came into being in 1963.

Local governments may raise revenue from various predetermined sources, although the Ministry of Local Government (MoLG) must approve the bases and rates for each local government. The full council must then pass local bylaws legitimizing these sources. The Attorney General must also sanction any new bylaws.

The Trajectory of Social Infrastructure Development in Kenya: 1963-2010

Much of the discussion on decentralization in developing countries lacks the historical context in which decentralization takes place.[49] The narrative of this chapter seeks to fulfill some of that gap by analyzing Kenya's sociopolitical history of community participation in local development and governance, and how today's LASDAP decentralization model is shaped by it.

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civil service personnel. A quorum must be set in order to pass any resolution. As a group, the Councilors can make up a larger proportion of each Committee, and thus have greater ability to influence decision-making.

[47] Government of Kenya 1986, 2006 Commonwealth Local Government Handbook

[48] *ibid*

[49] Kohl 1999 (unpublished dissertation)

Table 2.1 summarizes the key strategies that have been used to promote social infrastructure development in Kenya. This history has been divided into three eras: Independence to the 1970s, the 1980s to the 1990s, and the 1990s to the present. These three periods correspond to three distinct, yet overlapping and intertwined approaches to development over the last half century: (i) an era of state-initiated development and welfarist tendencies in the 1960s and 70s (the 1970s also included the promotion of local participation to meet basic needs, such as *harambee* and site-and-service schemes), (ii) an era of economic transformation by means of structural adjustment programs in the 1980s, and (iii) an era of political transformation through "good governance," the cornerstone of which is popular participation in all aspects of local governance, including the setting of priorities, implementation, monitoring, and evaluation. These three approaches correspond with the distinct *international* development ideologies of their times. Thus, it seems that Kenya's approach to national development has been largely defined by *international* prescriptions and expectations. This global-local connection is crucial, because not only does it create a means of understanding why certain local actions were taken, it also helps understand why the actions were taken despite the locally recognized limitations. Kenya's actions were not taken in isolation; they were part of a larger global political process. As such, the overall evaluation of the LASDAP program must also include the international political economy.

Along with the approach taken towards social development, Table 2.1 also states the national programs that defined each era. Primary institutional and intellectual sources that influenced the adopted development theory are also listed. Since the focus of this study is on participatory development, the approach taken towards popular participation, as well as the level at which society is engaged is noted.

Table 2.1 has been adapted and then applied to Kenya from the work of Hickey and Mohan (2004), where they assessed a selective global history of popular participation in development theory and practice. Here, I have added the term "participation through representation" as a third term to define the approach taken towards popular participation in Kenya, in addition to "participation as a right" and "participation as an obligation of citizenship," the two terms used by Hickey and Mohan. Categorizing these different forms of participation is essential to gaining an understanding of how popular participation was regarded, which reveals the expectations of an individual, or community's involvement in the development process. It also reveals the depth of responsibility that was placed on each individual or on the community as a whole.

Table 2.1: The Trajectory of Social Infrastructure Development in Kenya: from Independence to the Present

Era	**Approach to Social Development**	**Institutional & Intellectual Influences**	**Development Theory & Methods**	**Approach to Participation**	**Level of Engagement**
Indep. – 1970s State-Initiated Development Popular Participation	Rural community development Cost-sharing Programs include *harambee, SRDP, RWP, DDG, RDF*	Sessional Paper 10 on "*African Socialism*" Kericho Conference Ndegwa Commission Harris Mule, MoPND	*Objective* Post-independence unity through centralized administration. Area- and multi-sector based development. Focus on rural development. Modernization. *Method* Emphasis on improving social services and agricultural production. Cost-sharing approach towards rural community infrastructure. Site-and-service schemes	Participation as a right; Participation as an obligation of citizenship	Individual; civil society
1980s Economic Reform – Structural Adjustment Programs	Alleviating poverty through rural development Urban-regional development Programs include *RDF, ASAL, DFRD*	Robert Chambers, John Turner United Nations, World Bank, International Monetary Fund	*Objective* Increase overall economic activity by continuing to develop rural areas. Control growth of Nairobi and Mombasa by stimulating growth of other "principal towns." Alleviate poverty and widen areas of economic activity into arid and semi-arid lands. Mobilize domestic resources for equitable development. "[Popular] planning for progress" Control/reduce government budget on public expenditures. *Method* Investment in services, facilities, and infrastructure to serve areas in and around growth centers. Build education, health, sanitation facilities. Help NGOs define interventions. Stir away from sector- and project-based plans by strengthening the District as a core unit of planning. Increase representative participation in decision making. Institute structural adjustment programs. Provide grants and loans for self-help and income generating activities.	Participation as an obligation of citizenship; Participation by representation; Participation as a right	Individual; civil society; NGOs Government institutions

Table 2.1 (Continued)

Era	**Approach to Social Development**	**Institutional & Intellectual Influences**	**Development Theory & Methods**	**Approach to Participation**	**Level of Engagement**
1990s – present Political Reform – "Good Governance" Popular Participation/ Participatory Development	Devolution of poverty reduction strategies Participatory governance/ Social capital Programs include *SDD, NPEP, KRDS, LATF/ LASDAP, RMLF, CDF*	World Bank, International Monetary Fund, UN Agencies	*Objective* Devolve funds from central to local government. Promote local decision-making. Emphasis on poverty alleviation. Maintain a philosophy of balanced growth in all sectors. Limited direct government participation in many sectors. Reform role of government as "enabler" in order to emphasize role of private sector and civil society. *Method* Participatory and consultative approach to decision-making (to include the private sector and civil society). Investment in community projects, roads, and electricity; investment in youth through education bursaries; AIDS/HIV education and control, self-employment	Participation as a right; Participation as an obligation of citizenship Participation as necessary for development	Individual; civil society; local government, CBOs; constituency

Adapted from the work of Hickey and Mohan (2004) for the Kenyan context

Independence – 1970s: State-Initiated Development

Kenya's independence from British rule in 1963 marked a significant crossroads in Kenyan development. Prior to independence, major development efforts outside the two primary cities of Nairobi and Mombasa were concentrated in the "white highlands," an area in the central highlands of Kenya where the white immigrants had settled. Widespread development was also limited because the movement of Africans was regulated in several of the towns, including the establishment of racially segregated residential quarters.[50]

With limited financial reserves like many newly independent countries of the time, the state embarked on a mission of economic growth, while seeking to meet basic needs. However, despite a seminal paper—penned by members of the government in 1965—that had declared a path of *African Socialism,* by the mid-1970s, the Government's embrace of unregulated individual accumulation had created a capitalist social structure.[51] As a result, the provision of basic needs has never been guaranteed for Kenya's population.

To meet basic needs, right after independence, the citizenry was called upon in a project of *harambee*, a cost-sharing program. Popular participation in this development program was not only deemed a political right in light of the country's newly attained independence from colonial rule, but was also regarded as an obligation of citizenship. Alongside the practice of *harambee,* the state also invested in infrastructure and industrial development of urban centers. Small-scale consumer goods and agriculture formed the base of this industrial growth. To boost worker productivity, urban welfare measures such as educational facilities and roads were constructed, but less investment was directed towards public housing, health, or water

[50] Kenya, Municipal Council of Nakuru (1999) SSP Volume 2
[51] Nursey-Bray 1982

and sanitation facilities.[52] A number of rural development programs were also initiated with the assistance of external donors.[53] Bilateral donor assistance was used to finance upwards of 80 percent of the development financing in the years right after independence. By the 1970s, the proportion had fallen to 45 percent.

Organizing for post-independence development was facilitated through a highly centralized mode of governance. Thus, although the players changed, the political economy of centralized governance that had defined colonial rule continued, simply replaced by Kenyan-led rulers, who advocated political and social unity as they continued to centralize governance. A centralized form of governance was commonplace among many of the newly independent states during this time, and this pattern of governance was strongly supported by both domestic and external actors until the late 1980s.[54]

Harambee

The first step towards "modernization" as an independent nation was a call for collective participation towards developing the country. President Jomo Kenyatta called upon the country to unite as one and work together in *harambee* (Kiswahili for *pulling together*) to fight sickness, poverty, and ignorance. This involves working together at the community level to raise funds and implement self-identified, place-based projects that meet the community's collective needs and goals. Speaking at the opening of the First Parliament, he said,

> "Our motto *harambee* was conceived in the realization of the challenge of national building that now lies ahead of us. It was conceived in the knowledge that to meet this challenge, the government and the people of Kenya must pull together. We know only out of our efforts and toil

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[52] Cammack (2002) posits that interventions such as free primary education served to bolster the capitalist machine by preparing new workers who can be co-opted and exploited.
[53] Kenya's rural areas accounted for 90 percent of its landmass at independence (Government of Kenya 1969).
[54] Olowu 2002

can we build a new and better Kenya."[55]

While the concept of *harambee* had been in practice long before independence,[56] the President's challenge sought to have each community (and by inference, each individual) make a deliberate effort at prioritizing, fundraising, and implementing community projects, rather than taking a *laissez-faire* attitude towards the social development of their communities. This approach to people's participation displays that not only had people gained the right to social, economic, and political participation in the country's development following independence, but that each individual, community, and community organization had *an obligation* to help build a new and better Kenya. Furthermore, if people wanted a better Kenya, not only would they have to actively participate in developing it; they would also have to share the cost.

A detailed study on *harambee* projects by Mbithi and Rasmusson (1977) shows that between 1967 and 1973, the *harambee* strategy accounted for 11.4 percent of Kenya's national expenditure on development.[57] Although *harambee* contributions were recorded across many sectors, the strategy had a particularly significant impact on education and the building of community recreation centers. Close to 40 percent of the total expenditure on education and 50 percent of the total expenditure on recreation between 1967 and 1973 came from *harambee* contributions. Similarly, community

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[55] Government of Kenya 1964. Kenyatta's proposition of *harambee* community organizing was probably influenced by the political organizing that he had been involved in during the struggle for independence. Charged with managing the Mau Mau rebellion in 1953, he was jailed by the British colonials but subsequently released and became Prime Minister before assuming presidency in 1964. For Kenyatta, the fact that the Mau Mau were able to help accelerate the campaign for independence that had began two decades earlier through the Kenyan African Union (a formally recognized political group) must have increased his conviction of the power of organized bottom-up power.

[56] Before independence, *harambee* was a grassroots practice of offering mutual assistance; labor, financial, or otherwise. For example, community resources were pulled together to build non-missionary schools when locals thought the missionary schools were undermining African culture. President Kenyatta made it a national slogan at independence when he used it as a rally cry on the day the British handed over power in June 1963 (Mbithi and Rasmusson 1977).

[57] Mbithi and Rasmusson 1977 p. 13

contributions towards health projects in 1967 were almost as high as those made by the government.[58]

Defining a Way Forward

In 1965, the Government of Kenya (GoK) published a seminal paper which was said to outline Kenya's development problems and strategies for solving them, including measures for promoting economic development, social progress, and cultural growth.[59] While pegged as a planning document, much of the paper was devoted to economic regulations related to the flow of capital; it emphasized rapid economic growth, land registration, and the importance of a skilled human resource base. Little was articulated regarding a strategy for addressing the nation's social development needs. In retrospect, this was a missed opportunity for defining the development of the country's basic infrastructure needs, because the Paper went on to gain much prominence in Kenyan politics over the years.

While the 1st National Development Plan (1966-1970) had stated the importance of developing Kenya's basic infrastructure needs in order to enhance its social and economic welfare, those plans did not have the type of collective political

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[58] Harambee drives are typically coordinated by community development groups. While participation is typically open to everyone, the act of donating has been a proven method for gaining legitimacy as a leader in Kenyan society. Local politicians, businessmen and -women, and active and aspiring members of government all donate hefty sums of money towards local drives in their communities. Those who typically donate the largest sums of money either usurp the exercise as a means of calling attention to themselves or feel they need to do so in order to maintain their status as a prominent leader in the community. The list of the top 50 donors to *harambee* drives between 2000 and 2002 shows that several of them hold prominent positions in government today. In her study on the politics of self-help in Kenya, Thomas (1988) describes how residents learn to "'engage' with the system" of *harambees*. That is, while the elite and politically inclined may use it as a way to advance their political agendas, less affluent members of the community can also use it to lever financial support by taking advantage of their collective ability to "tax" the rich members of the community, in addition to seeking government contributions. This form of taxation—putting pressure on the rich to show loyalty and ethnic solidarity to their hometowns—is shown to be an effective means of obtaining local development funds from the elite.

[59] GoK Sessional Paper 10, *African Socialism and its Applications to Planning in Kenya*. For a review of Sessional Paper 10, see Mohiddin 1981. However, the book was criticized by Nursey-Bray (1982) as not providing any insight into debates on capitalist development and class structure, which had visibly unfolded in Kenya by the 1970s, and which was contrary to what Sessional Paper 10 had outlined as a way forward in 1965.

attention that surrounded Sessional Paper 10. One of the strategies outlined in the National Development Plan relied on local governments to get loans to finance and operate basic needs such as water. The government expected to construct and operate systems in smaller towns and rural areas, where it was expected that residents would only be able to fund part of the costs. This ideology of central control reflected the government's nationalist ideology; that national development required "effective control and directing by the central government."[60] However, with limited financial resources and the tightening of global financial markets following the first oil crises of 1973, the government was limited in their ability to make great strides on social development in the early years. Some donor resources were however available.

The main approach to development during the 1960s and 70s was to focus on rural community development, as outlined in the 1st National Development Plan. This led to a conference on rural development—the Kericho Conference of 1966.[61] Here, the plan for rural development was further defined, resulting in the creation of the Special Rural Development Program (SRDP).[62] Funded by six external donors,[63] the program's goal was to address rural education, unemployment, and underdevelopment by establishing more social services and increasing rural incomes through self-help activities.[64] Six Provincial administrative divisions were chosen as pilot locations and the donors invested in projects such as agriculture and livestock management, rural

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[60] GoK Sessional Paper 12

[61] The Kericho conference was critical to stimulating the idea that for economic growth, agriculture and rural development were more important than industry and urban development (Leonard 1991). This was contrary to the strategy outlined in Sessional Paper 10, which favored economic growth through industrialization.

[62] Initially, the government was reluctant to create a special program, as recommended following the Kericho Conference. Eventually however, the decision was made to launch the program.

[63] The six donors included the Netherlands, United States, Great Britain, Norway, Sweden, and the United Nations Food and Agriculture Organization (FAO). The Government of Kenya also contributed by funding activities at one of the six pilot sites.

[64] Cohen and Hook 1986, Ogutu 1989

access roads, and water systems.[65] The SRDP was Kenya's first "development" program, a phenomenon that began as an explicit activity in the post-World War II era, following decolonialization in Africa and Asia, and the rebuilding of cities in Europe after the war. As such, the SRDP took a low-key approach, working within the existing administrative structures of the time, although each donor insisted on managing their financial contributions personally instead of putting money into a common pool.

While 123 projects and small programs were initiated over a five year span,[66] the SRDP didn't go beyond its pilot phase. In 1971, the government made the decision to not extend its funding.[67] Some praised the program's efforts, while other reviews viewed it as a failure.[68] Its demise was a result of at least two things. One was that it attracted political opposition and jealousy because it only took place in six sites. Another was that its expenditures were not justified by its modest outputs. Regardless, the SRDP left an indelible mark on Kenya's development strategy because it ignited a series of similar rural development programs in the years following its termination.

After Parliament pulled its funding from the SRDP, it set up a District Development Grant (DDG) program whereby *all* districts could have access to government-provided development funds. Set up as open-ended matching grant program administered by the districts, residents were urged to mobilize their own resources to maximize government contributions. As SRDP activities were phased out at the six pilot sites by the mid 1970s, donors were urged to continue their support by contributing to the DDG program. Mule Harris, the chief economist and Deputy Permanent Secretary for Planning is largely credited with securing the continued

[65] Cohen and Hook 1986
[66] *ibid*
[67] Although the SRDP was largely donor funded, the GoK also allocated a budget for the program, and funded activities at one of the six pilot sites.
[68] For critiques of the SRDP, see Leonard 1991, Cohen and Hook 1986, Asmerom 1986

donor support.

(Un)Defining the Role of Local Governments in Development

The early National Development Plans devoted little space to local governments in terms of their role in leading local development efforts. While they were considered "junior partners" in development, many within the Kenyatta administration considered local governments a remnant of colonial rule; a machine for the creation of local autonomy, which had to be disbanded in order to promote the national unity deemed necessary following independence. The Plans only stated the need for government policies that would help develop the efficiency of local governments in order for them to play a more effective role in national development.[69]

However, rather than developing the efficiency of local governments, two key events occurred that did just the opposite. First, in 1970, all county councils were relieved of their duties in overseeing three major functions: primary education, healthcare, and the maintenance of secondary roads. The central government stated that county councils had failed to solve their management and financial problems in these areas. Those duties—along with the funding that supported them—were transferred back to the central government.[70] This action also meant that these councils lost the autonomy to make their own decisions regarding these three services. Second, the Graduated Personal Tax (GPT)—a local tax that had provided local governments with a source of revenue for administering services and funding local development activities—was terminated.[71]

Rationalized by stating that despite their collection of the tax, local

[69] Stamp 1986

[70] Wallis (1990) notes that while some county councils had done well with managing their financial and governance affairs, all suffered the same fate. The seven municipal councils in existence at that time retained their authority to manage these services. They included Nairobi, Mombasa, Kisumu, Nakuru, Eldoret, Thika, and Kitale.

[71] While the GPT was also abolished in 1970, the aforementioned seven municipalities retained their ability to collect this tax until 1974.

governments were not keeping up with the rising demands for services, the central government took over collection of the tax. It then returned some of the revenue back to each local government in the form of a grant. However, several local governments complained that the grants were substantially less than the revenue they collected from the GPT. Nairobi City Council reported that their grant amount was less than a third of what they had collected in taxes. County councils were especially left vulnerable, as their expenditures fell by 85 percent after 1970 due to reduced revenue amounts.[72] The reason the grants were much less than the former GPT revenue is because the government also subtracted the funding for it to oversee the three functions it had relieved local governments of—primary schools, healthcare centers, and secondary roads.[73]

There was also discussion of placing local government finance committees under the control of the District Commissioner, in addition to shifting policy-making power from the elected Councilors to appointed local government officers. This would have allowed the Ministry of Local Government to have greater control over council affairs. In the end however, this recommendation was never acted upon.

In 1971, a government panel was commissioned to look into the setbacks experienced with rural development in Kenya. Amongst other things, the report (referred to as the Ndegwa report, after the Permanent Secretary of the Ministry of Planning that chaired it) spelled out the problems internal to local governments, as

[72] Smoke 2004. One of the other rationales for replacing the GPT with a centrally controlled grant system was that it was hard for county councils to collect taxes; since it was hard to assess subsistence farmers and the self-employed, many of which resided in the rural areas covered by the county councils. However, when the government tried taking over the collection of GPT in the rural areas, they were not any more unsuccessful.

[73] A similar central government takeover of tax collection had also taken place in 1964, when the local government Poll Tax was abolished. The Poll Tax had also been a source of revenue for local governments. It was abolished on the grounds that it had been used during the colonial era to support the wealthy lifestyle of white settlers, who had forced people to work on their tea and coffee plantations in order to pay their taxes (Stamp 1986, Hester and Eglin 1992).

well as its ideals. It did not however, address larger structural problems—such as the overlap in function between the local government and Provincial administration or the weakening of the financial base of local governments. It also did not call for greater autonomy of local governments or provide specific reforms for strengthening them. Rather, the report stated that the local government was to act as an agent for central government by carrying out the central government's responsibilities at the local level, in addition to serving as the link between citizens in the rural areas and the central government. The Ministry of Local Government did not take kindly to the report, labeling Mr. Ndegwa as anti-local government, for the Commission's failure to address the larger structural problems, debates which continue today with the drafting of a new Constitution. These events marked the beginning of local governments' woes in Kenya. They have semi-structural autonomy but weak financial and autonomous decision-making power. As a result of these and other internal problems, today many local governments have fared even worse than they did before the 1970s, and are unable to provide or maintain adequate service delivery levels for their residents.[74]

Since it is difficult to get precise data on service levels at each locality, Table 2.2 provides a summary of available socioeconomic data on the average national service delivery levels in 1989 and 1999.[75] While the data reveals that generally, there were slight improvements in access to key services during the 1990s, there were still a large proportion of people without access to potable water, sanitary sewer, and electrical power. These inadequacies—consequences of the fiscal diversions that were discussed earlier, as well as the large number of unemployed rural-urban migrants—are very visible during a visit to any of the municipal, town, or county councils.

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[74] Stamp 1986, Smoke 2004

[75] These are national averages. Table B.1 and B.2 in Appendix B itemizes coverage in urban versus rural areas.

Table 2.2: Change in Service Delivery Levels between 1989 and 1999, Kenya

Water Source	**1989**	**1999**	**% Change**
Piped	32%	31%	-1%
Stream / River	40%	27%	-13%
Well	14%	13%	-1%
Other*	14%	29%	15%
Waste Disposal	**1989**	**1999**	**% Change**
Main sewer / Tank	7%	10%	3%
Pit latrine	68%	73%	5%
Bucket / Bush / Other	25%	17%	-8%
Type of Lighting	**1989**	**1999**	**% Change**
Electricity	9%	14%	5%
Lantern / Paraffin lamp	81%	79%	-2%
Fuel wood / Other	10%	7%	-3%

Source: Kenya Central Bureau of Statistics, 1989 Census, Vol. X, 1999 Census, Vol. XI
* "Other" includes spring water, boreholes, ponds, lakes, and water tanks.

Defining Districts as the Unit of Planning

Up until the mid-1970s, there were no comprehensive short or long-term plans to guide planning in many of Kenya's towns and rural areas. Various Ministries selected their development activities based on their target population or location. Donor activities through the SRDP had been based on a mix of donor priorities and local preferences that had been articulated as the need arose.

While the early set of National Development Plans talked about decentralizing planning efforts, focusing on the Provincial Administration as the coordinator of those efforts, the status quo consisted of a deconcentration of officers and activities from Nairobi to the Provinces. Even the Provincial and District Development Committees (P/DDCs) that had been formed to coordinate local development plans in their respective areas were part of that deconcentration system. The PDCs and DDCs were made up of all the heads of department at the Provincial or District level offices—offices which reported to the Office of the President. Commissioners, Municipal and

Town Council Town Clerks, County Council Chairpersons, each area's Member of Parliament (MP), and political grassroots officials (namely from the KANU party) of the respective province or district were also members of the Committees. Furthermore, during the first 10 years after independence, reports indicate that there was poor attendance, and that both Committees met infrequently and were unproductive.[76] Thus, there was not much of development planning activity occurring locally, and what was occurring was largely directed from the center.

Although PDCs and DDCs were formed with the intention of having them articulate and coordinate comprehensive long- and short-term planning activities, much of their activity was focused on addressing immediate needs. Local residents seeking to make use of District Development Grants (DDGs) were also largely focused on addressing immediate community needs. Such fire-brigade approaches to development planning needs were to change in 1974, when the government called for the creation of a District Development Plan for each district, after formally stating that districts were to be the basic unit of planning in the 3rd National Development Plan (1974-1978). This was the first time that the government had really directed its attention towards activating its goals for a long-term national agenda for social development—goals which had been outlined in previous National Development Plans, but lacked the means by which to achieve them.

The task of completing the District Development Plans was to be coordinated and led by District Development Officers (DDOs), who were prepped with a one-month course on planning and set up to receive technical assistance from bilateral advisors. The DDO post had been established a few years earlier, following recommendations from the Ndegwa report, which stated that part of the problems

[76] Cohen and Hook 1986 p20

experienced with district level planning in the 1960s was due to the lack of planners at the provincial and district levels. The report had also recommended the establishment of Planning Officers at the district and provincial levels. DDOs were posted from Nairobi to the districts, but despite the training they received. There was a lack of data to work with and the procedures set up to guide local level planning within the Provincial Administration were inadequate. By 1974, 13 District Development Officers (DDOs) and seven Provincial Planning Officers (PPOs) were left in their respective posts.[77]

The call for the creation of the first set of locally identified plans and projects was a major accomplishment for those pushing for true decentralized planning. However, the jubilation was short-lived. When the 40 District Development Plans were unveiled, they were criticized as having been completed by PPOs, expatriate advisors, and staff at the Planning Ministry's headquarters in Nairobi, devoid of local knowledge or input. Moreover, the plans were merely a laundry list of projects, without the necessary details needed to conduct feasibility assessments for project implementation. The poor quality of the Plans did not allow for the creation of any synergies with ongoing development activities locally, or attract a huge financial commitment from an already financially cash-strapped government. All of this meant that implementing many of the projects listed in the District Plans was "nearly impossible." As of 1976, less than 50 percent of *approved* projects had been completed, further hindered by the lack of qualified personnel to manage project development and implementation. It is no surprise then that reviews indicated that even with introduction of District Development Plans, "the district planning process was still unable to make a major contribution to improved development planning and

[77] Wallis 1990, Cohen and Hook 1986. It is unclear how many officers were initially hired to each post. However, at the time, there were eight Provinces (including Nairobi) and 40 districts.

implementation."[78]

Even as the DDOs would have been hard-pressed to be acutely aware of local planning issues within their district, administratively, their positions were also unclear. Hook and Cohen (1986) note that DDOs acted as *secretaries* to the DDCs and as *administrative staff* to other integrated rural development programs going on at the time.[79] As they described it,

> "[The Ndegwa report] had failed to recommend any DDO authority over the staff or resources of the operating ministries. Nor did it clarify the relationship between the DDO and the DC or between the Office of the President's provincial administration cadre and the planning ministry. Hence, even if the [Ndegwa] Commission's recommendations [had] led to improved local level planning, there was still no clear or reliable mechanism to translate district plans into effective, integrated ministry programs and projects."[80]

Donor-led District Development

Despite the mediocre effect of the initial District Development Plans, small-scale development activities continued in various localities around the country, partially supported by external donors. Aside from those supporting the DDG program, the International Labor Organization (ILO) also donated funds towards labor-intensive works projects, set up as the Rural Works Program (RWP). In 1975, the DDG and RWP were combined, and renamed the Rural Development Fund (RDF).

Administered by the DDCs and designed to give them more oversight of local planning and development initiatives, the RDF was responsible for the implementation of over 6,000 projects between the mid-1970s and mid-1990s.[81] Donor funds covered 80 percent of the implementation costs, while the GoK financed 20 percent. The projects included social and economic infrastructure such as schools, polytechnics,

[78] Cohen and Hook 1986
[79] Ergas 1982
[80] Cohen and Hook 1986 p. 21
[81] DANIDA 1997

health centers, roads, bridges, water systems, and cattle dips. Production-oriented projects such as handicrafts, bee-keeping, fish farming, dairy operations, and small-scale irrigation systems were also funded.

Due to the structure and nature of the program, local residents were usually very involved in the RDF program. NGOs also collaborated with residents to define the nature of interventions. However, while donors and beneficiaries worked locally to define interventions, their efforts could not replace the need for more prominent short- and long-term planning practices at the local and regional level. The Danish International Development Agency (DANIDA), one of the program donors, admitted that the RDF program would have benefited from "macro-planning" to make better use of available resources. Furthermore, management by "small scattered groups of beneficiaries cannot in itself ensure this."[82] This was especially true of the early years, when funds were underutilized.[83] One of the lessons learned here then, must be that despite the value of having high social capital within any community, the existence of social capital cannot replace the need for a functioning planning practice.

While donors sought resident input on infrastructure projects and engaged residents to develop production-oriented interventions to create income earning opportunities, popular participation on the DDCs itself was limited to "prominent local citizens" or "political leaders." Non-government members made up less than 25 percent of the committee membership.[84] While the DDC membership structure did allow for minimal local participation, it was not the type of democratic decentralization of local governance affairs expressed by Wunsch and Olowu (2004) in terms of empowering *all* local citizens to be a part of the decision-making structure. In government documents however, the DDCs were referred to as local decision-

[82] DANIDA 1997
[83] Leonard 1991
[84] Cohen and Hook 1986

making bodies and avenues for grassroots participation in development efforts. Arnstein (1969) labels this type of local participation in decision making as *manipulation*, the most disingenuous form of participation levels. Furthermore, whereas the politicians on the Committees are supposed to represent the interest of their constituencies, politicians' actions are usually more motivated by the ways in which they can best gain political favor with their allies.

As illustrated by the preceding narrative, Kenya's government was unable to develop any sustained efforts to create widespread improvements to the local infrastructure base between the 1960s and 1970s. Self-help programs alone could not carry the burden. Donor-funded programs were limited in geographic reach and criticized for being modest in production. The financial resources of local governments were largely inadequate to undertake any construction projects. And government-led efforts at decentralization were limited to deconcentration of governance structures, inhibited by a lack of financial commitment needed to make long-lasting differences in the infrastructure landscape of the country.

1980s: Economic Reform by means of Structural Adjustment Programs

In 1978, President Kenyatta died in office. He was succeeded by then Vice-President Arap Moi. President Moi embraced the philosophy of *nyayo*, which means to follow in the footsteps [of Kenyatta], an act he saw as embracing the African tradition of respect for ones elder. As such, in the late 1970s Moi continued to favor the decentralization approach (à la deconcentration) started under Kenyatta's administration.[85] This included continued support for rural economic development

[85] While President Kenyatta had conceded slightly to decentralists in his administration by allowing some level of decentralization, it was only in the form of deconcentration. Deconcentration would not pose any threat to ethnic disintegration, or concede enough power to districts such that they could later challenge the government (Murunga 1999, Asingo 2003). Moi's decision was probably also due to the political alliances that had previously been negotiated. In the past, Moi had been a leader in the Kenya African Democratic Union (KADU), a political party that represented members of the smaller ethnic groups in the early 1960s. However KADU would later merge with the Kenya African National Union

programs, many of which were supported by bilateral donor funds.

By the early 1980s however, Kenya shifted from engaging mainly in bilateral development relationships to engaging in multilateral development agreements spearheaded by the World Bank and International Monetary Fund (IMF). Such a shift was not uniquely Kenyan however, as these organizations began to form increased multilateral relationships with many developing countries as a means of tackling extreme global poverty.[86] As a result of these new relationships, Kenya's official development assistance (ODA) jumped from just over USD 2 billion during the 1970s to almost USD 7 billion during the 1980s.[87]

As a condition for receiving the assistance, Moi's government also had to adopt several of these agencies' development programs, including Sub-Saharan Africa's first structural adjustment program, which required amongst other measures, an improvement in the management of the public sector.[88] While Moi's government would go on to implement public investment programs as required under the conditionalities attached to the first structural adjustment loan, critics argued that the period's main program—the District Focus for Rural Development (DFRD)—did not foster a participatory approach, nor did it promote decentralized decision-making. Rather, the political economy following Kenyatta's death turned from one that had advocated *harambee* unity to one that repressed political opposition and recentralized

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(KANU) in 1964, a party that represented members of the larger Kikuyu ethnic group and that had been overwhelmingly successful during the 1963 elections. Critics argue that *nyayo* led Moi to continue many of the negative aspects of the Kenyatta era such as neo-patrimonialism and corruption (Asingo 2003). For many Westerners, the idea of politically following in your predecessor's footsteps is usually undesirable, as the goal would be to set yourself apart.

[86] In an effort to address poverty alleviation, during the 1970s, the World Bank's lending policy expanded to include loans targeted towards social services and other sectors. Lending increased and continued into the 1980s, but the path to addressing poverty shifted, replaced by loans designed to implement structural adjustment policies that were to streamline the economies of developing countries, typically at the expense of health and social services.

[87] O'Brien and Ryan 2001, Table 8.1, p472

[88] Mosley 1986 p109

power in the hands of the political elite. As a result, the approach to popular participation was often by hand-picked representation.

Economic reform through the implementation of SAPs, which included deregulation of the economy by reduction of state control, reduction in public expenditures, privatization of state enterprises, trade liberalization, democratization, and strict fiscal control, was repeated in more than 180 countries at varying levels, often affecting them negatively. For Kenya, restructuring of the public sector would result in more than a 20 percent decline in wages between 1982 and 1990.[89]

Aside from the DFRD program, other notable development programs during this era included the Principal Towns concept and the Integrated Rural Development program.

Principal Towns

One of the highlights of the 4th National Development Plan (1979-1983) was the selection of nine more "principal towns"—places that would serve as growth centers for different regions of the country.[90] These nine towns were in addition to eleven other towns that had been identified in prior National Development Plans. Principal towns were to receive priority investment of services, facilities, and infrastructure in order to 1) stimulate the agglomeration of economies necessary for rapid industrialization and by extension, rapid national development and 2) boost rural development while also slowing the growth of Nairobi and Mombasa, the two primary cities.

While the implementation rate was "patchy" and the concept "failed to

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89 Swamy 1994, World Bank 2000

90 The growth pole theory (Perroux 1955) is based on the notion that equitable urban and regional development can only occur through deliberate development of industrial activities in select urban areas. These areas, referred to as growth centers, will then become the driving force for development of the region in which they are located. For more on the strategy's use in Kenya, see Evans 1989, UNCHS 1997, Otiso 2005). In addition to the principal towns, Kenya also designated hundreds of other minor urban, rural, and market centers as growth centers.

generate the developmental waves expected," Kenya was among many African countries that employed the use of the central place and growth pole theories in the 1970s. Like Kenya, many of those African countries had gained independence during the prior decade and were searching for ways to promote social and economic growth. Prominent scholars like Friedmann (1968) also propounded the use of the growth pole theory by arguing that urbanization was an important tool for advancing national development; thus employing a strategy for deliberate urbanization is an important development tool.[91]

Several factors contributed to the failed advancement of the principal town concept in Kenya. Chief among them was the lack of financial resources to support the concept, a weakness that was pointed out even before the publication of the 4th National Development Plan announcing new sites in 1979.[92] The government's financial contribution was set up in the form of industrial location incentives and included direct investment in new firms or in the provision of land or physical infrastructure such as water and roads. These contributions were to be coordinated through the respective ministries, who were asked to direct their resources towards development in each of these sites. Ministries were also advised on where projects should be sited and what kinds of services and infrastructure to locate in each town.

With limited budgets and differences in the location of their target population, the ministries involved did not adhere to these suggestions. Rather, their investments were directed at activities that met their internal goals, needs, and resources.[93] Furthermore, ministries did not coordinate well with each other, or with the

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[91] For more on regional development, see the edited volume by Friedmann and Alonso 1964.
[92] Richardson 1980, as cited in Evans 1989. The government would later report that it will require enormous capital resources to finance the provision of infrastructure and services to support manufacturing and commercial activity in the principal towns (Kenya 1986b), although industrial location incentives had been identified as one of the main avenues for advancing the development of principal towns.
[93] Evans 1989

municipalities they worked in. Each executed its own goals and priorities. Yet, the Department of Physical Planning (under the Ministry of Lands and Settlement), which formulated the framework for the principal town model, did not have the powers to shape the behavior of other ministries because they were only an advisory body with no executive powers over their counterparts in other ministries. Nonetheless, the number and size of Kenya's urban centers has grown, as shown in Table 2.3. Unfortunately, many lack basic services.[94]

Table 2.3: Growth in Size of Urban Centers, 1962 – 1999

Size of Urban Center	1962		1969		1979		1989		1999	
	No.	%	No.	%	No.	%	No.	%	No.	%
100,000+	2	5.9	2	4.3	3	3.3	6	4.3	5	2.8
20,000 - 99,999	2	5.9	2	4.3	13	14.3	21	15.1	33	18.4
10,000 - 19,999	3	8.8	7	14.9	11	12.1	19	13.7	34	19
5,000 - 9,999	11	32.4	11	23.4	22	24.2	32	23	33	18.4
2,000 - 4999	16	47	25	53.1	42	46.1	61	43.9	74	41.4
Total	**34**	**100**	**47**	**100**	**91**	**100**	**139**	**100**	**179**	**100**

Source: Kenya Central Bureau of Statistics, 1999 Census, Vol. VI, Table 4.4

Integrated Rural Development

As Kenya's economic management declined in the late 1970s,[95] financial investment in local development activities came in the form of renewed donor commitments towards a new program focused on Kenya's arid and semi-arid lands (ASAL).[96] The decision to focus on Kenya's arid lands was the result of renewed

[94] Population growth and increased commercial and industrial activity have no doubt added to the growth of these urban centers.

[95] While Kenya's focus on rural and agricultural development raised the number of small-scale farms, production capacity, and rural incomes in the period between independence and 1980, several of its macroeconomic indicators were poor throughout the 1970s and into the 1980s. Industrial growth began to decline in the late 1970s, with a decline in the share of imports and exports. Investment in manufacturing also fell heavily. Besides the oil price shocks and a drop in the price of coffee—one of Kenya's export commodities—immense expansion of the civil service, even as real wages fell, is often blamed for a bloated public sector. By the early 1980s, the government moved from "being a net provider of investment funds to being a net user of private savings to finance its investment and consumption expenditures." For more details, see Swamy 1994

[96] The initial ASAL donors included the World Bank, European Economic Commission (EEC), Great Britain, the United States, and Norway. The Netherlands, Denmark, Sweden, and the International Fund

global interest in the improvement of arid lands as an avenue for reducing extreme poverty rates. Asia, South Asia and Sub-Sahara Africa recorded extreme poverty rates of 50 percent or higher.[97] As a response, international research centers such as the International Center for Agricultural Research in Dryland Agriculture were established to focus on dryland development since it was home to many of the poorest populations. The UN also held a conference on desertification in 1977 addressing the same issue. For Kenya, the shift in global focus towards dryland development also presented it with the opportunity to seek economic growth outside its wet highlands, where tea and coffee cultivation had been largely exhausted.[98]

More than three quarters of Kenya's land cover is denoted as arid or semi-arid land, as shown in Figure 2.2. However, due to the concentration of people along the southeast to southwest diagonal of the country, ASAL districts only account for approximately one-fifth of the total population, the vast majority of who are pastoralists. In comparison to other districts, Kenya's ASAL districts are less developed and its population is among the poorest.

Kenya's ASAL Integrated Rural Development Program (ASAL-IRDP) was established in 1979. Fourteen of the country's 22 ASAL districts received funding from donors and the government to structure bottom-up strategies that addressed 1) the development of productive potential 2) income-earning opportunities and 3) the provision of basic needs. Thus, like its predecessors, the ASAL-IRDP sought to offer a mix of human- and project-oriented interventions.

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for Food and Agriculture (IFAD) also joined the team of donors.

[97] Chen and Ravallion (2008) as cited in Barrett 2009

[98] Wiggins 1985. The mention of economic growth in the context of Kenya's drylands should not be mistaken for a utopic government vision of developing the ASAL districts to the extent that the rich agricultural highlands were developed. Rather, the goal was to marginally raise livelihoods in these edge districts, where even the most basic necessities are often absent. Since ethnic groups are spatially divided, with long, intertwined histories of tribalism and ethnic stratification, the ASAL program might have also been the government's attempt at signaling that the region was not going to be totally neglected.

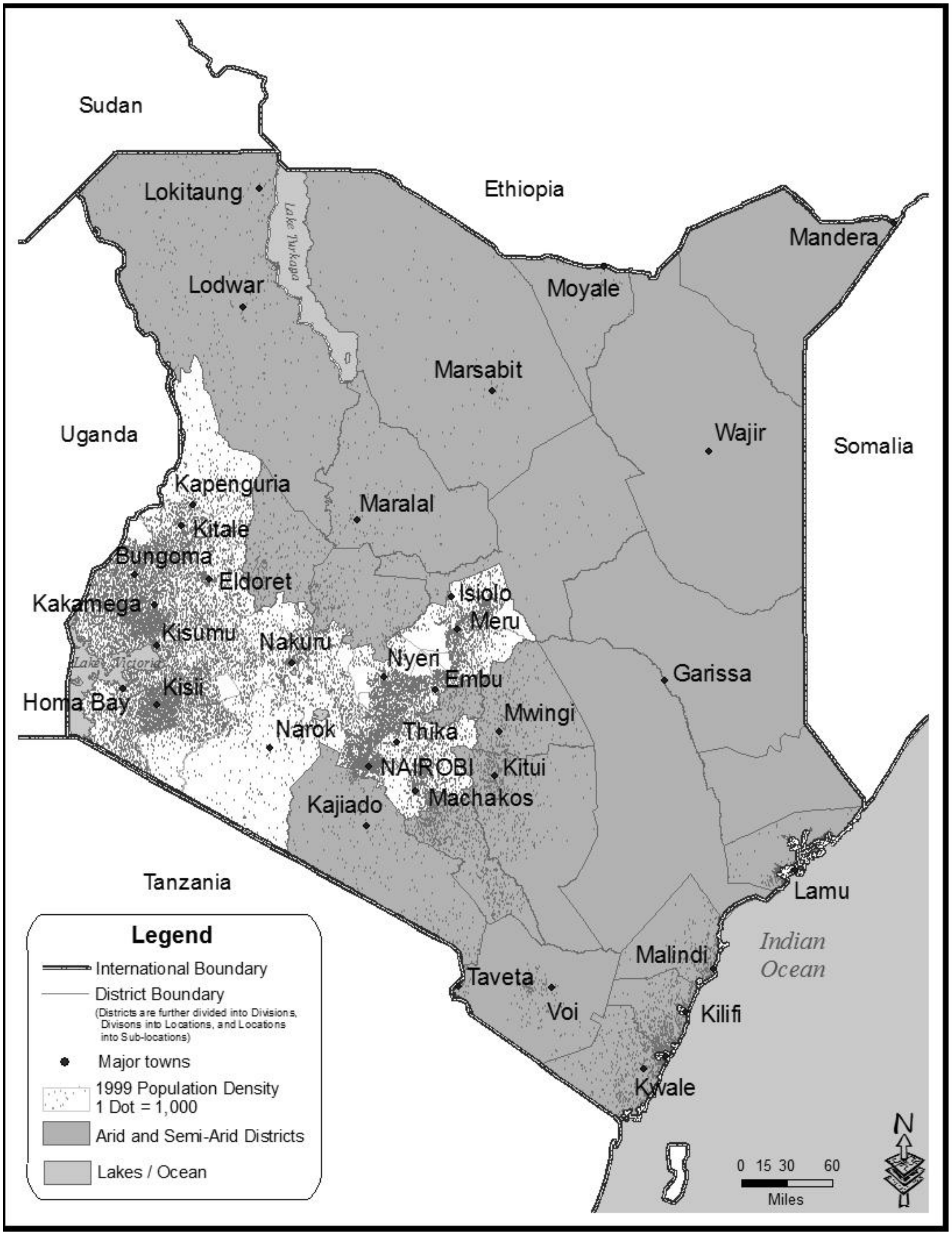

Figure 2.2: Map of Kenya's Arid and Semi-Arid Districts, including overall Population Density

Although categorized as a program for improving socioeconomic planning and the coordination of development activities in the districts, the ASAL programs' ability to advance socioeconomic development was more tied to political will from Nairobi than management capabilities in the district. There are several reasons for this:

(1) While each of the initial donors structured its own activities and managed its own funds (approximately US$86 million);[99] each program site still had to apply for collaborative funds from the government, a duty which fell on the program Technical Advisors (TAs). To get those financial commitments, the mostly expatriate advisors had to form alliances with senior officials in the various ministries involved with coordinating activities in the districts. However, the TAs expatriate status led some ministry officials to regard the ASAL program as a foreign intervention, and one that they were not particularly obliged to prioritize.

(2) At the same time, ministries were experiencing cutbacks and delays in the release of funds for approved expenditures, as the government instigated a structural adjustment program (in line with World Bank and IMF strictures) that would later be characterized as being "possibly too abrupt macro/fiscal stabilization," even by World Bank officials.[100] As a result, the supply of funds to programs was "deficient and erratic."[101] When funds were eventually disbursed to the districts, they were often redirected to cover everyday operating costs. These included travel allowances, stationery, and transport for routine work on other developmental services. For donors,

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[99] Donor commitments were equal to approximately K£ 43 million in 1980. At the time, 1 K£ = 20 Ksh and 1 Ksh ~ US$ 10.

[100] O'Brien and Ryan 2001. "In the late 1970s and early 1980s, the Kenyan economy experienced a series of shocks. Some of them affected all developing countries, but others were specific to Kenya [e.g. severe drought, drop in price of coffee]. In response to these shocks the World Bank, IMF, and other donors responded with substantial commitment of structural adjustment lending. Kenya was, in fact, the first Sub-Saharan African country to receive structural adjustment funding from the World Bank, and later, the first to receive and Enhanced Structural Adjustment Facility (ESAF) loan from the IMF" (p. 477-478)

[101] Wiggins 1985

it made little sense to finance separate programs when many of the ongoing activities were functioning at low levels of effectiveness due to inadequate government support. For example, in one district, only 200 Ksh (US$20) was available to meet non-wage expenditures per professional officer.[102]

(3) The ASAL program did not have many indigenous supporters in Nairobi. Few of the senior civil servants in Nairobi were from the ASAL regions, leaving few to rally support for the program. The further a region is located from the center, the less attention it typically gets, unless perhaps, it is the hometown of a high ranking official.[103] It is not surprising then that Kenya's most chronic and underdeveloped ASAL districts are on the northern and eastern bounders of the country, miles away from the capital city of Nairobi.[104]

Leonard (1991) notes that it was no mistake that the first ASAL project, the Machakos Integrated Development Project (MIDP) was located in the hometown of Harris Mule, the former Permanent Secretary to the Ministry of Planning and National Development (MPND). He had also been responsible for getting continued donor support for development activities since the 1960s. Other accounts indicate that while it was two prominent politicians from the district that lobbied the President and donor delegates for the project, Mule was influential in ensuring the project was promptly financed and implemented once awarded.[105] Wiggins (1985) also notes that the budget for the MIDP was not reduced as much as budgets for other districts were reduced. Mule and the two politicians were from a minority ethnic group whose support was important to President Moi. A few other ASAL programs were also criticized for

[102] Adams 1991 p.3
[103] Wiggins 1985
[104] This sort of bias was/is a long-held bias in Kenyan regional development, in which personnel assignments often reinforce central rather than regional interests.
[105] Wiggins 1985, Cohen 2001

being awarded to areas that had political coalitions that supported the President.[106]

These practices did not help institutionalize effective planning practices at the district level, nor did they help improve districts' management capabilities. This was especially so when planners and other civil servants in Nairobi selected the projects to implement in the districts, which usually occurred when rural leaders presented a long list of desired projects without setting priorities for them. It takes time, money, and energy to educate, coordinate, and debate the setting of project priorities (especially when working in large, sparsely populated areas which characterized several swaths of the ASAL districts). As a result, neither the donor agencies nor the Government of Kenya always ensured that a process of deliberative decision-making took place for the setting of priorities.

The two main development programs in the early 1980s—the ASAL-IRDP (mostly in the north and east) and RDF (mostly in the west and south)—operated under these circumstances. Both resulted in the implementation of several small community projects all around the country, but they were donor led, did not offer any form of uniform development approach for the whole country, and only resulted in modest changes to the social infrastructure landscape.

Such integrated rural development programs that focused on improving incomes, livelihoods, and job opportunities, in addition to agricultural production, were not unique to Kenya. They were in vogue in many other countries during the 1970s and 1980s.

The District Focus for Rural Development Program

In 1983, the government expanded the ASAL-IRDP program to all of Kenya's 40 districts by implementing the District Focus for Rural Development (DFRD)

[106] Cohen 2001

program. Continuing with the idea that the coordination of development initiatives at the district level would improve service delivery, increase the number and level of local participation, as well as promote greater equity and efficiency in resource allocation, the government required each DDC to initiate proposals for development projects. The Committees were also tasked with taking the lead in the planning and designing of all projects, as well as coordinating the activities of all the line Ministries involved with getting projects implemented.

While the DDCs involved in district planning through the donor led RDF and ASAL-IRDP programs were already operating under this type of framework, for others, the DFRD program was the first to hold them accountable to performing those duties. Under the old strategy, the government had relied on the Ministry of Lands and Settlement's department of Physical Planning to create physical land use plans and guide the siting of new projects—which were then slated for implementation by the appropriate ministries at the various subnational levels. Under the DFRD program, decision-making responsibilities for local plans were transferred to the DDC. DDCs now faced the challenge of directing local planning affairs, instead of being directed by the line ministries.[107]

Amid other criticism, critics were most vocal about the timing of the DFRD program, nothing that it only reinforced the President's ability to control local affairs through the Provincial administration which answers to the Office of the President.[108] These criticisms were plausible because in May of 1982, Parliament had amended the Constitution to make Kenya a *de jure* one-party state.[109] Seeing this change as an act

[107] Prior to this change, the department of Physical Planning had lacked any real powers to force other Ministries to implement its urban policy guidelines. This new governance structure pushed for collaboration between Ministries through the DDC, rather than at the national level. Otiso (2005) provides a nice summary of the old (pre 1980s) and new (post 1980s) urban and regional development strategies as outlined in Evans 1989.
[108] Stamp 1985, Wallis 1990, Maxon and Ofcansky 2000, African Network of Constitutional Lawyers
[109] Since 1969, when the Kenya People's Union (KPU) was banned, Kenya had operated as a de facto

of centralizing power and strengthening the presidency, a group of soldiers staged a coup d'état three months later to remove President Moi from power. While the coup only lasted six hours before forces loyal to Moi's government regained control, the incident prompted Moi to replace political opponents in his government with those supportive of his administration.[110]

Given these events, the institutionalization of the DFRD was seen as a deliberate move to restrict local governments' autonomy and prevent local political hegemony from being used to take over control at the center. One of those accused of treason during the coup attempt, Charles Njonjo, then Minister of Constitutional Affairs, was said to have been seeking alliances with politicians at the local level and with the Ministry of Local Government to further his case against the President.[111] Thus, the strengthening of governance capabilities at the district level, while not addressing the struggles of local governments to maintain, let alone expand service levels, was viewed by many as a way of implicitly controlling the capabilities of local governments. The government addressed these views by later stating that

> "Local authorities…have a special relationship with the DDCs. They are to vet their development projects through the DDC before forwarding them to the Ministry of Local Government for funding. This process enables the DDC to coordinate these projects with other development activities in the district. DDC endorsement of a project assures the Ministry of Local Government that the proposal has been reviewed and is in accordance with district development priorities. The methods which a local authority intends to use for raising revenue from within the district should have the concurrence of the DDC since such methods may have a significant effect on the development process in the district."[112]

Given that 1) the DDCs had been criticized as being unproductive, poorly

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one-party state. The two major political parties, KANU and KADU, merged in 1964, shortly after independence.

[110] Cohen 2001

[111] Stamp 1986

[112] Republic of Kenya 1987

organized, and ineffective at setting local priorities or making decisions about competing claims, 2) the government was undergoing fiscal reforms that tightened spending, 3) there was a hiatus in donor balance of payment support and 4) there was no significant boost in the number of DDOs or other technical staff in the districts to augment the weak ministerial staff representation in the districts,[113] the timing of the DFRD program does indeed subject it to accusations of masking a politically driven motive.

While the actual numbers regarding the infrastructural impact of the DFRD program remain unclear, several sources note that the DDCs' tasks were hampered by their inability to control how much each line ministry committed (financially or otherwise) to the DDC's plans.[114] The allocations for capital expenditure came from individual ministries engaged in such work, with neither the Committees nor local residents having a say in how much funds were allocated.[115] Thus while these newly invigorated Committees now had a legal basis for making recommendations, they were still unable to control development funds from the line ministries, greatly limiting their capabilities.[116]

Tostensen and Scott (1987) label the DFRD program as a political rather than developmental tool because the same politicians who were involved in resource allocation at the central level were also the ones involved at the district level.

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[113] Besides the government only posting a handful of its best staff to work in the districts, issues of accountability also created problems because each staff member was loyal to his or her own Ministry.

[114] DDCs submitted budgets to the Ministry of Planning and National Development (MoPND), which along with other ministries submitted its budget to the Minister of Finance for approval. This allowed the MoPND to check major DDC investments against rural-urban policies. However, the MoPND could only point out major differences between the DDCs' and other line ministries' budget proposals, and attempt to reconcile them. They could not dictate how each ministry should allocate their funds. The budget reconciliation process was further hampered by the junior level of MoPND staff who reviewed the budget proposals (Cohen and Hook 1986).

[115] Once allocations were awarded, they were listed as lump sums with no line-by-line prescriptions, thus the Committees were able to make decisions on individual allocations towards each project.

[116] Adams 1991, Chitere and Ireri 2004

One thing the DFRD program did do was enhance the districts' capacity to prepare district plans. These were now published on the same 4-year cycle as the national development plans.[117] While the process elevated the need for regional plans and promoted the ideals of urban and rural planning practices, the continued poor quality of the district plans—which still largely lacked many of the details from which short- and long-term feasibility plans can be developed—limited their usefulness.

External and internal crises such as the drop in global oil prices from the high rates of the 1970s, severe drought, and the increasing cost of imports did not help to reduce cutbacks in the amount of financial resources available to the DDCs. By the mid 1980s, Kenya, along with several other countries that had borrowed large loan amounts during the oil boom of the 1970s had become increasingly unable to repay its balance of loan payments. Donor support for paying the balances had halted in 1984, due to dissatisfaction with externally imposed reforms. Loan commitments from the Bank resumed in 1986, but with conditionalities that included a reduction in social spending—which had a direct impact on the government's ability to fund basic needs.

The loan conditionalities of the 1980s had a daunting impact on the Kenyan economy. Subsidies were removed from agriculture, the main driver of the Kenyan economy. Interest rates increased, destabilizing economic growth. Civil service workers were retrenched, with no social services to fall back on. Those unable to pay private rates for basic services such as health, water, and education all experienced the effects of government cutbacks. Economic focus shifted to liberalization and privatization of activities in "areas of greatest benefit for all Kenyans."[118]

Along with advocating for the implementation of neoliberal policies such as

[117] Chitere and Ireri 2004
[118] Republic of Kenya 1986b. Such neoliberal reforms, commonly referred to as the "Washington Consensus" were enforced on a number of developing countries in the mid-1980s through loan conditionalities. For more on the Washington Consensus, see Gore 2000, Peet 2003.

privatization and liberalization of the economy, the Bank and IMF also called on governments to explore new ways for improving and preserving the social welfare of their vulnerable populations. With the realization that many development countries could no longer make adequate welfare provisions for their populations, the agencies proposed that governments focus on creating partnerships between the public, private, and civil sector. This would involved forming legal and fiscal frameworks that would allow NGOs, CBOs, the private sector, and local governments to pursue their comparative advantage in social development. Residents would also be involved. This model would reduce government spending by drawing in civil society to help cover the costs. Rather than play the role of financer like before, governments would shift to playing the role of 'enabler.' For example, governments could legalize land on informal settlements while NGOs, CBOs, and the private sector worked with communities to improve housing standards. Governments could also provide trucks and equipment for installing basic infrastructure such as water kiosks, while communities sorted out the details of project design, location, and maintenance. This model exemplified the site and service schemes advocated by John Turner in the 1970s.[119]

Accordingly, loan contracts were negotiated so that governments were only encouraged to spend money on trunk infrastructure such as airports and roads, facilities which would attract foreign investment. The role of civil society within different development agendas widened, leading to various theories about social capital and civil society in development. In practice however, Kenyan communities generally had a difficult time keeping up with local needs. The removal of government subsidies from staple foods such as maize and rice corresponded to a rise in poverty

[119] Turner 1976, Turner and Fichter 1976

levels. Some even argued that a regression occurred in the level of development. Consequently, many communities were unable to garner enough finance and time to implement significant community-led projects. Furthermore, there was no change in the DDC's membership structure, which only called for the participation of prominent local leaders and politicians alongside other local government officers on the committee. Thus, resident participation in the DFRD program was limited.

1990s – present: Popular Participation in Local Governance

By the early 1990s, decentralization of decision making was at the front and center of global development discourse. Kenya, along with other African countries, was under pressure from the international community to put more democratic governance measures in place.[120] For Kenya, this meant pressure to return to a multiparty state, having operated as a single-party state since 1982. The government resisted, outlawing the opposition party that was formed in August of 1991 in preparation for the following year's Presidential and local elections. Its members were arrested and detained, prompting the suspension of international aid to Kenya in 1991.[121] When the ruling KANU party finally decided to reverse the Constitution in 1992 and once again allow for a multiparty system, aid agencies pledged to resume financial grants and loans, and international financial aid began to flow back into Kenya in 1993.

Decentralized Decision-Making: Globally Redefining the Role of Local Governments in Development

Following the neoliberal structural adjustment programs of the 1980s, the prevailing global theory for social development in the 1990s was to limit government

[120] The most notable achievement from the political pressures on African countries during this time was no doubt the case of South Africa, where economic sanctions, along with growing internal unrest led to the end of apartheid in 1994.
[121] The suspension of aid cost Kenya about US$400 million in grants and loans between 1991 and 1993 (O'Brien and Ryan 2001).

participation in many sectors. The World Bank, IMF, United Nations, and other leading development agencies advocated for greater levels of democracy through localized decision-making, which would place civil society at the forefront of social development. Along with the conviction that such a model would lead to greater political transformations within society to benefit ordinary persons, such a model is also believed to be a significant factor in the fight against increasing poverty levels.

Accordingly, the 1992 UN conference on Environment and Development (Earth Summit) sought to convince governments to focus on local governments as the engine of development because they were the "level of governance closest to the people" and because they "play a vital role in educating, mobilizing, and responding to the public to promote sustainable development." Working with their local governments, each government was urged to create a local "Agenda 21" for each of their cities—a blueprint for management in the 21st century. To achieve this, each government was encouraged to ensure that their local governments (i) undertake consultative processes with their populations and achieved a consensus on a local "Agenda 21" for the community (ii) implement and monitor programs which aim at ensuring that women and youth are represented in decision-making, planning, and implementation processes. By the close of the conference, 172 governments had voted to focus on local governments as the engine of development.[122]

If communities were able to make decisions regarding their own development priorities, the belief was that the implemented projects would be ones that directly addressed each community's greatest need. Assuming that the greatest needs equated to the needs of the most vulnerable populations, then the rising levels of poverty could be halted and eventually reduced.[123]

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[122] United Nations 1992
[123] Although extreme poverty had fallen in number and proportion in East Asia, in the early 1990s, the number of people living in extreme poverty had risen in Sub-Saharan Africa, although the proportion

Although Kenya pledged its commitment to adopt this local government-led development framework, it did not follow through, at least not initially. Instead, the government continued working at the district level, concentrating on the DFRD program. Given the government's history of sidelining local governments in favor of central control through the districts, this was no surprise.[124]

In 1994, funds were earmarked for a new program, the Social Dimensions of Development (SDD). The program provided financial support to specific communities in six pilot districts. Its main purpose was to address poverty by implementing various programs and projects that offered employment opportunities. Independent committees were set up to generate local priorities, which targeted labor intensive infrastructure projects such as the construction of dams, rural water systems, and rural access roads. However, without being able to secure substantial donor support, fewer than 100 projects were implemented around the country.[125]

Towards the end of the decade, better financed devolved funding programs were eventually established. They include the Rural Electrification Program Levy Fund (REPLF) of 1998, the Local Authority Transfer Fund (LATF) of 1998, the Road

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remained relatively stable (Chen and Ravallion 2008 as quoted in Barrett 2009). Scholars of development sociology such as Mitchell (1991), Ferguson (1994), and Cammack (2002, 2004) emphasize that all too often, a person's way out of poverty is reduced to their individual values, attitudes, motivation, and in this case, participation in the development paradigm., when what we ought to focus on are the political and structural causes of poverty.

[124] Local governments were perceived as a threat to central control because they were feared as breeding grounds for government opposition (Stamp 1986).

[125] World Bank 2002. The government later established other poverty alleviating programs such as the National Poverty Eradication Plan, NPEP (1999-2015) and the Kenya Rural Development Strategy, KRDS (2002-2017). The NPEP fund was set up to help implement community-based programs and was administered at the district level by a commission, called the Poverty Eradication Commission (PEC). While some activities were based on proposals from community groups, the NPEP was not set up to exclusively get the community involved with prioritizing and implementing projects. The KRDS targeted improvements to rural agricultural production and welfare. Administered by the Ministry of Agriculture and Livestock Development, the KRDS was structured to be participatory in nature, involving civil society, cooperatives, and the public and private sector. However, the strategy did not specify the division of functions between these groups or provide a framework for its operations at the local level. A World Bank review of both of these programs in 2002 indicated that the level of community participation in both is slim.

Maintenance Levy Fund (RMLF) of 1999 (Act passed in 1993 but actualized in 1999), the Constituency AIDS Control Committee fund (CACC) of 1999, the Constituency Development Fund (CDF) of 2003, and the Constituency Bursary Fund (CBF) of 2003 (formerly known as the Secondary School Education Bursary; restructured in 2003 as a localized program).[126]

Unlike previous programs such as the SRDP and DFRD, these programs operate as financially devolved programs—involving intergovernmental financial transfers from the central government to local governments or committees at the district or constituency subnational level. Each local governments or respective committee then makes decisions about how the money will be spent. Since the funds come from specific set-asides, localities are not dependent upon line ministries or international donors like in the past.

As noted in the opening chapter, it is no coincidence that several of these devolved funds were established after 1997. Following the 1997 elections, almost half of the new members of Parliament (MPs) were from opposition parties. In a country where political affiliation runs along ethnic lines, the political victory of opposition MPs was viewed as a positive step towards ending ethnic bias in development allocations.[127] These devolved funding programs allow each locality to make

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[126] With the exception of the RMLF, poverty reduction is at the core of each of these programs, providing government subsidies for education, healthcare, utilities, and other locally identified projects. The unit of operation for these devolved programs is smaller than at the previously embraced district level since there are many more local governments (175) and constituencies (210) than there are districts (70).

[127] In Kenya, political parties have generally formed along ethnic lines (IRI Kenya 1999). The unitary party system which President Moi instituted in 1982 is purported to have largely favored those from the regions where the President and Vice Presidents hailed from. Thus, political pundits envisioned a new type of developmental politics—one which spread across ethnic lines—to develop, as a result of the election of a substantial number of opposition MPs. Scholars such as Rakodi et al. (2000), Cohen (2001), and Mutua (2008) have all written about Kenya's political system as one that plays along tribal loyalties as a basis for support and reward. Since the state had been largely run under a unitary political system—with little political, financial, or administrative autonomy at the local level—there were few mechanisms for monitoring or challenging suspected ethnically biased spending patterns. Accusations against the government can lead to imprisonment and perceived disruption of such ethnic loyalty and solidarity can lead to ethnic clashes, as witnessed by the 2008 post-election violence.

personalized financial, design, and implementation decisions, albeit still not in a fully autonomous manner, as subsequent discussion will illustrate.

In terms of localized decision-making, the LATF stands out. It is structured to embrace the concept of participatory governance as articulated during the Earth Summit—for the development of local Agenda 21s.[128] Admittedly, civil society's participation in community development was nothing new. For decades, CBOs and NGOs had filled the gap between government provision and public need, and residents had self-organized to prioritize and implement their collective needs. The difference is that in this new model, community organizing is directed from *above*. It was no longer an act initiated at the grassroots. Rather, it is orchestrated from above by the government. As such, the negotiation of roles and distribution of costs is no longer dictated by residents and the organizations that serve them. The development process now involved collaboration with central and local governments, along with all the nuances that such collaboration entails.

This approach to development was a reversal from the approach taken in the prior decade, which had been based upon the idea that only certain people should be assigned to local development responsibilities. Those people—often government bureaucrats, along with a smattering, if any, of local leaders—would make decisions regarding each community's development needs. Thus, the concept of 'participation by representation' that had been prominent since the mid-1980s when the DFRD program was instituted as the main avenue for local development once again gave way to regarding community participation as not only "a right," but "an obligation" of citizenship. I use the term "once again" because as the narrative in Chapter 2 revealed,

[128] None of the other five devolved funds require broad community input like the LASDAP. Rather, they are administered by committees, based on pre-determined membership criteria that are exclusive of ordinary community members. Furthermore, the Constituency Development Fund (CDF) is the only other fund not already earmarked for specific targets. For more on Kenya's devolved funds, see Odhiambo and Taifa (2005).

community participation in local development had been approached as a right and an obligation of citizenship right after Independence. President Kenyatta had called upon the country to unite in *harambee* and contribute time, money, and labor towards building their communities. Yet, while we see the same approach to participation in the late 1990s as was witnessed more than 30 years prior, with the same expectations and intentions—to foster economic, urban, and rural development through the creation of an adequate infrastructure base—the structure of the current approach to participation as a right and obligation is different. It is *required and directed*, rather than treated as an organic process. On the flip side, prior to Independence, participation was also by representation, as colonial rule barred much of the indigenous population from taking part in any decision-making. When all viewed together as shown in Figure 2.3, the chronological rendering of the state of the political economy and the government's approach to participation reveals a cyclical pattern that alternates between periods of direct and democratic rule, both in terms of political control and people's participation in local governance.

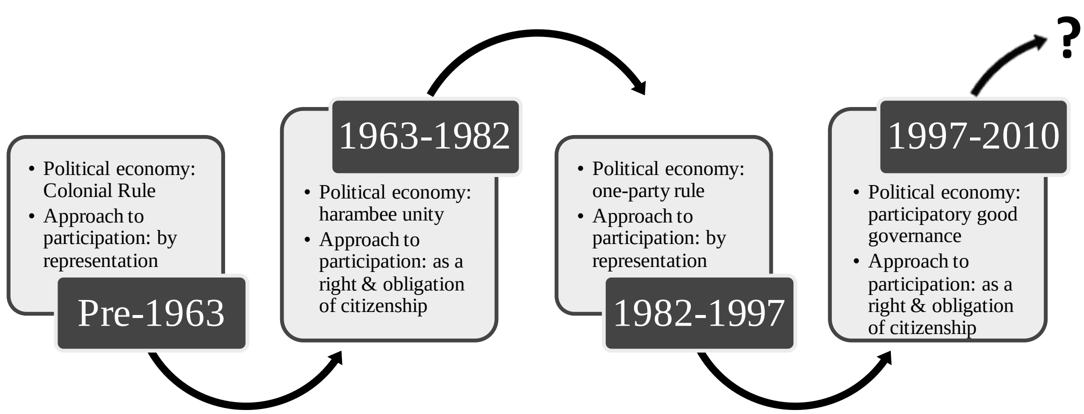

Figure 2.3: The (Re)Cycling of Participation and Political Control

This interplay of community participation and the loosening and tightening of political control is not unique to Kenya. In her research on land rights struggle in Lima, Peru, Peattie (1990) shows that controlled advocacy of community participation is also a mechanism for controlling power at the top. By selecting when and how communities are given the leeway to individually determine their development path, the government is also able to use participation as a means of garnering political support. This is because greater community participation in local governance will be perceived as a desire for more inclusiveness, and the desire of government to listen and adhere to the wishes of the masses. The masses are then more eager to offer support for those in power because they have relinquished a small proportion of their power to the masses.

For Kenya, this cycling back and forth has occurred every fifteen to twenty years, with the current phase being one of participatory development, both politically and socially, as shown in Figure 2.3. However, there are big responsibilities attached to this participatory decision-making power; bigger, one might speculate, than the government itself strived to accomplish under periods of direct rule. The rhetoric however, is not only that each and every Kenyan now has a legal right to have their voices heard in the decision-making process—including those typically excluded: the poor, women, and other vulnerable groups—but that he or she also has a duty—an obligation—to participate meaningfully within their community in order to facilitate rapid social development.

The next chapter begins to methodically assess this participatory approach to social development in order to provide an analytical base upon which to continue the discussion of the reality of the approach 'on the ground.'

CHAPTER THREE

The Local Authority Service Delivery Action Plan (LASDAP)

Formulating the LASDAP

The evolution of Kenya's Local Authority Service Delivery Action Plan (LASDAP) dates back to 1992, when the World Bank initiated funding for a municipal reform program that was to concentrate on improving Kenya's local government finances. Seven municipalities were initially chosen for participation in the reform efforts, known as the Kenya Municipal Reform Program (KMRP). Led by a team of consultants from Harvard's then Institute for International Development (HIID)[129] and coordinated by Kenya's Ministry of Local Government, the initial reform efforts concentrated on municipal roads and infrastructure development.[130] Local consultants included individuals from both the private and public, including the Ministry of Finance, the Ministry of Lands and Settlement, the Ministry of Planning and Development, and the Bureau of Statistics. The international consultants included those who had worked on similar local government reform efforts in other countries.[131] Following a review of community and local government profiles as well as other studies commissioned to help define the program, the span and scope of the KMRP was broadened to include more comprehensive reforms in *all* 175 local governments. These include service delivery and poverty alleviation, in addition to the original focus on financial management.

To reflect the change in focus, the KMRP was renamed the Kenya Local

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[129] HIID was dismantled in 2000 after allegations of violations of HIID rules by project staff in Russia. The HIID consultants involved in Kenya's local government reform program would later continue their work as part of Duke's Center for International Development.

[130] Since the KMRP was originally conceived as a municipal finance program, the initial program organizers were all finance personnel. The Ministry of Finance was particularly vested in improving local governments' finances since it was obligated to financially assist Councils with repaying unpaid donor loans.

[131] Per interviews, international consultants were brought on as needed, with only one full-time and one part-time consultant living in Kenya.

Government Reform Program (KLGRP) in 1995 and a small secretariat consisting of a handful of civil service personnel was created to coordinate the reform activities. President Moi also initiated a commission to detail elements that should be included in local government reforms. This was viewed as a significant move, as many of the previous recommendations to strengthen local government since the 1970s had been largely ignored. However, the Commission's report (referred to as the Omamo Report) was not as influential as expected because as Smoke (2004) notes, it failed to tackle the worst problems of local government. While the Report identified local governments' insufficient taxing authority, shortfalls in revenue collection, and inability to exercise the power afforded them under the Local Government Act because of control by the Ministry of Local Government; it did not recommend legislative amendments to other Acts and documents that affect the effective functioning of the local government.[132] Like the 1971 Ndegwa Report, the Omamo Report focused on the *objectives* of local government—to respond to local community demands—by amongst other things,

> "provid[ing] opportunities for local communities to exercise their democratic right to self-governance and determination at the local levels of society, and to encourage and develop initiatives and leadership potential; and mobiliz[ing] human and material resources through the involvement of the public in their local development."

Notwithstanding, the local government reform advisory board went on to design an intergovernmental fund that would transfer a portion of the national income tax receipts from the central government to the local governments,[133] with the goal of "improv[ing] efficiency and accountability in the operations of local authorities," including debt repayment.[134] The international consultants who served as technical

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[132] For more on the challenges affecting Kenya's local government system, see Mboga 2009
[133] The total transfer amount has hovered around 2.5 percent of income revenue since 1999.
[134] Many local governments have accrued a lot of debt over the years. Part of the financial assistance from the government was to help local governments device a debt repayment plan, utilizing a portion of

advisors were instrumental in designing the fund, known as the Local Authority Transfer Fund (LATF), and facilitating its discussion through Parliament.[135] Those efforts resulted in the passage of the LATF Act in 1998.

When established, the LATF was Kenya's first intergovernmental grant system in 25 years. It is structured to transfer five percent of the national income tax receipts from the central government to the local governments. The amount transferred to each of the 175 local governments is based on an allocation formula, including the population size and whether the local government is categorized as rural or urban.[136] The LATF money is separated into two components. The *performance component* (40%) is aimed at helping local governments with their administrative costs and debt repayment. The *service component* (60%) is aimed at helping local governments improve service delivery systems within their respective boundaries.[137]

While these grants are unconditional—local governments can allocate the monies within each component as they see fit—local governments are mandated to include a broad range of community perspectives in the decision-making process surrounding how the *service component* of the LATF is spent. This includes input from community-based organizations (CBOs), non-governmental organizations (NGOs), the private sector, and local citizens. As a group, they are to jointly identify, prioritize, implement, and monitor proposed community projects. The government also mandates that the proposed projects reflect a pro-poor emphasis, such as

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the LATF funds.

[135] As per interviews in 2008.

[136] For FY 2001/02, allocations were based on the following formula: a lump sum of Ksh 1.5 million to all councils (9 percent), 60 percent allocated on the basis of relative population, and the remaining 31 percent on the basis of relative urban population

[137] There was, however, a clause that it was only mandatory to spend at least 50 percent of the service component (i.e. 30 percent of total LATF funds) on projects dedicated to improving service delivery. Furthermore, up to 60 percent of total LATF funds may be spent on the performance component. Thus, while the primary function of the LATF program is to improve service delivery mechanisms locally, those infrastructure improvement expenditures can still legally account for as little as 30 percent of the overall LATF funds.

improved water and sanitation systems in low-income areas in order to help alleviate poverty. This collection of prioritized projects forms the basis of each local government's local development plan, funded by the *service component*. Referred to as the *Local Authority Service Delivery Action Plan (LASDAP)*, the prioritized projects are supposed to reflect what each community deems important and have become the roadmap for local development planning at each local government.

From the government's point of view, outlining the two components was meant to help local governments see the broader goal behind the grants. Not only was the central government providing financial assistance to help local governments with their general expenditures such as salaries, utilities, or debt repayment; they were also providing the money as a source for financing local infrastructure development. Thus, there was an expectation that local governments would "step up," and be more proactive in their local development efforts. Moreover, the participatory format of this development program embodies what the government envisions for the future of local governance structures in Kenya.[138]

Effect of LASDAP Grants on Local Governments' Revenue and Expenditure

Overall, considerable resources have been directed towards the program, both financially and administratively. Table 3.1 shows the total amount of LATF funds disbursed between FY 2004/2005 and FY 2007/2008 (60 percent of which should go towards LASDAP projects). As a share of total local government revenue, LATF allocations reached a high of 36 percent during FY 2006/2007. Other central government transfers, namely the Road Maintenance Levy Fund (RMLF), raised the proportion of total central government transfers to 40 percent for the same fiscal year. However, if the analysis is redefined to examine each local government's budget

[138] Per interviews in 2008.

individually, LATF allocations can account for as much as 91 percent (Malakisi Town Council) and as little as 7 percent (Narok County Council) of a local government's total revenue.[139]

Table 3.1: Comparison of LATF Disbursements as a Proportion of National and Local Government Revenue, FY 2004/2005 -FY 2007/2008

Revenue Source	FY 2004/2005	FY 2005/2006	FY 2006/2007	FY 2007/2008
	(in millions Ksh)			
LATF	3,930	4,986	7,461	8,232
Subtotal CG Transfers*	4,453	5,492	8,329	9,716
Subtotal LG Revenues	8,495	10,112	12,289	13,716
Total LG Revenue	12,948	15,604	20,619	23,432
Annual Increase in CG Transfers	10.2%	23.3%	51.7%	16.7%
Annual Increase in LG Revenues	-10.6%	19.0%	21.5%	11.6%
Annual Increase in Total LG Revenue	-4.4%	20.5%	32.1%	13.6%
Total GoK Recurrent Revenue	285,823	313,448	376,039	432,219
LATF as % of GoK Recurrent Revenue	1.4%	1.6%	2.0%	1.9%
Inflation Rate	10.3%	12.1%	11.1%	29.3%
LATF as % of Total LG Revenue	30%	32%	36%	35%
All CG Transfers as % of LG Revenue	34%	35%	40%	41%

Source: Compiled from data in the annual LATF reports.
* The LATF is one of two intergovernmental transfers to the local governments. The other is a roads maintenance fund (RMLF).

While LATF transfers have increased annually by 10 to 50 percent and generally kept up with the rate of inflation during the last several years, they are yet to meet the 5 percent target envisioned during the program's formulation. Between FY

[139] There are several reasons for this variance. One is that for councils that have a wildlife game reserve within its boundaries, the reserve's entrance fees belong to the council. The world renowned Maasai Mara Game Reserve is located within the boundaries of Narok County Council. Thus, for this council, the bulk of its revenue comes from the reserve's entrance fees (fees from national parks however, go to the central government). In general however, county councils are more dependent on LATF disbursements as their main source of revenue. For Gusii County Council, one of the case studies in this study, 74 percent of its revenue came from LATF money during FY 2007/2008. Urban councils on the other hand are generally able to raise higher amounts of revenue from sources such as property tax, business permits, and vehicle parking. LATF money only accounted for 28 percent of total revenue for the Municipal Council of Nakuru, the second case study in this research. This trend is not unique to Kenya. Analysis of local government revenue in both Bolivia and the US shows that cities with a population of over one million raise 50 percent more tax revenue per capita than rural counties (Warner 1998, Kohl 1999).

2004/2005 and FY 2007/2008, between 1.4 percent and 2 percent of national revenue was transferred from the central government to all local governments.

While there was a dip in local governments' own revenue stream during FY 2004/2005, those amounts have increased between 11.6 and 21.5 percent during each of the subsequent three years. On paper, these increases in revenue seem to have translated to an increase in capital expenditure. Table 3.2 shows that during the span of the four years under review, capital expenditure more than doubled, increasing by a total of 123 percent, although its proportion in terms of overall local government expenditure has remained fairly constant, at around 10-15 percent. In reality however, the number and scope of projects have largely remained the same, as will be illustrated in the case study analyses.

Table 3.2: Structure of Local Governments' Expenditure, FY 2004/2005 - FY 2007/2008

Expenditure Classification	FY 2004/2005	FY 2005/2006	FY 2006/2007	FY 2007/2008	% Change FY 04/05 - 07/08
Civic Expenditure*	833 (6%)	1,102 (7%)	1,315 (7%)	1,236 (5%)	48.4%
LA Personnel	5,770 (43%)	6,138 (41%)	7,830 (39%)	9,047 (40%)	56.8%
LA Operations	2,203 (17%)	3,233 (21%)	3,899 (19%)	4,008 (18%)	81.9%
LA Maintenance	563 (4%)	628 (4%)	723 (4%)	807 (4%)	43.3%
TOTAL RECURRENT	9,369 (70%)	11,100 (74%)	13,767 (68%)	15,098 (66%)	61.1%
Capital Expenditure	1,559 (12%)	1,511 (10%)	3,073 (15%)	3,469 (15%)	122.5%
Debt Resolution	2,202 (16%)	2,268 (15%)	3,317 (16%)	4,229 (19%)	92.1%
Loan Repayments	217 (2%)	174 (1%)	23 (0%)	13 (0%)	-94.0%
TOTAL EXPENDITURE	13,347 (100%)	15,054 (100%)	20,180 (100%)	22,809 (100%)	70.9%

* Civic expenditure refers to the cost of paying Councilors' salaries and other travel, honorarium or related expenses.

Unarguably, one of critical issues faced by many developing countries is the lack of maintenance of the existing infrastructure base. Kenya is no different in this regard. Besides recognizing the undersupply of basic infrastructure needs, the push to adequately maintain its existing supply was one of the factors that led to the creation of the LASDAP program in Kenya. The guidelines specifically stress the need to incorporate 3 years of maintenance and operating costs into the total cost of each project proposal. A template to calculate the budget for each project is provided accordingly. However, many councils still do not factor in yearly maintenance costs into any of their new project costs. Thus, over the four year period under review, annual expenditures on maintenance are reported to have stayed constant at 4 percent of recurrent expenditures, although there was an increase in the actual amount spent.[140] Even as the central government lays emphasis on the maintenance of existing infrastructure, a corresponding rise in the proportion of revenue allocated for maintenance has failed to materialize.

Unlike revenue-sharing programs in some other countries, Kenya's LATF revenue-sharing program was not structured to be an evenly distributed share of revenue per capita. Thus the formula that defines the sharing of revenue favors urban councils over rural ones. Municipal councils are allotted roughly one and a half times or more their per capita share of the funds. Town councils are allotted roughly seven-tenths to one and a half times their per capita share of funds, while most county councils are allotted only six- to seven-tenths their per capita share of funds.

Table 3.3: Per Capita Distribution of LASDAP Development Funds

	Local Authority Name	1999 Population	% Urban Population	2007/2008 LASDAP Allocations (Ksh)	2007/2008 Per Capita (Ksh)	2007/2008 Per Capita Share
# 1	Karatina Municipal Council	6,852	100%	3,835,426	560	3.24
# 2	Meru Municipal Council	42,677	100%	19,183,012	449	2.60
# 3	Mombasa Municipal Council	665,018	100%	285,796,591	430	2.49
# 4	Nairobi City Council	2,143,254	100%	919,079,295	429	2.49
# 5	Kajiado Town Council	12,204	74.8%	5,128,941	420	2.44
# 6	Thika Municipal Council	88,265	93.7%	36,893,827	418	2.42
# 7	Nakuru Municipal Council	230,515	95.2%	96,031,630	417	2.41
# 8	Eldoret Municipal Council	193,830	86.2%	75,226,502	388	2.25
# 9	Nanyuki Municipal Council	39,838	79.3%	15,283,007	384	2.22
# 10	Nyahururu Municipal Council	32,120	77.1%	12,266,368	382	2.21
# 167	Gusii County Council	303,551	0%	32,327,435	106	0.62
	National	28,686,607	18.7%	4,938,934,157	172	1.00

Table 3.3 shows the per capita share of allocated LASDAP funds (service

[140] Some of which can be attributed to the 'natural' inflation of costs.

component of LATF) for FY 2007/2008. That year's hierarchy of local governments receiving the most funds per capita is almost identical to all the other four years included in this study. Thus conclusions reached from FY 2007/2008 pattern of allocations can be assumed to equally apply to the other three years in this study.

If the LASDAP program were based on an equal revenue-sharing formula, each council would have received 172 Ksh (approximately US$2.50)[141] per capita. However, councils with higher proportions of urban populations are favored to receive more money. Thus, the top 10 councils with the highest per capita share of development funds are all urban councils. Gusii County Council received only 0.62 percent of the funds, placing it 167th out of 175 councils.

A Description of the Ideal LASDAP Planning and Implementation Process

Before going on to review the impact of the LASDAP program locally, the decision-making process as outlined in the government's guidelines is summarized below. The summary is provided to help explain how the process of decision-making shapes the outcome. This process has come to represent what it means to undertake comprehensive development planning at the community level in Kenya. It involves a number of steps, which are summarized into four stages.[142]

1. Initial Preparations

The first stage of the LASDAP planning process is for each local government to compute their respective *resource envelopes*. The *resource envelope* is the difference between total revenue—Council revenue plus other grants and allocations such as the Local Authority Transfer Fund (LATF) and the Roads Maintenance Levy Fund (RMLF)—and recurrent expenditures. This amount represents the amount available for implementing each respective year's community improvement projects.

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[141] Based on the exchange rate of US$1 = Ksh 68 in 2008.
[142] For more details, see Republic of Kenya LASDAP Guidelines 2009

Public notices must also be prepared. These notices should indicate the time and place of upcoming community meetings to determine residents' needs. Personal invitations should also be sent to CBOs in the area. Templates for these and other tasks are included in the LASDAP Guidelines manual.

Ideally, local governments should also communicate with other planning agencies such as the District planning staff and Constituency development committees in order to coordinate their resources and activities, and avoid duplication of effort.

2. Identifying and Prioritizing Projects

Community consultation meetings form the core of the LASDAP program. During these meetings, communities are to identify and prioritize their needs. Emphasis should be placed on identifying *needs*, which can then be combined where appropriate and translated into specific projects. This is to ensure that prioritized projects actually address the root cause of specific problems in the community. Prioritization of projects should take into consideration how well the local authority is equipped to handle that need. Issues of safety might have to be diverted to the local police, for example. Other needs may be better addressed if directed to entities already set up to address those issues. The guidelines recommend voting as the simplest method of prioritizing projects. Two representatives must then be nominated to represent the respective community during the next phase in which the community is involved—the council-wide consensus meeting.

Prior to the consensus meeting, the local government's technical team (made up of senior local government officials such as the Town Clerk, Treasurer, and Engineer) are to review the list of prioritized projects from each community meeting within its boundaries. They also identify projects to fulfill Council needs, which should be in line with the Council's long-term strategic plan, if one exists. Combined, these projects should build a picture of the Council's overall needs, allowing the team to map out short- and long-term goals. Projects may be consolidated if there is a way to satisfy multiple communities' needs with one project. Cost estimates for each project are then analyzed to determine which top priorities from each community will be selected for implementation, based on the amount of the resource envelope.

Another public meeting—the consensus meeting—is then to be held. The purpose of the consensus meeting is for the technical team to discuss which projects should be chosen for implementation and how much should be allocated towards each one. The selection criteria for those projects should then also be reviewed, along with the status of previously prioritized projects, and issues raised during the current year's consultation meetings. All of the community representatives that were nominated during the consultation meetings should attend this meeting, along with other invited persons who are considered to be knowledgeable about the community.

If there is no consensus on the projects as outlined by the Council for implementation, then participants may vote to decide which projects are implemented. If a monitoring group is not in place from the previous year, volunteers should be sought from the audience.

The implementation list agreed upon during the consensus meeting, along with more detailed cost estimates for each project must then be internally ratified in a full council meeting. That is, formally approved by a Council's senior officers and its Councilors. Any changes to the implementation list must be based on a review process where at least 95 percent of the attendees from the earlier process are present.

Since 2001, local governments have been required to submit a copy of their LASDAP report to the Ministry of Local Government in order to receive up to 100 percent of their yearly grants. The report contains details regarding who participated in the meetings, the decisions that were made, how much funding was allocated to each project, and the status of ongoing projects. Templates for reporting all of this information is provided to all councils.[143]

3. Implementing Projects

Local authorities can hire private contractors or use "community contracting" to implement the projects that are prioritized through the LASDAP process. When private contractors are used, procurement and payment procedures as outline by the Ministry of Finance must be followed. This includes an open bidding process, where contractors must be pre-qualified to bid on such projects. The local authority must also specify the criteria for winning a given contract. Any conflict of interest must be avoided.

The government advises that community contracting be used whenever possible, especially for simple and small works that require skills available in the community. Community contracting can be in the form of having residents contribute labor and materials, or having residents assist in the project's design and construction phase. Employing the use of community contracting during the implementation phase requires that the council pay the residents who are constructing the project. Ideally, projects should be contracted to registered community organizations with proven track records.

While guidelines state that community input should be sought during the design phase of any project that is to be implemented, it is up to the local government on how they chose to achieve this. Construction guidelines are available for a limited number of projects, but local authorities are urged to "recruit and build [the] capacity of their technical staff" if necessary in order to adequately design and carry out all construction projects. While some construction projects may be completed within a

[143] Non-submission of this report results in a 10 percent penalty. Although, reports are submitted, the quality of information is poor as it often does not provide very good summaries of meetings or how decisions were reached. The financial details listed in the report also often deviate from numbers reported in other council documents.

year, local authorities are encouraged to divide projects into different phases, and can design projects that require up to a 3 year implementation period.

4. Monitoring and Evaluating Projects

Monitoring and evaluation of projects should ideally take place at three levels—by the citizens, by the local government, and by the Ministry of Local Government. The guidelines suggest that a citizen-led monitoring committee should be formed during each year's consensus meeting. If one already exists, members of the committee can be changed or volunteers re-nominated for another year. This committee is then expected to monitor the implementation status of all ongoing and upcoming LASDAP projects. The local authority is responsible for ensuring that it provides the monitoring group with adequate information, including the financial reports on each project.

Internally, each council's Public Works or Engineering department is responsible for ensuring that projects are implemented according to the stated design and standards. Each council's technical team is also expected to provide quarterly updates that capture the details of each project that is slated for implementation. This includes the status of implementation, the expected date of completion, the contracting group, and so forth. This report is to be made available to all Councilors, Council staff, the citizen monitoring committee, and other interested individuals.

The Ministry of Local Government, in collaboration with the secretariat of the Kenya Local Government Reform Program (KLGRP) is responsible for conducting regular monitoring and evaluation exercises to review each council's financial and project implementation record.

The Case Studies

In the next two chapters, I move from the broad context upon which the LASDAP program was developed, to a more detailed narrative of the reality of this

Figure 3.1: Map of Kenya showing the major towns, population density, and the two case study sites

participatory process in two localities. The findings are based on interviews I conducted with central and local government officials, a review of documents pertaining to the LASDAP process, interviews with local residents, and visits to project sites within the boundaries of two local government councils: the Municipal Council of Nakuru (an urban council) and Gusii County Council (a rural council).

The study of project outcomes focused on projects for four years, those which were set as priorities between FY 2004/2005 and FY 2007/2008. The reasons for selecting these years are that 1) it wasn't until about 2003 that most local governments began involving their citizens in the participatory development process that had been prescribed by the central government. Prior to this time, many local governments had employed the services of a consultant to develop the yearly Local Authority Service Delivery Action Plan. Thus, the reports did not reflect priorities expressed by the community. And 2) since I was going to be interviewing residents on issues related to prioritized/implemented projects, it was better to limit the study to projects slated for development within the last 5 years so that respondents would not have too much difficulty remembering the events surrounding each project.[144]

For each case, a description of the Council's characteristics, geographic location, level of service provision, LASDAP planning process, and project outcomes is discussed. Figure 3.1 above provides a schematic representation of the location of each case study site. Both sites are located along the south-east to south-west diagonal that is home of most of Kenya's population, as indicated by the dot density pattern on the map.[145]

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[144] For more details on the study's methodology, see Appendix A.

[145] As of 2010 when this dissertation was completed, the detailed results of the 2009 Kenya census had not been released. Hence, 1999 census data is used throughout the dissertation. These figures are also more in line with the time period that is being assessed in this dissertation.

CHAPTER FOUR

Case Study I: The Municipal Council of Nakuru

Site Description

1. Location Description

The Municipal Council of Nakuru (MCN) oversees the administration of Nakuru town. Nakuru (meaning *dusty place*) is located 160km (100 miles) northwest of the capital city of Nairobi. Nakuru is located in Kenya's fertile Rift Valley region (Rift Valley Province), at an altitude of 1859 meters (6,100 feet) above sea level. Although nestled between Menengai Crater to the north and Lake Nakuru National Park in the south, Nakuru has struggled to become a popular tourist destination. While Lake Nakuru National Park is home to more than 250,000 flamingos and other big game animals, during recent years the number of flamingos has diminished drastically at times due to environmental pollution around the lake.[146] Currently, tourists are more attracted to Kenya's larger National Parks and Reserves to see the big five—lions, leopards, elephants, buffalos, and rhinos. Nonetheless, the town does host some visitors, including those visiting nearby archeological sites such as the Hyrax Hills.

The Nakuru area was first home to Kenya's Maasai pastoralists, but they were displaced by British and other European settlers who came to Kenya in the early 1900s.[147] Colonial settlement transformed the area into an urban center. Attracted by the area's rich agricultural lands and cool, high altitude, the area soon became known as the "white highlands," located around the Mau Escarpment. The construction of the Kenya-Uganda railroad, which passes through Nakuru, increased the town's early prominence as a service center for the colonial administration. Following construction of the Nairobi-Eldoret Highway in the 1930's, the town grew even further, and was

[146] *The Standard* newspaper, May 5, 2009
[147] Diagram Group 2003, Parkinson et al. 2006

organized into distinct functional zones based on a 1929 colonial plan. These zones included racially segregated residential quarters for Africans, Asians, and Europeans, as well as industrial and recreational zones.[148]

After independence in 1963, the population of Nakuru continued to expand, as people from various parts of the country migrated there. The demand for cheap living quarters spurred high density informal settlements along the south and southwestern edges of town. The early European settlers remained in the north and northeastern quadrants. By the 1970s, the town's growth had spread further eastwards, where cheap, easily transferable freehold land was available. Westward expansion has been limited by distinct fault lines.[149] The area overseen by the Council now covers 292 square km (113 square miles), although the town itself is only 102 square km (39 square miles). Lake Nakuru National Park takes up the rest of the area, as shown in Figure 4.1.

In 1999, the town's population was recorded at just over 231,000 people, placing it as Kenya's fourth largest town.[150] However, other estimates list Nakuru's population as high as 400,000.[151] This higher estimate includes the population of the peripheral areas, whose inhabitants commute daily to Nakuru for economic transactions, increasing the town's daytime population.[152] According to the 1999 Census, the Nakuru region is also a popular migrant destination. The district of Nakuru (within which the town of Nakuru is the largest) has one of the highest numbers of migrants from other parts of the country. Eight to 10 percent of the current population is made up of recent migrants.[153] With a growth rate of 5.7 percent, it is one of the country's fastest growing towns.

[148] Nakuru Strategic Structural Plan (SSP) 1999, Vol. I
[149] *ibid*
[150] 1999 Population and Housing Census, Vol. I
[151] UN 2001b
[152] Per 2006 personal conversation with local authority personnel.
[153] 1999 Population and Housing Census, Vol. III p44

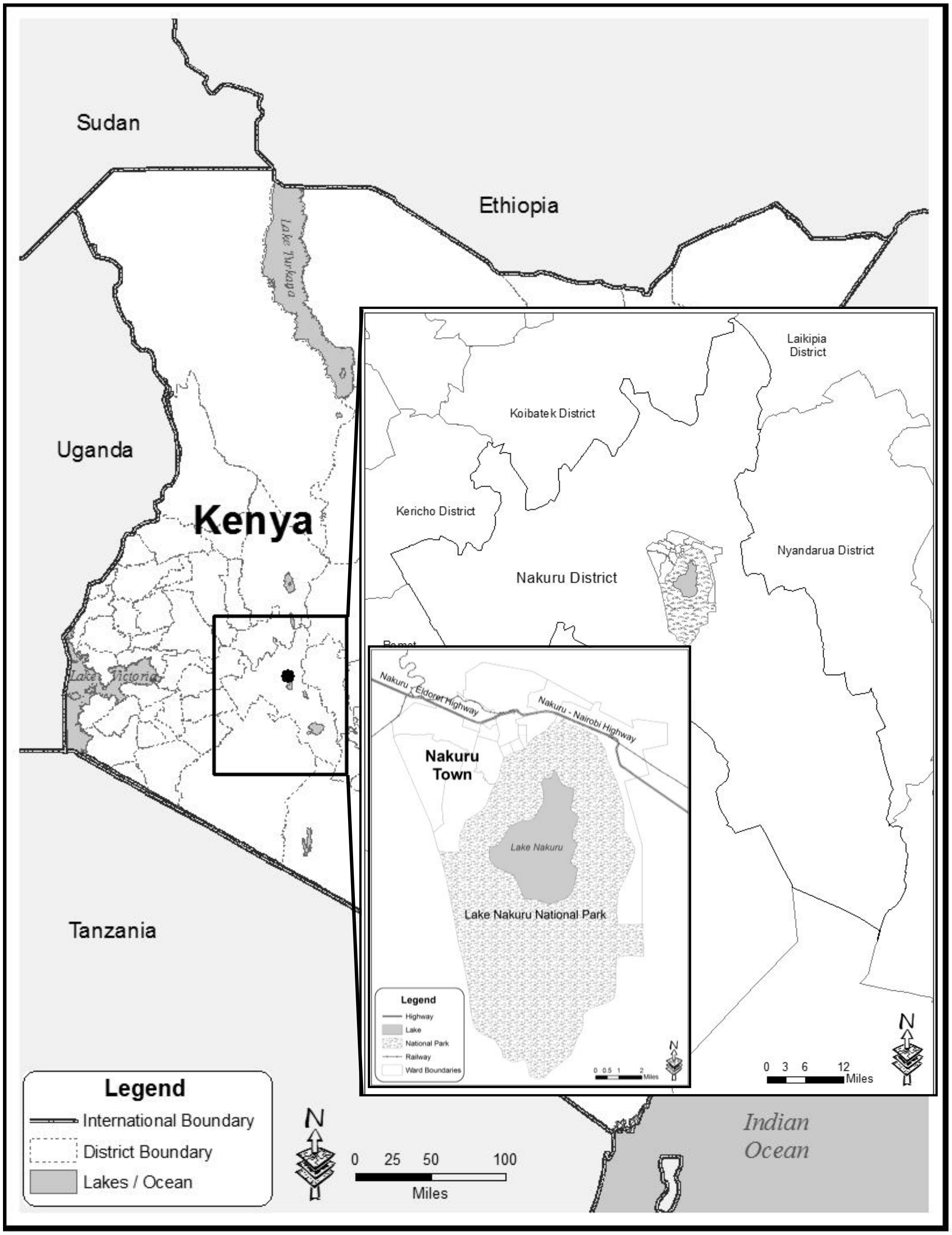

Figure 4.1: Map of Nakuru and Surrounding Area Governed by the Municipality

Today, Nakuru serves as the capital of the Rift Valley Province and is also the headquarters of Nakuru District, the district in which the town is located. These features, as well as its rich agricultural soils and accompanying agro-based industries have elevated it as the regional agricultural trading and service center for the Greater Rift Valley region.

2. Social Profile of Nakuru Town

It is easy to mistake the fascinating scenery provided by the many large oak trees that line the main arterial roads for a high level of material and financial well-being amongst the town's residents. In reality, a significant number of residents live below the poverty line despite the town's diverse and growing economy. A recent survey on the incidence of poverty in Kenya estimated Nakuru's poverty rate to be between 37 and 50 percent.[154] Despite these high levels of poverty, the district as a whole is still ranked as the 14th least poor district in Kenya.[155]

The urban core area, the Central Business District (CBD), located in Biashara ward, is home to the council's offices, as well as to several businesses, service centers, and community-based organizations. A schematic illustration of the ward locations is shown in Figure 4.2. The development of the town's core dates back to the colonial era, and for the most part, is marked by tree-lined streets and paved roadways. Outside the CBD however, development patterns can be quite irregular, varying widely from place to place. Besides the variance in the socioeconomic status between wards, there is great socioeconomic variance within wards as well. *This observation is important because wards are identified as the unit of planning within the LASDAP program. However, community needs vary greatly depending on spatial location.*[156] *For example, Hospital ward*

[154] Government of Kenya 2005, International Livestock Research Institute 2007. The range in the incidence level accounts for the differences in the rate of poverty between administrative locations.
[155] Kenya Institute of Economic Affairs 2002
[156] This issue relates back to the theoretical question of how a "community" is defined. What boundaries are used and how do the people inside that boundary relate to one another?

can be partitioned into three areas: the salvagers who live next to the city's dumpsite, the low to middle income households next to them and, the middle to upper income households at the far east of the ward. High-income areas—marked by large bungalows, manicured lawns, and wide, paved roadways—are located in the north and east quadrants; in various sections of Hospital, Viwanda, Menengai, and Kivumbini wards. The town's low-income neighborhoods are mostly located in the south and southwest quadrants—particularly Rhonda and Kaptembwa wards. A large proportion of these households live in highly dense informal settlements. Figure 4.2 highlights some of the areas with very high incidents of poverty.[157] Middle income areas are scattered throughout, including the south and northeast quadrants of the town. Barut East and West wards were recently added to the municipality's jurisdiction but are more rural in nature.

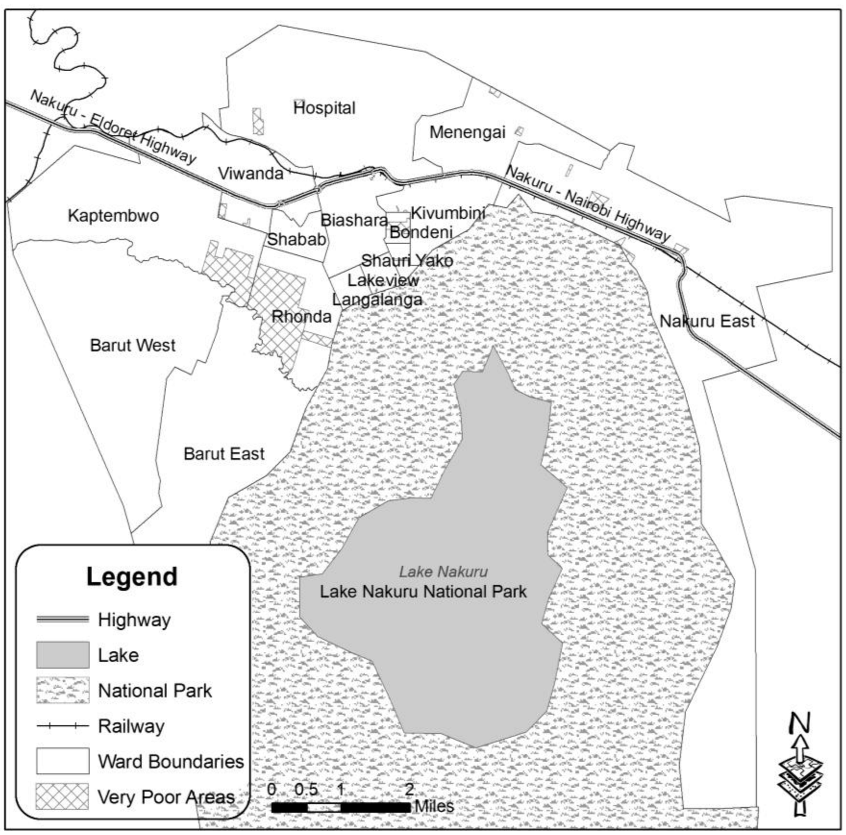

Figure 4.2: Ward Locations and Areas of High Poverty in Nakuru Town

[157] As determined by a 2008 survey conducted by the Council's *GIS Information Center*.

Kaptembwa location (a Constituency administrative unit), which is comprised of Kaptembwa, Rhonda, Shabab, Viwanda, and the west side of Hospital ward is home to approximately half of Nakuru's inhabitants.[158] Housing formerly used to house railroad and other workers during the colonial era now operates as public housing estates run by the municipality. These fourplex single-level houses were built as single room residential quarters to house individual men who traveled weekly from the rural areas to lay out the railway lines. Today, those single rooms house entire families. While the average household size in Nakuru is 3.4, the close proximity of these low-income households results in low-income neighborhoods with high population densities.[159] This is despite the fact that many of the low-income public housing estates feature amble open spaces. Generally, the estates are located along paved roads and are well located within the town structure. However, they lack adequate utility services. Signs of deterioration from the lack of general maintenance are also evident.

The majority of the land within the municipal boundary is used for residential purposes. Eighty-seven percent of residents are tenants while 13 percent own their housing unit. Approximately 16 percent of the land is used for industrial purposes, 2 percent is used for commercial purposes, and 6 percent is used to support public services such as hospitals, government offices, and schools.[160] Government-held land parcels which houses the Town Hall and other municipal offices are held on 99 year leases. The center-local agreement is for the central government to pay Contribution-in-lieu-of-Rates (CILOR) for these properties. However, local governments generally complain that the central government fails to pay or does not pay in full.

Much of the private land in the region surrounding the town is held by descendants of Kenya's early European settlers. For example, Delamere Farms—one

[158] 1999 Population and Housing Census, Vol. I, Table 1, p178
[159] *ibid*
[160] MCN Strategic Structure Plan 1999, Vol. I

of the largest farmland holdings in Kenya—is operated by the grandson of Hugh Cholmondeley, the 3rd "Baron Delamere" of England,[161] who immigrated to Kenya at the turn of the 20th Century, where he went on to become the unofficial leader of Kenya's European community.

The private sector is the largest provider of housing, both formal and informal. However, due to "financial and institutional limitations and staffing constraints," the Council does not support private development with the necessary infrastructure and planning services. Furthermore, the council does not have much control over the subdivision of large settler farms (owned by land buying companies and cooperatives) into smaller plots for formal and informal private housing development.[162] Besides ill-controlled land use, some residents have also registered their grievances to a Commission of Inquiry in Nairobi over the alleged allocation of public land and housing to former Councilors and high-ranking officers within the local government.[163] However, such inquiries do not seem to have yielded any local action.

Such unresolved disputes, which challenge the transfer of public land and housing into the hands of community elites, are further exacerbated by the low number of people with paid employment, which unlike self-employment, comes with a somewhat guaranteed pay schedule and amount.[164] Based on 1999 census data, approximately 61 percent of the district's economically active population are paid workers. This is right in line with the national ratio of paid *urban* workers, which is 64 percent.[165] Approximately 27 percent of those employed are self-employed in the

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[161] "Baron Delamere" is a Royal English title, dating back to 18th Century England.
[162] Ng'ethe and Ndua 1984, MCN Strategic Structure Plan 1999, Vol. I
[163] Based on a letter dated November 2003 that was sent to the Commission of Inquiry.
[164] I use the phrase "somewhat guaranteed" because monthly pay, especially in the public sector, is not always guaranteed. There have been periods of time when local government workers in Nakuru and elsewhere around the country went without (or only received partial) pay for several months.
[165] 1999 Population and Housing Census, Vol. VI, Table 6.4. When both the *urban and rural* employment rates are combined, only 25 percent of the *employed* population are paid employees. These figures were calculated from the stated proportions of the economically active population of paid urban

informal market while 12 percent work on family farms.

In Nakuru, one-third of the formal workforce is based in the community, social, and personal services industry, while another third work in the manufacturing or retail industry.[166] The concentration of employment in the manufacturing and service industry reflects the concentration of agribusiness factories in Nakuru. It also reflects the average educational attainment level. Among those 25-29 years of age during the polling of the 1999 census, a little less than 4 percent had university degrees and 57 percent had high school diplomas.[167] The average monthly district household income is approximately Ksh 6,826 (USD 105).[168] The average income for Nakuru town is presumably higher since 70 percent of the district is rural;[169] where wages are typically lower.

3. Service Provision

The Local Government Act only mandates local authorities to provide social welfare programs such as establishing sites for burials and cremations, and providing support to bury destitute people. The provision of other local services is not "mandatory." These include water and sanitation, fire protection, public housing, healthcare, refuse collection and disposal, electricity, markets, and bus parks. This law, in addition to the claim that they do not collect enough revenue, has resulted in grave underinvestment in the provision of utility services that typically require prior

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workers in each district and the country as a whole. The census computations defined those ages 5 and above as economically active, and included the proportion of full-time students, retirees, homemakers, the incapacitated, as well as a "not specified" category. In order to provide a more simplified interpretation, the stated proportion of paid urban employment was recalculated using a baseline that only included those that were paid or self-employed.

[166] Government of Kenya 2009 – Statistical Abstracts, Table 189a

[167] 1999 Population and Housing Census, Vol. VI, Table 6.3. These statistics compare relatively well to the national averages.

[168] 1999 Population and Housing Census, Vol. II, Table 2; Kenya Institute of Economic Affairs (2002). Since there were no readily available statistics at the city level, the data presented here is the aggregated data for Nakuru district as a whole. Monetary conversion based on the rate of 64.9 Ksh to 1 USD.

[169] 1999 Population and Housing Census, Vol. VI, Table 5.1

investment in infrastructure before costs can be partially or wholly reclaimed.[170]

Most of Nakuru's population lack adequate services.[171] The MCN states that its capacity to provide services have been overstretched during the last 20 years, due to the tremendous rise in population and the accompanying increase in demand for basic services such as water, sanitation, and housing. While many of the council's publications still reminisce about Nakuru's previous label as "the cleanest town in East Africa," a quick survey of the markets and many of the low-income neighborhoods now tells a different story.

Outside of the high and upper-middle class neighborhoods, there is great demand for basic services. Potable water, regular refuse collection, covered and serviced sewer systems, schools that are not grossly overcrowded, and adequately staffed and stocked healthcare facilities are lacking in many neighborhoods. Those who can afford it pay for private services. For example, many residential areas pay for private weekly refuse collection services. In other areas, community-based organizations are formed to take over the provision of these services by using it as a form of employment for some of their members. This is especially true in the case of refuse collection.

When feasible, residents dig boreholes or wells on their properties to avoid having to pay for water on a daily basis. Many people in the informal settlements have to rely on a handful of water kiosks where water is sold by the liter. In many of the

[170] While the Local Government Act (Cap 265) of 1977 perpetuates chronic underinvestment in the provision of services, it is simply a reflection of the economic and political reality of the "structure" that produced the law. By 1977, this governance structure consisted of a state that sought to recentralize its power and resource allocation in order to ensure political stability, national unity, and the containment (or simply as a response to allegations) of corruption (Olowu 2002). In Kenya, evidence of this can be found in the central government's withdrawal of local governments' autonomy and financial support for overseeing primary education, healthcare centers, and secondary roads by the early 1970s. The Graduated Personal Tax, a local tax that had provided local governments with a source of revenue for administering services and funding local development activities was also terminated.

[171] ITDG Environmental Sanitation Field Update 2005

council-owned estates, water is rationed and thus only available during certain times of the day or week. The MCN states that the monthly rent it is able to collect is not enough to cover all the utilities and thus it is unable to provide more in terms of improved services to its low-income renters. Census data states that 91.6 percent of Nakuru's population has access to piped water.[172] However, this data conceals the reality of "access," as it does not translate into "readily available access to piped water." The data on the distribution of households by human waste disposal facilities is more revealing of the water shortages. It indicates that only 30 percent of Nakuru's population is connected to the town's main sewer lines. The majority (64 percent) utilize pit latrines.[173]

For healthcare, the MCN manages five general clinics and one maternity clinic. While the government provides the medical personnel and some of the medications, the council is in charge of the clinics' maintenance and operations, as well as buying some of the medications dispensed at the clinic. However, due to cost constraints, the MCN is unable to keep up with purchasing many of the basic medical supplies. The supply of doctors and nurses is also limited. Since Nakuru is the provincial capital, the Provincial General Hospital is located in Nakuru. This hospital handles many of the medical emergencies in Nakuru and the surrounding area. There are also a number of private and church run clinics.

Nakuru is one of the seven municipalities in the nation that is mandated to run its own basic educational services.[174] While Nakuru has a relatively high number of

[172] 1999 Population and Housing Census, Vol. X, Table 5.2
[173] 1999 Population and Housing Census, Vol. X, Table 5.4
[174] While the responsibility for three primary functions—primary education, healthcare, and the maintenance of secondary roads—was transferred from each local government to the central government in 1969, seven municipal local authorities (the only seven municipalities at the time; others were county, urban, or area councils) retained their authority to manage these services. They include Nairobi, Mombasa, Kisumu, Nakuru, Eldoret, Thika, and Kitale (Stamp 1986, Smoke 2004, Commonwealth Secretariat 2004, 1970-1974 Kenya National Development Plan). Today, other local authorities have the discretion of deciding whether or not they offer pre-school, primary, secondary, or

public and private schools, many cannot adequately serve the needs of their pupils. In public schools, classrooms are usually overcrowded. Amenities such as adequately stocked libraries, science laboratories, computer labs, and music facilities are few and far between. The free primary education policy (up to standard 8 of 12) established in 2003 has put more strains on the education system.

4. Characteristics of the Council

The administrative arm of the Municipal Council of Nakuru includes seven departments: Town Clerk, Municipal Treasurer, Town Engineer, Housing and Social Services, Environment, Education, and Public Health.[175] In terms of urban planning technical expertise, the Council operates with one engineer, two architects, a senior Public Works officer, and several junior officers who work under the senior leadership. Notably however, the Council does not have any town planners on staff. The last planner left the Council in 2006. As such, there are very few medium- or long-term interdepartmentally coordinated town planning activities going on. Day-to-day management activities are typically based on a "fire brigade" mode of operation, whereby the most pressing needs are resolved first.[176] Depending on the problem at hand, those immediate management activities are coordinated by the department which has direct oversight on the matter. For example, problems with sewer overflow at council-owned estates are coordinated by the Housing department.

The policy arm of the Council includes 20 Councilors, 15 of whom are locally elected representatives of Nakuru's 15 administrative wards. The remaining five are nominated Councilors.[177] Nakuru's administrative wards (neighborhoods) include

adult education facilities. Teachers are appointed to each school by the central government.

[175] These departments are common across most of Kenya's local governments.

[176] Smoke 2004

[177] Kenya's local governance system includes the nomination of hundreds of individuals to serve as "nominated councilors." These individuals are nominated by the central government (Ministry of Local Government) and serve as part of each council's decision-making body.

Nakuru East (Lanet), Kivumbini, Shauri Yako, Bondeni, Langalanga, Lakeview, Viwanda (Industrial Area), Shabab, Menengai, Biashara, Hospital, Rhonda, Kaptembwa, Barut West, and Barut East. Both the administrative and policy arms of the Council are responsible for the overall administration of the Council. The Council has a workforce of 1,153 employees, the fourth largest amongst Kenya's 175 councils.[178]

Evaluating the Planning Process

In Nakuru, the LASDAP planning process has been marred by repeated accusations and claims of corruption and non-implementation of community-identified projects. The consultation, implementation, and monitoring process have all been criticized. Even the Minister of Local Government has been quoted in the newspaper over concern about misappropriation of funds.[179]

For the most part, the Municipal Council of Nakuru (MCN) conducts the LASDAP planning process as outlined in the central government guidelines. However, there are a few issues worth noting. First, meeting notices are often untimely. In 2007, the newspaper announcement was published three days before the scheduled consultation meetings, which elicited a written objection from the citizen monitoring group to no avail. While letters of invitation are also posted in public places, the posters are often small and sometimes placed in inconspicuous places.

Typically, one community consultation meetings is held for a multiple number of wards.[180] For example, residents of four wards—Rhonda, Kaptembwa, Barut West, and Barut East—were all scheduled to have one meeting in September 2007 to

[178] While the Council has over 1000 employees, only a fraction of them have physical offices at the Town Hall. The large majority, such as cleaners and fee collectors, work outside of the office buildings, and only report to the Town Hall as needed. This is true of many other councils, including Gusii County Council, the focus of the second case study.
[179] "Kombo warns council," *The Standard*, November 14, 2006
[180] Wards are the administrative boundaries defining one neighborhood from the next. Each local government is divided into several wards. Nakuru has 15 wards.

determine projects for the FY 2008/2009 funding cycle. While each ward compiles its own list of priorities during the consultation meetings, the grouping of multiple wards into one meeting time greatly lengthens the meeting time. Such meetings lasted for three to four hours, versus a two hour time frame for meetings involving only one ward.

Attendance at these consultation meetings vary from year to year and between wards. At times, no one showed up to represent a ward.[181] At other times, anywhere from 3 to 150 people are present to represent one ward, with average attendance of approximately 24 people per ward.[182] In the one instance where 150 people were present, records indicate that many of them were members of the same CBO. Since there can be upwards of 15,000 people per ward, it is difficult to determine how representative attendees were of their respective wards.

Specific projects, rather than solutions meeting particular needs, are usually prioritized. Thus it is difficult to tell whether projects address the root cause of neighborhood problems. Sometimes there are no specific discussions about exactly *where* projects are to be implemented within a given ward. In these instances, the need is usually widespread. However, given the limited financial resources, many projects cannot be implemented in all the places they are needed at one time. However, there is no discussion in consultation meetings about phasing such projects.

There were several discussions about the slow or non-implementation of previously prioritized projects and requests to use community contracting for the implementation of future projects. Council representatives often handled questions regarding non-implementation in the same manner—by replying that the money was

[181] In those instances, the technical committee later prioritized "a project which had been proposed but not captured in the past" for the ward.
[182] The average attendance rate in Nakuru was 24 people per ward. However, this mean is right-skewed by the very high number of representatives from densely populated wards like Kaptembwa, where up to 150 people attended ward meetings.

used to pay salaries and that "work was going on in some other areas" to implement the previous year's priorities. Often, people were told that money was just being disbursed by the central government, and as such, "projects will be implemented soon."[183] While it may be true that money for each fiscal year is disbursed in three installments, the first of which is available around the time the consultation meetings take place, the Council appears to over-emphasize it, glossing over the fact that for many wards, projects which have been prioritized in the preceding years have still not been implemented, even after the local government received the funds.

The response from each community to such statements have ranged from a state of resignation coupled with a plea to get the projects implemented as soon as possible, to vocalized anger and accusations of corruption. Some meetings have been suspended following heated arguments. Upon resumption, the crowd was asked to focus the meeting on development issues and not politicize matters.[184]

While the absence of the town's Engineer in consultation meetings had helped to fuel allegations of misappropriations and claims that stated project costs were too high in comparison to the work done, his presence did very little. The same response—that money was sometimes needed to cover salaries but that work was ongoing in some places—was repeated at many of the meetings without much more explanation. At times, discussion about non-implementation of projects was answered with the statement that it was being covered by ongoing work at other agencies. However, no further details were given as to whether or how those external agency projects would have an impact on the residents of the ward in question.[185] Residents

[183] MCN LASDAP Report 2006/2007
[184] MCN LASDAP Report 2007/2008
[185] Such was the case when residents of Menengai ward questioned why their proposed water project was yet to be implemented. They were told the Rift Valley Water Board was working on a project that would make their water problems "history." However, the residents were not provided with any specific details about the cost or how this larger regional project would solve their local problems.

have also protested the non-implementation of previously identified projects by not proposing any new projects until the old proposals are implemented. To this, the council responded that in some cases, money was paid to the contractors who later abandoned the work.

While the selection of projects slated for implementation is supposed to be based on an overall assessment of council needs, reflective of comparative cost estimates, and connected to a broader, long-term strategic plan, this level of broad-based planning does not occur. Individual projects are simply selected for each ward and allocated a certain amount of money by the Council's technical team. In instances where the same project has been identified as a need in multiple wards, a lump sum is allocated towards the projects and it is listed as one project. Only one or two projects have ever been phased into multiple implementation years, even when the estimated costs reflected an amount less than the amount allocated. In instances where projects received funding for a second consecutive year, it was because the community demanded more money to complete the projects.

Those attending the consensus meeting generally vote to adopt the list of projects and their corresponding allocations as presented.[186] However, residents do not gain anything by blocking the vote even if they are unsatisfied. Some of those present continue to express their dissatisfaction about the non-implementation of projects. Records show that members of the monitoring committee have repeatedly stated they are not getting answers regarding the status of projects once slated for implementation in their wards. They, along with the general public, also claim that the quality of construction on implemented projects is substandard. Among the information they

[186] Part of the reason why this vote goes pretty seamlessly is because the Councilors—who are more likely to quibble about the amount of money allocated to projects in their respective wards—still have another forum where they can air their views. A full council meeting (consisting of Councilors and senior local government officers) takes place after the consensus meeting, where the list of projects is formally approved and adopted by the Council.

have requested are records related to how much was awarded to each project, how much has been paid, who the contractor is, records of the bill of quantities purchased for each project by the contractor, and the balance owed to the contractor, if any. They also want records indicating how much of the money allocated to projects which are yet to be implemented, is still in the bank

Invariably, the Council has not been forthcoming in providing them with this information. Thus, there has been a great deal of antagonism and distrust between the monitoring committee and the Council, continuously fueled by accusations of corruption and embezzlement within the Council. The monitoring committee has also threatened to sue the Council on occasion, especially over information showing that Councilors awarded themselves or close family members work contracts. While no lawsuits have actually been filed, there have been newspaper articles, one accusing the Council of "outright theft, irregular tendering procedures, unauthorized expenditures, and skewed procurement practices."[187] The article cites audit reports that were unable to account for several millions in payment vouchers or checks. Audits also linked Councilors and senior local government officers to insurance firms, auto dealers, and construction companies used by the Council. While not personally indicted, the MCN's Town Clerk, Engineer, and Treasurer were 'put on the spot' in 2007 by the Ministry of Local Government for taking too long to discipline those involved and have since been transferred to other local governments. Other officers were reshuffled to different posts within the council. However, no other disciplinary actions took place and the matter was never fully resolved. These moves greatly upset the Chair of the monitoring committee, who claims they are one of the most active monitoring groups, and yet, have no recourse to see that justice is served. The best they could do was to

[187] "Audit Report Opens a Can of Worms at Nakuru Municipality," *Kenya Times,* October 24, 2005

organize a town-wide protest rally against the MCN and issue a letter of no confidence in the Council. On its part, the Ministry of Local Government continues to release guidelines to all the councils on how to review past performances in preparation for each subsequent year's LASDAP planning process.

Assessing LASDAP's Impact

Before getting into an analysis of the physical, social, and political impact of the LASDAP program in Nakuru, a snapshot of the Council's total LATF allocations between FY 2004/2005 and FY 2007/2008 is summarized in Table 4.1.[188]

Table 4.1: Municipal Council of Nakuru LASDAP Receipts & Expenditures, FY 2004/2005 - FY 2007/2008

Municipal Council of Nakuru	FY 04/05		FY 05/06		FY 06/07		FY 07/08	
	Ksh	% of LATF	Ksh	% of LATF	Ksh	% of LATF	Ksh	% of LATF
Total LATF Allocation	73,086,209	(100%)	93,548,916	(100%)	144,705,685	(100%)	160,052,716	(100%)
Estimated Allocation for Service Delivery)* Should range from 40-60% of LATF	20,420,911	(28%)	25,536,588	(27%)	29,000,000	(20%)	50,000,000	(31%)
Actual Expenditure on Service Delivery Note: Mandatory minimum is 30% of LATF	8,453,596	(12%)	21,373,899	(23%)	23,043,160	(16%)	0	(0%)

* While 60 percent of LATF money should be allocated towards improving services, Councils estimate their allocations for service delivery (resource envelope) by calculating the difference between total revenue and recurrent expenditures. Since the upcoming year's budget is calculated before the end of the preceding fiscal year, council revenue from the previous year along with LATF allocations for the current year are used in the calculations. However, LATF allocations have increased each year. Thus, the actual total revenue ends up being higher than estimated. Nonetheless, actual expenditures on infrastructure projects have remained below initial estimates.

During these four years, the MCN's estimated allocations for improving service delivery (the LASDAP portion) ranged from 20 to 31 percent of their LATF allocations. However, guidelines specify that this figure should comprise 40 to 60

[188] There were two reasons for selecting these four years. First, it wasn't until about 2003 that most local governments began involving their citizens in the participatory development process that had been prescribed by the central government. Prior to this time, many local governments had employed the services of a consultant to develop the yearly Local Authority Service Delivery Action Plan that the central government required for disbursement of development funds. Thus the initial LASDAP reports (c. 1999-2003) were created more to fulfill bureaucratic requirements. They were not priorities expressed by the community. Second, since I was going to be interviewing residents on issues related to prioritized and implemented projects, it was better to limit the study to projects slated for development within the last 5 years so that respondents would not have too much difficulty remembering the events surrounding each project.

percent. Furthermore, the "compulsory minimum" expenditure should be at least 30 percent of each year's LATF allocations. Yet, the highest amount the MCN actually spent during these four years was 23 percent (in FY 2005/2006). Thus, the MCN did not meet the minimum requirements for project allocations or actual expenditures between FY 2004/2005 and FY 2007/2008. For a more visual representation, the council's LASDAP receipts and expenditures are also summarized in a bar chart, shown in Figure 4.2.

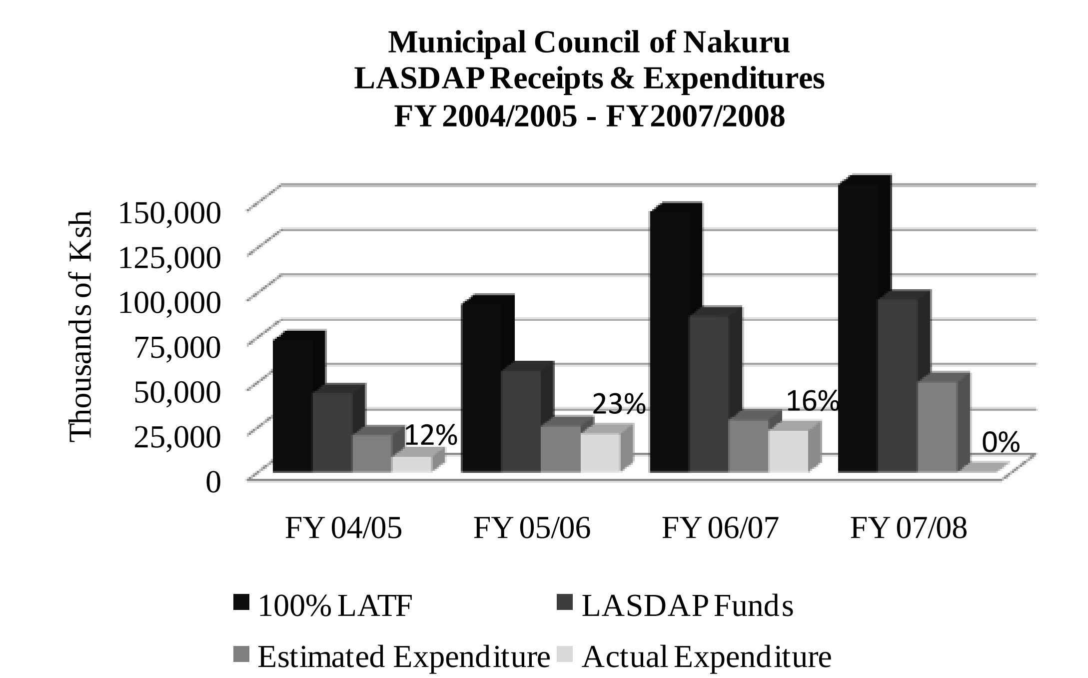

Figure 4.3: Municipal Council of Nakuru LASDAP Receipts & Expenditures, FY 2004/2005 – FY 2007/2008

A note on data collection: Compiling the financial data on actual LASDAP expenditures was quite cumbersome, to say the least. Record keeping was done in piecemeal fashion, with some records stored at the Municipal Engineer's office, others in the Treasurer's office, while other sets of documents could be found in the Architect's office. Although the Council was one of a handful of councils that had been selected by the MoLG for participation in an effort to develop an information and communication technology (ICT) system in the councils that included electronic data management, not all data was available electronically upon inquiry, even though it might have been prepared electronically at some point in the past. Besides overcoming the hurdle of reluctance on the part of particular local government officials in sharing these financial records, I also had to battle through correlating the data in an effort to resolve discrepancies between datasets.[189] I also had to sign an informal statement in one of the departments stating that the data obtained from them would only be used for my research.[190] This challenge of obtaining available data from the public sector is a critical one, which must be resolved in order to build adequate literature on current conditions and tackle areas of need. Not only is there a lack of data collection occurring within the public sector, but even when the data are available, in one way or another, they are often considered contentious if made public and thus closely guarded from becoming public knowledge. This attitude must change. It only serves to raise suspicion and create distrust.

[189] In many instances, the financial figures reported on the annual LASDAP summary reports compiled by the MoLG did not correspond to the figures found in other documents from the council. In other instances, two or more documents from the council with financial records on the same project(s) would have different expenditure amounts recorded.

[190] I believe the officers drafted this statement in response to the knowledge that I had been in communication with some individuals who were viewed as antagonists of the council. Those individuals constantly demand that the council come clean with their record of expenditures and revert from corrupt financial practices. Thus my signing the document in exchange for the data was to ensure I would not share the data with these individuals. Since it took a few days to procure the documents, it is unclear whether the documents were newly typed up and printed just for me or whether they were from existing records. Either way, the records are very inaccurate. They state financial figures that do not match other records; attribute projects to LASDAP that can be found on the Constituency Development Fund (CDF) list of projects (which is another devolved fund); and list a project as completed while also stating it was "readvertised;" neither did it include the name of the contractor. The amount listed in expenditures for FY 2006/2007 is twice that found on other documents. Similarly, 14 contracts were noted as "awarded" for FY 2007/2008. However, I had been told by credible sources within the local government budget office that all project funds were diverted to operating costs to help pay for the welfare of those displaced to campgrounds as a result of the ethnic violence following the disputed December 2007 Presidential elections.

Physical Impact

Tables 4.2 through 4.5 show the list of prioritized versus implemented projects between FY 2004/2005 and FY 2007/2008. . While this section on physical impact is meant to reveal the types of projects that were prioritized by each of the 15 wards within the council's boundaries each year, it was logical to also include the amount of money that was allocated to each project. As such, each table lists each year's projects, the amount budgeted for their implementation, and the amount actually spent.

For FY 2004/2005, the prioritized projects included the construction of street lights and storm water drains, an orphanage primary school, a social hall, as well as sanitation improvement projects and school expansions. Table 4.2 shows that while ten community-identified projects were slated for implementation, only one project—a

Table 4.2: Projects Prioritized and Implemented by the MCN for FY 2004/2005

COMMUNITY-IDENTIFIED PROJECTS	Budgeted (Ksh)	Spent (Ksh)
Street Lights @ Biashara, Menengai ward	3,100,000	
Storm water drain @ Rhonda, Shabab, Kaptembwo, Viwanda, Langalanda, Bondeni wards	6,300,000	6,200,000
Sanitation Blocks @ Lakeview (Flamingo estate)	1,100,000	
Improved sanitation for Kaloleni B estate @ Kivumbini ward	1,000,000	
Procure Land for market place @ Lanet/Free Area	1,000,000	
Graveling of Mumias Rd @ Shauri Yako ward	750,000	
Electric Meter separation @ Shauri Yako ward	250,000	
Expand Schools at Mogoon & Ingobor Primary, Baruti West ward	1,000,000	
Construct of Orphanage Primary School @ Baruti East ward	1,100,000	
Construct Social Hall @ Hospital ward	1,400,000	
COUNCIL-IDENTIFIED PROJECTS		
Slabbing of drains in CBD	500,000	
Procure Vehicle (lorry purchased)	2,500,000	655,172
Procure computer	200,000	
Repair parking area @ Old Town Hall*	220,911	
Equipping Ward Offices		1,085,520
Market Construction		512,904
TOTAL	20,420,911	8,453,596

* Project appears to have been carried out but paid for with donor money

set of storm water drains for 6 of the 15 wards—was actually implemented.

Besides investment in storm sewers, the council's other capital expenditures were to pay for council-identified projects, including the purchase of a vehicle and furnishing of new ward offices. These ward offices, one of which was meant to be located in each ward, were meant to serve as a place where residents could go to discuss community issues with their ward Councilor (representative). However, only one of the 15 offices was officially established (more on this while discussing LASDAP's socioeconomic impact in the next section).

Of the 20 million Ksh that had been budgeted, 8.5 million Ksh was spent, and 1.5 million Ksh of those expenditures were on projects that had not been originally budgeted for. However, on the annual LATF expenditure report that was sent to and published by the central government, a total of 23.2 million Ksh in LASDAP expenditures is reported. A detailed expenditure analysis reveals that the reported 23.2 million Ksh includes expenditures for the LASDAP, Roads Maintenance Levy Fund (RMLF), and another capital project funded through a grant.

The projects planned for FY 2005/2006 are shown in Table 4.3. Many of them are projects which had been prioritized for FY 2004/2005 but had not been implemented (shown in italics).[191] While the council sought to redeem itself from its failure to implement most of the projects from the previous LASDAP cycle, in the end it only made relations worse because once again, the implementation of community-identified projects was minimal, further increasing people's distrust and animosity towards the council. In repeating allocations to these projects, the Council also neglected to recognize any of the newly identified projects for FY 2005/2006,

[191] The decision to repeat allocations to incomplete projects from the year before came about as a response to complaints from some young adults that old projects should be completed before new ones are embarked upon. Although these youths were eventually thrown out of the meeting on the context that they were not "genuine representatives" of their wards, none of the newly prioritized projects for FY 2005/2006 were listed in that year's LASDAP report or allocated funding.

although community consultation meetings were conducted and projects prioritized since no money was allocated to them. *Only two of the ten relisted projects*—street lights for two of the wards and the graveling of a roadway—were completed. More money was also spent on the storm water drain project that had been started the year before.

Table 4.3: Projects Prioritized and Implemented by the MCN for FY 2005/2006

COMMUNITY-IDENTIFIED PROJECTS	Budgeted (Ksh)	Spent (Ksh)
Street Lights @ Biashara, Menengai	2,000,000	2,021,352
Storm water drain @ Rhoda, Shabab, Kaptembwo, Viwanda, Langalanda, and Bondeni wards	7,900,000	6,547,268
Sanitation Blocks @ Lakeview (Flamingo Estates)	1,000,000	
Improved sanitation for Kaloleni B estate @ Kivumbini	1,000,000	
Procure Land for market place @ Lanet/Free Area	1,500,000	
Graveling of Mumias Rd @ Shauri Yako	750,000	553,946
Expand Schools at Mogoon & Ingobor Primary @ Baruti West	1,500,000	
Construct School for orphanage primary school @ Baruti East	2,000,000	
Construct Social Hall @ Hospital ward	1,600,000	
Informal Sector Centre @ Hospital ward	3,000,000	
COUNCIL-IDENTIFIED PROJECTS		
Rehabilitation of drains @ Biashara wholesale market	2,000,000	
Box Culvert at Barut ward & Mombasa/Flamingo Rd		2,598,834
Public toilets @ Viwanda		200,000
Maternity Theatre @ Bondeni ward		276,109
Stone fencing of LangaLanga Clinic		349,100
Mayor's Office		77,520
Construction of parking shed at Town Hall		313,757
Cash office safe		719,200
Purchase of Council furniture	1,286,588	
Purchase of computers & networking		1,866,813
Valuation roll (reconciling land parcels)		5,000,000
Council assets valuation		850,000
TOTAL	25,536,588	21,373,899

Whereas funds were also allocated to two council-identified projects in the original budget, neither of these projects was completed. Rather, more than half of the expenditures went towards *ten* other council-identified projects that were not initially in the budget. Thus like the year before, the majority of community-identified projects—which in this case had had been prioritized and reprioritized—were not completed. The fencing of a local clinic, the construction of a parking shed at the Town Hall, the purchase of ICT facilities, and the commissioning of consultants to reconcile land parcels within the council are all among the projects that were executed without having been initially allocated.

The total LASDAP capital expenditure for FY 2005/2006 was 21.4 million Ksh. However, 30.8 million Ksh was listed as being spent in the LATF annual report. Once again, detailed analyses indicated that the difference—9.4 million Ksh—were actually expenditures made under the RMLF. Since the 9.4 million Ksh came from RMLF funds, those expenditures should not have been added to the total LASDAP expenditures.

For FY 2006/2007, expenditures were recorded on six of the twelve community-identified projects, as summarized in Table 4.4. However, on at least half of those projects, project expenditures were equal to much less than the amount budgeted, indicating that either the costs were greatly overestimated or that the scale of implementation was smaller than initially planned.

Conversations with local residents indicate that the answer lies towards the latter, as they narrated stories revealing that several projects were only initiated in the weeks leading up to the December presidential and local elections, with incumbent Councilors promising a wider scale of implementation if they were reelected.[192] This was particularly the case for several street lighting projects. When consulted, the Council maintained it spent the amount that was available for spending at the time.

[192] Ward Councilors are elected locally every five years during the presidential elections.

Table 4.4: Projects Prioritized and Implemented by the MCN for FY 2006/2007

COMMUNITY-IDENTIFIED PROJECTS	Budgeted (Ksh)	Spent (Ksh)
Street Light @ Nakuru East , Langalanga, Lake View, Shabab	5,900,000	1,725,205
Construction of Maternity Hospital @ Nakuru East (Lanet ward)	1,000,000	2,817,758
Repair of Council estate roofs @ Shauri Yako	1,000,000	
Repair of Sanitation Blocks @Kivumbini	1,200,000	234,215
Construction of Lumumba Sanitation blocks @ Bondeni	1,600,000	
Gravelling Muhoro Rd @ Menengai	2,400,000	556,800
Construction of Business Mall @ Biashara	1,500,000	
Procure Land for dormitory at Moi Primary @ Hospital	1,600,000	
Construct Storm Water drain @ Viwanda	2,000,000	
Construct multi-story classes at Heshima Primary @ Rhonda	1,600,000	
Procure Land @ Mbaruk for open-air market (Kaptembwa ward)	1,800,000	1,740,000
Construction of classroom @ Barut West & Barut East (Mogoon & Ingobor respectively)	2,400,000	577,164
Sanitation improvement at Flamingo Estate @ Lake View*		218,107
COUNCIL-IDENTIFIED PROJECTS		
Maternity Extension @ Bondeni ward	1,500,000	254,558
Construction of shade @ Wakulima Market (Biashara ward)		2,417,941
Storm water drainage @ Baringo Rd, Watende Rd, Kaptembwa, Kariba Rd*		4,119,078
Culvert - Wareng Rd (Biashara ward)		132,790
Gravelling of Mumias Rd (Shauri Yako ward)		498,528
Purchase of computer software	1,000,000	
Purchase of Revenue Vehicle(s)	2,500,000	6,732,800
Purchase of computer		882,800
Roofing of Enforcement/Bylaws offices (Old Town Hall)		135,416
TOTAL	29,000,000	23,043,160

* Prioritized by the community but was not originally allocated money in the budget

Community-identified projects implemented during this period include the purchase of land for the construction of a maternity ward, the repair of sanitation facilities, the graveling of a roadway, the purchase of land for a market, and the addition of a classroom at an existing school. Several other projects identified by the council were also implemented, including the construction of shades to protect against the elements at a wholesale market, the graveling of another roadway, and the purchase of electronics and transport vehicles for the council. As in the years before, a total expenditure of 25.2 million Ksh was listed in the annual LATF report. However, only 23 million Ksh should have been attributed to the LASDAP program. The rest was spent on RMLF funded projects.

Some of the projects that were slated for implementation during FY 2007/2008 include the continued construction of a clinic in one of the outlying wards, the construction of additional classrooms at two existing schools, the construction of additional water systems at two of the outlying wards, the construction of storm water drains, the purchase of a vehicle(s) for the council's use, and the reroofing of the council's offices. The full listing is shown in Table 4.5.

Table 4.5: Projects Prioritized and Implemented by the MCN for FY 2007/2008

COMMUNITY-IDENTIFIED PROJECTS	Budgeted (Ksh)	Spent (Ksh)
Lanet maternity @ Nakuru East	2,500,000	
Dispensary @ Menengai	4,500,000	
Sanitation improvement @ Kivumbini	2,000,000	
Const.classroom @ Langalanga	1,500,000	
Const.classroom @ Lake View	2,000,000	
Modern streetlights @ Bondeni	3,000,000	
Repair of sewer system aged w.pipes @ Shauri Yako	1,500,000	
Provision of water @ Barut West	2,000,000	
Provision of water @ Barut East	2,000,000	
Additional money for market fencing & office @ Kaptembwa	2,500,000	
Storm water drain @ Rhonda	2,000,000	
Drainage & m.sungura rd. @ Viwanda	3,000,000	
Provision of w.serv-lines @ Hospital	2,000,000	
Storm water drain @ Shabab	2,000,000	
Hawkers complex @ Biashara	5,000,000	
COUNCIL-IDENTIFIED PROJECTS		
Roads maintenance (counter-part funding RMLF)	2,000,000	
Computer hard software (IFMS)	1,000,000	
Afraha Stadium rehabilitation	500,000	
Purchase of Council vehicles	1,000,000	
Roof new & old Town Hall	8,000,000	
TOTAL	50,000,000	0

Fifty million Ksh had been allocated towards 20 projects, five of which had been identified by the council. However, as of August 2008, none of the prioritized projects had been implemented. Since the fiscal year runs from July to June, FY 2007/2008 projects should have been completed or been close to completion by August. When questioned, the council stated that all the funds had been spent to look after the welfare of residents displaced to two campgrounds in Nakuru following clashes between different ethnic groups in the wake of the disputed 2007 Presidential elections. However, when the 2007/2008 Annual LATF Report was released around October of 2008, it stated that the Municipal Council of Nakuru had invested over Ksh 90 million in capital expenditures for FY 2007/2008. This statement was in complete contrast to both my findings and what I had been told by various council staff.

A review of the individual line items indicated that several of the projects were not among those listed as priorities.[193] Moreover, several of the projects that were listed as having been implemented during FY 2007/2008 were projects that had been implemented in previous years. They include updating the valuation roll; graveling of Muhoro road; street lighting projects in Menengai, Biashara, Lakeview, and Langalanga wards; and a sanitation improvement project in Kivumbini ward. Site visits to the latter two project locations did not reveal any additional work had been done since the months leading into the December 2007 elections, when many Councilors finally implemented LASDAP projects that had been slated for implementation during FY 2006/2007 while promising to do more if reelected. While several of these projects, including the road graveling, street lighting, and sanitation improvement project were implemented the year before using only a portion of the original allocation (see Table 4.4) and the latter was even relisted among the projects

[193] 2007/2008 LATF Annual Report, p.251

for FY 2007/2008, interviews with neighboring residents and council staff had not revealed that any of these projects were implemented for FY 2007/2008. The statement also indicated that additional classrooms were constructed at four primary schools. However records indicate additional classrooms were constructed at two of the schools—Mogoon and Ingobor Primary School—as part of the implemented projects for *FY 2006/2007*.

While it is not surprising to see the council relist or further implement a project from one year to the next, skepticism about which of these projects, if any, was actually implemented stems from the fact that in a status update of LASDAP project implementation dated 26th June 2008, the council provided details on 14 projects at a cost of just over Ksh 33 million, which had been "awarded" to contractors. Many of these projects were the projects that had been prioritized for the fiscal year. The project's "awarded" status is in line with the council's statement—that projects were not implemented due to a lack of funding. While contractors were awarded contracts to do the work, project implementation was stalled due to a lack of funds to actually pay for those services.

One possible but unlikely explanation for the Ksh 90 million stated as capital expenditures in the 2007/2008 Annual LATF Report is that although the Report should only state capital expenditures that are made using LATF money, both localities in this study (the Municipal Council of Nakuru and Gusii County Council) routinely added expenditures made under the RMLF program to the total expenditure amount. However, while some of the itemized projects are related to road maintenance and could have been initiated under that program, the council only received a total of Ksh 64 million from the RMLF program for FY 2007/2008. Furthermore, the implementation of "100 culverts" in Barut West ward seems unlikely, given the council's past implementation culture and achievements. Politically, nothing also seems to happen that fast.[194] Beyond these explanations, it is difficult to draw any other conclusions without conducting a financial audit.

Summarizing the Project Prioritization and Implementation Record

Table 4.6 provides a summary of the project planning and implementation record between FY 2004/2005 and FY 2007/2008. It indicates the number of projects that were planned versus those that were completed each year. The completed projects are divided between those that were originally allocated money (listed under "no. of completed projects") and those that were added after the budget had been finalized and agreed upon with the community following the consensus meeting (listed under "projects completed but not budgeted").

Table 4.6: Percentage of Prioritized Projects Completed, FY 2004/2005 - FY 2007/2008)

Year		No. of Planned Projects #	No. of Planned Projects (Ksh)	No. of Completed Projects #	No. of Completed Projects (million Ksh)	Projects Completed but not Bugeted #	Projects Completed but not Bugeted (million Ksh)	Completion Rate of Planned Projects
2004/2005	Community-identified	10	17,000,000	1	6,200,000	0	0	
	Council-identified	4	3,400,000	2	655,000	2	1,598,000	
	TOTAL	**14**	**20,400,000**	**3 ***	**6,855,000**	**2**	**1,598,000**	**21%**
2005/2006	Community-identified	10	22,250,000	3	9,123,000	0	0	
	Council-identified	2	3,287,000	0	0	10	12,251,000	
	TOTAL	**12**	**25,537,000**	**3**	**9,123,000**	**10**	**12,251,000**	**25%**
2006/2007	Community-identified	12	24,000,000	6	7,651,000	1	218,000	
	Council-identified	3	5,000,000	2	6,987,000	6	8,187,000	
	TOTAL	**15**	**29,000,000**	**8**	**14,638,000**	**7**	**8,405,000**	**53%**
2007/2008	Community-identified	15	37,500,000	0	0	0	0	
	Council-identified	5	12,500,000	0	0	0	0	
	TOTAL	**20**	**50,000,000**	**0**	**0**	**0**	**0**	**0%**
	TOTAL	**61**	**124,937,000**	**14**	**30,616,000**	**19**	**22,254,000**	
Average Rate of Completion over 4 Years =								**25%**

Expenditures rounded to nearest thousand
* One project was completed using donor funds and thus not reflected in cost summaries.

[194] Since the 2007/2008 Annual LATF Report was released following my departure from Kenya in 2008, I was unable to conduct a more thorough analysis or schedule site visits to verify the implementation of the stated projects. This would have been beneficial since the listing of projects is in stark contrast to what I observed and was told. Unfortunately, I have not had the privilege of returning to Kenya since that time. Of the Ksh 90 million, Ksh 42 million was listed under "other projects." It is unclear whether this summation was done by the central government during the compilation of the Annual Report or whether it was reported as such by the Council. Of importance here is that the total expenditure amount is misleading. None of the possible explanations add up.

In particular, the table showcases the percentage of prioritized (planned) projects that were completed each year. These rates were computed using the ratio of the total number of projects that were planned to those that were completed. The calculations exclude projects that were completed but not originally in the budget since these were not reflected on the list of projects agreed upon between the Council and its residents. For the four year period, the municipality averaged a 25 percent completion rate.

For FY 2004/2005, a total of 14 projects were slated for implementation, at the cost of 20.4 million Ksh. However, only three of those projects were completed. Two additional projects which were not originally budgeted for were also completed (listed under "projects implemented but not budgeted"). This equates to a completion rate of 21 percent. For FY 2005/2006, 10 projects were prioritized by the community, while two projects were identified by the Council for a total of 12 planned projects. Only three of those ten community-identified projects were completed. However, the council implemented a total of ten other projects which had not been originally allocated money (and different from the two it had originally identified as needs); six of which were to improve the Town Hall's physical appearance and operations. Overall, the council managed a 25 percent completion rate for the year.

For FY 2006/2007, the Council implemented a total of eight planned projects. Fifteen projects had been planned for implementation. This equates to a 53 percent implementation rate, the highest completion rate achieved by the Council during the four years under review. However, even though the number of implemented projects increased, the council spent about the same amount of money on community-identified projects as it had during the previous two years (7.7 million Ksh in 2006/2007, 9.1 million Ksh in 2005/2006, and 6.2 million Ksh in 2004/2005). On the other hand, more money was spent on council-identified projects. Those expenditures also rose significantly—from 2.3 million Ksh to 12.3 million Ksh to 15.4 million Ksh in 2004/2005, 2005/2006, and 2006/2007 respectively. None of the prioritized projects was implemented during FY 2007/2008, resulting in a zero percent implementation rate for that year.

In total, 14 out of 61 planned projects were implemented during this period. Another 19 unplanned projects—all but one of which were identified as needs by the council and which mostly served the needs of the council—were also completed. Less than half (42 percent) of the money that had been originally set aside for project implementation was spent (a combined total of 52,870,000 Ksh out of 124,937,000 Ksh). However, less than 20 percent of the expenditures were spent on projects that had been prioritized by the communities themselves (22,974,000 Ksh out of 124,937,000 Ksh).

Summarizing the Type and Expenditures on Implemented Projects

Table 4.7 summarizes the number and type of projects that were implemented by the MCN between FY 2004/2005 and FY 2007/2008. In total, 32 LASDAP funded projects were implemented.[195] These include eight road projects (accounting for 40 percent of the funds), three market projects (9 percent of the funds), four healthcare and two safety improvement projects (each accounting for 7 percent of the funds), as well as three sanitation improvement and one education project (each accounting for 1 percent of the funds). Eleven projects, including the purchase of vehicles and computers, and the renovation of council property were also completed. These projects were lumped together and tallied separately to distinguish them from those identified by the community. These eleven council-identified projects accounted for 35 percent of the funds.

[195] This number differs from the total of 33 (14 planned and 19 unplanned projects) listed in Table 4.6 because one of the projects prioritized by the community was funded using donor grants, and those not counted as having been implemented using LASDAP funds.

Table 4.7: Type of Implemented Projects, FY 2004/2005 - FY 2007/2008

Itemized Expenditures	Ksh	US Dollars	(%)
Roads* *(8 projects)*	21,207,244	305,384	40%
Council projects *(11 projects)*	18,318,998	263,794	35%
Markets *(3 projects)*	4,670,845	67,260	9%
Improved Safety *(2 projects)*	3,746,557	53,950	7%
Healthcare *(4 projects)*	3,697,525	53,244	7%
Improved Sanitation *(3 projects)*	652,322	9,393	1%
Education *(1 project)*	577,164	8,311	1%
Total	52,870,655	761,337	100%
Total LATF Allocations during Period	471,393,526	6,788,067	
% Spent on Capital Investments			11%

* including storm water drains
In converting Kenyan Schillings to US Dollars, I used the same conversion rate (1 USD = Ksh 69.4) for each year to simplify the calculations

Overall, only 11 percent of the LATF allocations during the four years under review were actually spent to implement projects (total expenditure on projects / total LATF funds). The other 89 percent of 'unspent' LATF funds were said to have been used to meet administrative and operating costs (i.e. added to the *performance component* of the LATF).

Although Ministry guideline states that 40 but no more than 60 percent of the LATF grant may be used to meet the administrative and debt repayment targets of the councils, councils that violate this guideline are not subject to any repercussions. Thus, although the MCN consistently underinvested in capital infrastructure as envisioned in the program's structure, they have not been subject to any repercussions. However, the Kenya Local Government Reform Program (KLGRP), which oversees the program, plans to institute financial incentives for councils that are doing well and is considering ways of auditing councils' LATF financial statements. The KLGRP admits that current monitoring and evaluation mechanisms are occurring in nonsubstantive ways.[196]

Before moving on to the next section, Table 4.8 displays the Council's revenue and expenditure patterns between FY 2004/2005 and FY 2007/2008. It lists the amount received in central government (CG) transfers as well as the total of the council's own revenue. Also itemized are expenditures on personnel and operations, maintenance, capital investments, and loan and debt repayments.

Table 4.8: Summary of the Council's Budget, FY 2004/2005 - FY 2007/2008

	FY 2004/2005	FY 2005/2006	FY 2006/2007	FY 2007/2008
	Kenyan Schillings (Ksh)			
CG Transfers*	110,295,061	109,546,209	155,648,915	224,652,752
% of Total Revenue	32%	30%	33%	39%
Council's Own Revenue	231,258,429	260,847,402	315,263,507	350,178,173
Total Revenue	341,553,490	370,393,611	470,912,422	574,830,925
Personnel & Operations	203,526,693	252,521,466	362,492,570	383,132,334
% of Own Revenue	88%	97%	115%	109%
% of Total Revenue	60%	68%	77%	67%
Maintenance	42,538,865	28,804,328	16,360,393	41,351,009
% of Total Revenue	12%	8%	3%	7%
Total Recurrent Expenditure	246,065,558	281,325,794	378,852,963	424,483,343
% of Total Revenue	72%	76%	80%	74%
Capital Investments**	23,203,679	30,801,682	25,176,814	90,040,357
(LASDAP expenditures)	(8,453,596)	(21,373,899)	(23,043,160)	(0)
Capital Investments as % of CG Transfers	21%	28%	16%	40%
Capital Investments as % of Total Revenue	7%	8%	5%	16%
Loan & Debt Repayments	0	64,000,286	78,029,459	81,070,033
Ending Balance	72,284,253	-5,734,151	-11,146,814	-20,762,808

Source: Government of Kenya LATF Annual Reports
* "Central government (CG) Transfers" includes the LATF and Roads Maintenance Levy Fund (RMLF), a second grant received by the local government.
** Total capital expenditure as reported in the annual LATF Reports. Actual LASDAP expenditures are less, as reported in Table 4.1.

The computations reveal that while central government transfers accounted for approximately one-third of total revenue, only a small proportion of it was actually spent on capital investments, as shown by the proportion of capital investments as a

[196] Personal conversation with KLGRP staff, May 2008.

percentage of central government transfers (% of CG transfers). Those proportions range between 16 and 28 percent during the first three years under review.[197] The table also reveals that a large proportion of the council's own revenue (collected from fees and taxes) is spent on personnel and operations. During FY 2006/2007 and FY 2007/2008, the council spent more than the revenue it collected on personnel and operations alone, 115 and 109 percent respectively. The council also recorded year-ending deficits during three of the four years. While not cited here as an excuse, the council's account of revenue and expenditures does help put the low capital expenditures in context. The government transfers appear to be merely funding the operation of the local government and are not being used to invest in local development.

Socioeconomic Impact

In a survey of 36 purposefully selected respondents,[198] 86 percent responded that community projects that had been partially or wholly implemented had an overall positive impact on the community. Some of the socioeconomic benefits of those projects include the following: the first is an increase in personal safety after dusk, due to the installation of street lights in some neighborhoods. The issue of security is of great concern for many people, as several people recounted having been mugged at night by thieves and street children who take advantage of the dark roadways and alleys at night. In the middle and low income areas, a high number of people commute

[197] An explanation disputing the reported Ksh 90 million expenditure on capital investments for FY 2007/2008 was discussed earlier.

[198] Purposeful sampling is used in instances where the sought after information cannot be obtained as well from other sources unless interviews are conducted with particular people, or conducted in particular settings (Maxwell 2005). In this case, I interviewed persons living in the vicinity of particular projects, who may or may not be direct beneficiaries of the respective project. I also interviewed people in the town's main market, as well as a few community leaders. These 36 interviews did not include interviews I also conducted with Council staff and Councilors. The use of purposeful sampling here should not be confused for convenience sampling, which is a type of nonprobability sampling that does not allow for each member of the sample population to have a nonzero probability of being chosen. Rather, the sample is chosen based on convenience—of accessibility, cost or otherwise.

by foot and *boda bodas* (bicycle taxis) in the evenings, especially in areas not serviced by four-wheel public transportation. Others mentioned the sense of pride they had by now living in a place with street lights, while another mentioned that the lights had beautified their area of abode. A second benefit was that some men had the opportunity to be employed as community workers during the construction or rehabilitation phase of some projects. A third benefit was the improved sanitation conditions for a handful of households at one of the public housing estates where shared outdoor pit latrines and bath stalls are the norm. Here, four individually housed combination flush toilets and showers were constructed next to a handful of rental units. Two to four of the households closest to each facility were then given access to the new facility. Those households were also responsible for maintenance. Those select groups of households were now afforded access to an improved sanitation system with far fewer users per facility than the old system. They also mentioned a health benefit, in that this new facility reduced their risk of catching cholera—outbreaks of which had killed several people in the past. They also mentioned an improvement in the odor around their homes due to better maintenance. A fifth socioeconomic gain originates from those whose market spaces are located under large protective canopies that were erected at the city's main wholesale market. This very large and boisterous market is one of the region's centers for agricultural trade and services. As such it is a very crowded and busy place. In 2007, two canopies were erected to help shelter vendors from the heat of the sun and pouring rains. However, the area the canopies covered were very small in comparison to the size of the market. Thus, many vendors were left unprotected. Those under the canopies appreciate the shelter, while some non-beneficiaries pointed out that those under the canopies also reap economic gains because their produce stays fresher longer and they are able to continue conducting business even when it rains. Such economic gains, as well as the opportunity for street vendors and bicycle taxis to extend their business hours in areas with new street lights were also reported. While these gains are relatively minor when viewed on a much broader scale, many of the poor still welcome it. As one resident noted, the "rich don't see [the] benefit, they don't struggle to get [such security]."

A small proportion of survey respondents (6 percent) concluded that some projects had no impact at all, typically because they felt that the scale at which projects had been implemented was too small and thus only benefited a minute number of people, or that projects could only be of benefit if they were fully implemented.

These sentiments can be illustrated by several narratives about projects that have been implemented thus far, where the need far outweighs the provision. Even as people praised what had been done, several also voiced the concern that much more was needed to ensure better livelihoods. Many more street lights are needed, many people are seeking the means of earning a legitimate living, and even more are in need of access to decent sanitation, potable water, shelter, and healthcare. Others stressed that since the projects were built with money that they had paid through taxes, in reality, they were being shortchanged because their rate of return was very small, reflected through the small scale of implementation.

A few stories come to mind to illustrate these points. The first is of a sanitation improvement project that consisted of building a new underground septic tank in one of the public housing estates. The latrines in the estate are old and thus prone to frequent blockage, resulting in the leakage of sewage around the estate. Whenever a blockage occurs, the neighbors whose latrines are blocked typically pool money together to pay someone to clear the blockage. The construction of a new septic tank was conceived to help alleviate these problems and reduce the financial burden on these households. Prior to my arrival in spring of 2008, the septic tank had been dug and cemented, but work had halted on the project. Records indicate the project had been paid for since the 2006/2007 fiscal year. A few days after I visited the site and began to conduct interviews with residents, a construction worker was back on the job. Residents state that prior to my inquiries, the project had been at a standstill for quite some time, despite their urging of the ward's Councilor to oversee its completion. To the best of my knowledge, the project was still not completed before my departure. While the scale of this project was relatively small to begin with, its impact was further diminished by it not being completed.

Another incomplete project is the Bondeni Maternity Hospital; as one official referred to it, "the white elephant project." After much fanfare and publicity in 2005, the municipality signed a memorandum of understanding with a Bishop from the United States who was committing to a partnership with the council that would transform a dilapidated maternity hospital (run by the municipal council) into "an ultra-modern facility…which would be the biggest in the Province if not the country."[199] By 2008 however, the partnership had faltered and upgrades to the hospital were minimal. One small operating room had been constructed, but lacked the proper amenities to make it functional. Other amenities such as a commercial grade washer also sat idle, as there was insufficient electricity and water to operate it. Computer and other equipment supposedly lay locked up in a room on the hospital grounds. Donor funding has been pulled from the project due to disagreements on each partner's role. The council allocated funds to the project in FY 2006/2007, although upon inspection, it is difficult to quantify the work that was done with those funds. Upgrades have been occurring at a very slow pace. The hospital and its adjacent clinic currently remain open, albeit with minimal resources and staff.

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[199] *The New Birth Voice*, December 2005

Whether it's with LASDAP or external donor funds, many of the projects slated for implementation have fallen short of having the type of impact they could have had, either because they were not fully implemented to encompass all areas of need or because they were not implemented at all. Granted the need far outweighs the available financial resources to cover all areas of need, for most of the projects, if the full amount of the originally allocated funds had been constructively spent, the socioeconomic impact of projects would have been undoubtedly much greater over those four years.

Political Impact

The establishment of the LASDAP program in 1998 followed a period when the international community had lost a lot of interest and faith in Kenya. By the mid-1990s, the end of the Cold War had eliminated geopolitical motivations for large inflows of aid packages.[200] Kenya's economic performance had deteriorated, and economic reform efforts initiated through Structural Adjustment Program (SAPs) during the 1980s had weakened, resulting in a fragile relationship between Kenya and the donor community that was characterized by on-again-off-again loan and aid awards. The country was also experiencing a hardening of political lines even as a decade of *de jure* one-party rule came to an end. Created in part as an answer to these ongoing social, economic, and political issues, the LASDAP program was structured to embrace the global influence and imposition of a good-governance and democratization agenda which strove for both social and political change. As such, political transformation through the LASDAP program in terms of greater accountability, transparency, equity in resource distribution and decision-making opportunities, as well as inclusiveness in all areas of local governance was a major

[200] O'Brien and Ryan 2001

goal for both the international and domestic populations. However, in Nakuru, improvements along these lines have been less than stellar. Rather, the evidence indicates that the norm continues to hold, and that the program has not had a significant positive political impact on the general public. As one resident stated, "it's a push system, not a pull. It's what's pushed to you. [there is] no system to question."

The main reason for the program's poor level of political impact is that many of the Councilors (local politicians) have usurped their ability to control the planning and implementation phases to direct the decisions made at key junctures.[201] These decisions often reflect their personal interests and incentives, to the exclusion of their constituents' stated priorities. Efforts were made in the participatory planning guidelines to discourage such occurrences but it still occurs, and in most cases without any retributions.

One example of how such disempowerment of community voice occurs within a process set up to be participatory is the case of the Councilor who reportedly handpicked five people to attend a ward meeting where projects for FY 2006/2007 were decided. While an announcement of the meeting time and location had been posted in the newspaper two week before, it is noteworthy that it was the only meeting to be held at the Town Hall, a non-neutral site; all others were held in neighborhood locations. Three of the five were staff at a local primary school. The other two were from a local NGO. Interviews with one of the invitees revealed that the Councilor had predetermined that the ward priority for that year would be the building of boarding

[201] As discussed earlier, each ward holds its own prioritization meeting, and the final allocation of funding to each project is voted upon by the local government, which the Councilors are a part of. Thus the Councilor representing each ward is able to direct the final course of action in each ward. Furthermore, each Councilor is typically left to ensure that his or her ward's project is implemented once the main work contracts are awarded by the council. The hiring of sub-contractors is also often left to the Councilor, in addition to the development of a system for monitoring and evaluating the outcomes. One exception to this method of implementing projects is that for road related projects such as the graveling of roads or the construction of storm water drains, the council Engineer is typically more involved and often takes the lead.

facilities at the said primary school. Thus, the headmaster and two school committee members were encouraged by a council education officer to attend the meeting in support of the project. Reportedly, the Councilor's interest in building the classrooms was because he also a contractor, specializing in construction and road rehabilitation. Not surprisingly, the construction of boarding facilities was listed as one of the two ward priorities for that year. During the consensus meeting, which was also attended by a representative of the primary school, the Councilor further suggested that the funding allocated for the completion of projects in his ward over the previous two years be diverted to pay for the asphalting of a thoroughfare that runs through his ward. In the end however, it was decided that instead of the dormitory facilities, the ward's top priority would be listed as the purchase of land for the construction of a market—the same project that had been prioritized but unimplemented the year before. At least one record indicates LASDAP funds were eventually used to resurface the road, although the expenditure does not appear on the official records. Subsequent minutes confirm the resurfacing was done, stating residents' displeasure at not having been involved in the decision to resurface the road. A visit to the site indicated it was recently resurfaced, but very poorly, as potholes were already forming. As one observer put it, the road was "degraded."

In another instance, a former councilor admitted during an interview that he used his influence as a member of the council to install street lights and gravel a roadway, projects which *he* thought were important. Although the street lights only cover 10 percent of his ward, he is proud he "pushed for program" so that people can now walk freely in those newly lighted areas and that those households no longer have to pool money to pay for security guards. In addition to the lights, he also pushed for graveling of a roadway that

> "…can be completely impassable; used to leave car 3km away…Will

> fight this time. Wanted to get money from French organization because [their] money can be used for roads serving refuse collection. Wanted to do 3km...Now since [voted] out of the council, don't know fate of project. New Councilor is young and might not be as influential…you save car repairs; people come to work early and with ease.
>
> "People are ignorant. Unless you as a Councilor talk to them about coming [they don't attend meetings]. But people are the ones who know what they want most. If left to council, [money] might only be used for areas where [the council] might get revenue. Happened before. Residents don't know LASDAP, they don't come to meetings. Only 3 to 5 people per ward come…if people don't come influence of Councilor will matter most. Almost impossible for Councilor to attend as [an ordinary] individual…but not hard for me to go as individual because I called my people [to come] freely. We argued and debated…in most cases agreement reached by voting…projects usually have political impact otherwise slow…[now] important to attend consultation meetings because current Councilor may pass project not relevant to people…expect call for next meeting anytime…
>
> "As Councilor, you give people idea because you are their leader; you don't wait for their ideas…then they prioritize them. If they want others, they still bring them too; don't have to follow your ideas. As Councilor, [it is your] duty to supervise work, report to Engineer, because they might not be done well. Councilor must [also] be part of group inspecting."

Meanwhile the residents of this ward had specifically stated as a priority, a need for the council to move ahead on longstanding plans to resolve issues concerning the installation of a water tank that would distribute water to the entire ward.[202]

Most prominently, some Councilors have used the program as a means of coercing the public for election votes. They are said to start community projects before the elections and then promise to continue with the implementation once they are reelected.[203] This assertion by residents is corroborated by the fact that the rate of implementation was highest during the months leading up to the December 2007

[202] Details on this project were previously mentioned under footnote #185. It is also worth noting that that only a small number of residents in this ward (and even the town) own personal motor vehicles.
[203] While this is the reverse of what one might normally expect—that is, a politician campaigning on the basis of what (s)he has accomplished—it is quite the norm in Kenya, where campaigns run along party (ethnic) lines, without much reference to what the politician can be held accountable for. This tactic did not work too well for incumbents during the last election however, when almost all lost their seats.

general elections, as shown in Table 4.6. One example of a project that would seem to fit this profile is the combined flush toilet and shower project mentioned earlier. Funding for the project had been approved since FY 2004/2005. However, it was never completed that year, nor was it completed the following year. During FY 2006/2007, after relisting the project for implementation for a third time, less than one-fifth of the money that had been allocated to the project that year was finally spent to essentially build a prototype of the project and there has since been no follow-up.[204]

In my survey of residents to assess the impact of the program in Nakuru, 78 percent of respondents did not think that the establishment of a participatory development program had changed the way they interacted with their Councilor or the local government in general. Viewpoints include the belief that no matter how the program is structured, Councilors have the power to change people's decisions, either through bribes or their elevated stature within the community. Complaints are not responded to, further alienating people from the decision-making process, which in turn makes it easier for Councilors to push their personal agendas through as ideas initiated and backed by the community-at-large. Once the elections are over, Councilors are said to 'disappear' from sight. Thus people see Councilors' activities as ones to seek political gain, and that once that gain is captured; neither the Councilors nor the local government is interested in fashioning a process that allows for systems of greater accountability, transparency, equity, or inclusiveness. As one Councilor noted, "...hard to complain to the Council because residents cannot come and question the officers; it's impossible. Someone else has been employed to do that—the Councilor."

These circumstances have often pitted the citizen monitoring committee

[204] The Councilor who started the project has since passed away. Some respondents decried the fact that the new Councilor does not even live in their ward and only won because supporters were bused in to increase the vote count.

(MonCom) against the local government.[205] Since the general population is often reluctant and often unable to question the local government in terms of demanding greater accountability or transparency,[206] the committee, led by two men, has taken it upon itself to raise questions with the local government. However, the approach from both sides is often confrontational, without yielding into a meaningful dialogue. Typically, the confrontation ends with one side accusing the other of being corrupt in its ways while the other responds that inquirers are idlers, who have nothing more meaningful to do with their time.

When such disputes arise or are discussed, the local government is often quick to state that the development process and the resulting issues "should not be politicized." However, this is precisely the opposite of what several scholars argue need to happen in order to tackle the roots of poverty and the provision of basis needs.[207] Hyatt (2001) and others argue that too often, many development programs step away from reflection on *why* and *how* poverty is being generated in the first place. In particular, they argue that the current era of participatory development tends to focus on the primacy of the individual rather than taking the more radical approach of looking beyond the individual to examine the factors that caused the individual to be excluded from the social, political, and economic robustness of the upper-class. In his work on the theory of power and participation, Gaventa (1980) also observed that the society's powerful figures and organizations knowingly adopt a development rhetoric

[205] Much of this was discussed under the section evaluating the planning process.
[206] For example, there is no formal means for members of the public to review details of the LASDAP program outside of the yearly consensus meeting where all the projects to be implemented are announced. It is often difficult to get an appointment with an officer within the council who can provide both financial and complementary detail on all LASDAP activities at any given point in time. Even when the information is available, it is not considered to be public, thus all efforts are made to contain the knowledge, as I also experienced by having to sign statements that all obtained information was only to be used for my research. One also needs to have a pre-scheduled meeting with someone at the local government in order to gain entrance into the main building. However, the information desk where people should be able to make inquires is often left unattended.
[207] For example, see Hyatt 2001, Cooke and Kothari 2001, and Hickey and Mohan 2004.

that focus's development activities on addressing corrective measures; careful to shield the overall structure or system that perpetuates the need for "development" in order to retain power and wealth among a few. Thus the call from leaders in the local government to depoliticize the development process suggests that creating an open dialogue which addressed the root of complaints might indeed expose the nature and level of inequality in the distribution and utilization of resources at the council. Furthermore, those dialogues would make the local government accountable to addressing those issues, a task which it might not be prepared or willing to face. Consequently, the planning process has not lead to greater accountability, transparency, or equity in the management of scarce resources. Accordingly, 75 percent of respondents to the survey I conducted in Nakuru stated that the LASDAP participatory development process has not resulted in greater equity in the sharing of resources, while 72 percent stated that the participatory nature of the program has not impacted whether or not projects are completed. Seventy-two percent of respondents did not believe this participatory process had any impact on how the local council made decisions about budget allocations.[208] When asked if people felt a sense of ownership towards completed projects, respondents were almost equally divided in their opinions, with 28 percent responding that they did feel a sense of ownership while 31 percent reported feeling no sense of ownership.[209] The split in responses to the question is most likely indicative of the diverse nature of respondents; those who were and those who weren't direct beneficiaries of projects, since typically, those who are not involved in the decision-making process or those who are not beneficiaries of a project feel no sense of ownership towards it. At the same time, a communal sense of

[208] The remaining proportion of respondents did not necessarily respond positively. A large proportion of respondents (14 - 19 percent) omitted this series of questions.
[209] The remaining 42 percent of respondents omitted the question because it was not applicable to them or they simply did not answer it.

ownership is not evident for many projects, as the lack of proper maintenance is already apparent.

CHAPTER FIVE

Case Study II: Gusii County Council

Site Description

1. Location Description

Gusii County Council (GCC) is located in the southwest quadrant of Kenya, about 238 km (149 miles) slightly northwest of Nairobi. Lake Victoria is just off to its west. GCC is one of the oldest county councils in Kenya, having been established as an African District Council in 1945, before independence. Then, it encompassed ten districts within Nyanza Province. Today, its current boundary is a mere fraction of what it was in those early days; now it only has jurisdiction over parts of one district—Kisii district.[210] Within that district, GCC has oversight over the rural areas, as all of the major urban centers are governed by three other town councils and one municipal council. A schematic representation of the councils in the district is shown in Figure 5.1.

The topography of the district is rugged, with steep-sided hills, narrow valleys, and red laterized volcanic soils. The district lies between 3900 and 5900 feet (0.7 to 1.1 miles) above sea level. The high level of annual rainfall in the region makes it an evergreen region, suitable for the cultivation of many agricultural products.[211] The council is located among the Western Highlands, an area considered to be the agricultural heartland of Kenya due to its fertile soil and constant and reliable rainfall.

At the turn of the 20th Century, the region's high agricultural potential attracted colonial settlers, who established tea plantations and hired the locals to work on them. A communal land tenure system had been in place before the arrival of the colonizers

[210] While the district is called Kisii, the council is called *Gusii* County Council.
[211] Uitto 1992, Kisii Central District Development Plan 2002-2008, 2008 GCC Strategic Plan

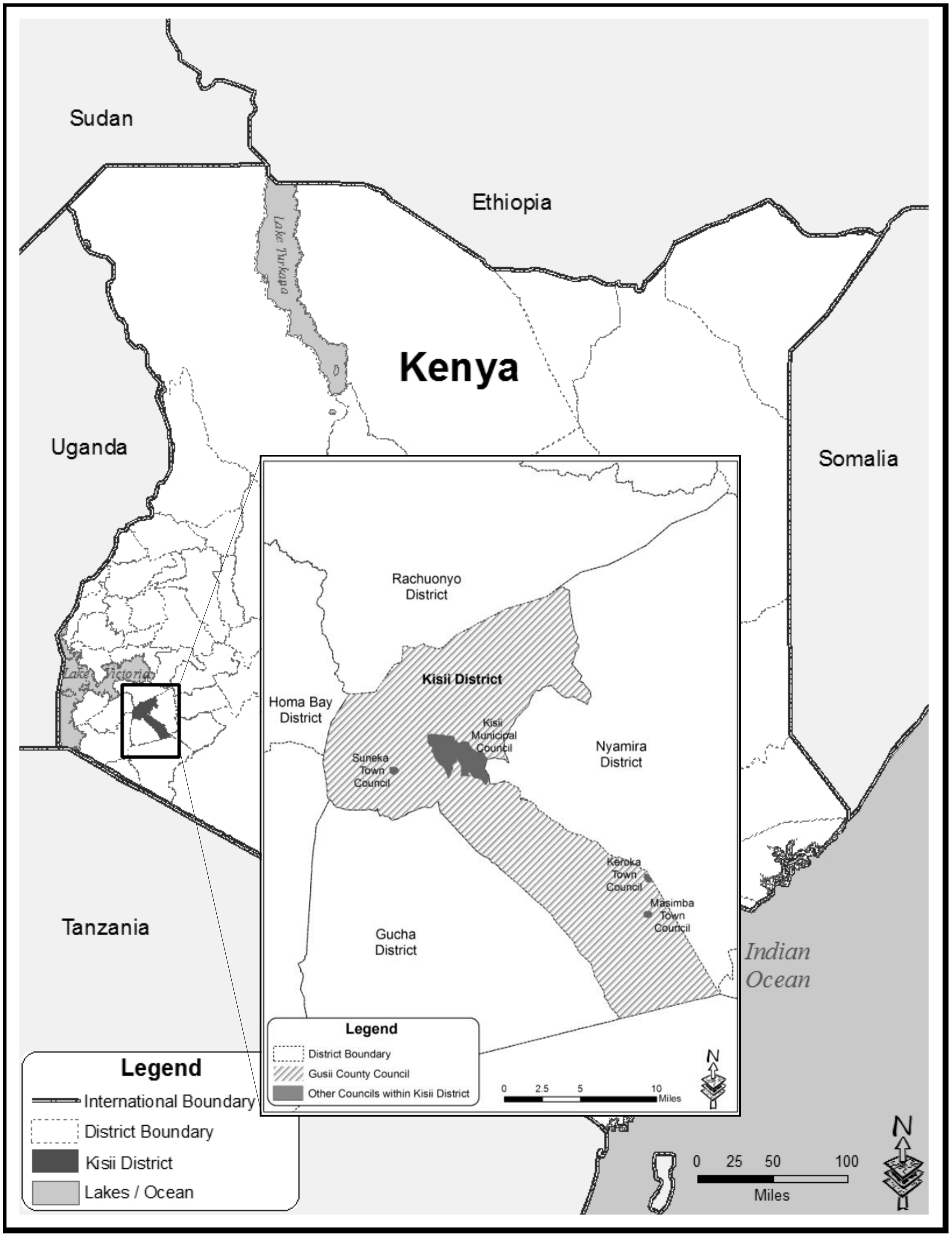

Figure 5.1: Map of Area Covered by Gusii County Council

but it soon disappeared following European influence on agricultural practices.[212]

The rolling hillsides of Kisii district is home to the Gusii, one of the many ethnic groups that make up Kenya. Gusii people are known to be very industrious, resilient, and business-minded. Gusii people are also known to have one of the highest fertility rates in the country. The average household size in the district is 4.9.[213] The district has the second highest population density in the country.[214] It is eclipsed by a higher rate in the Vihiga district of Western Province. The population density in each of these districts is 1,962 and 2,295 people per square mile respectively. A dot-density map of Kenya, which reflects the high population density of the region, was shown in Figure 3.1 (Chapter 3).

The Kisii region is famous for its soapstone. The soapstone is used to make different types of carvings and household effects which are then sold to dealers in Nairobi. Many of these carvings can be found in markets all over the country that cater to tourists. Besides soapstone, granite is also mined in Kisii district.

2. Social Profile of Kisii District

The 1999 census lists the rural population of Kisii district—the area which GCC has jurisdiction over—as 303,551. The majority of this population is poor, despite the district's active participation in agricultural production. The poverty rate of rural Kisii district is estimated to be 62 percent.[215] The district as a whole (including its urban area), is estimated to have an average household income of Ksh 6,367. However, this estimate includes household incomes in the urban areas of the district.

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[212] Uchendu and Anthony 1975, Omoso 1998
[213] 1999 Population and Housing Census, Vol. I, Table 1, p113
[214] 1999 Population and Housing Census, Vol. I, Summary Table, p(xxxiii). Without accurate data on the area covered by the other four councils within Kisii district, it was not possible to perform a more pinpointed analysis regarding the exact population density of the area covered by GCC. Thus, this figure includes the entire population of the district. The population density in the rural areas—the area covered by GCC—will be a little lower since the population density of urban centers are usually higher.
[215] Government of Kenya 2005, Table 5.1

As such, it is presumed that the average household income for rural Kisii district is much smaller.

There are 18 wards under the jurisdiction of the Council. They include: Nyakoe, Nyatieko, Bogeka, Mosocho, Kiogoro, Kegati, Mogonga, Kiamokama, Ikorongo, Marani, Mwamonari, Kegogi, Nge'nyi, Sensi, Keumbu, Riana, Bomokora, and Bomariba. While the detailed fabric of the social structure is not as apparent here as it is in the urban and much smaller setting of Nakuru town, the wealth of different wards can be assessed by the number of markets in a ward, the types of homes and animals present, and the number of schools, churches, institutions, or paid employees.[216] The proximity of the ward's location to the central town of Kisii seems to influence a ward's status. Based on this crude means of assessment, along with local knowledge of the area from Council officials, central wards such as Mosocho, Nyakoe, Keumbu, Bomariba, and Kegati are relatively more well-to-do than an edge ward like Sensi, which does not even have a local market.[217] Since agriculture is the backbone of these local economies, the presence of a well-established market is considered to be vital for its development. The educational attainment for the district is low, with less than 1 percent of the population possessing a university degree and less than 20 percent possessing a high school diploma.[218]

While detailed district-wide records are not available for the structure of the labor market in Kisii district, the distribution of paid labor within the town of Kisii (the major urban center for the district) sheds light on the employment structure. Almost half of those with paid employment are employed in the personal services industry.[219] Manufacturing comes in a distant second. As a district, only 18.5 percent

[216] Per conversation with a Council officer in June 2008.
[217] Since wards are typically divided by clan, it is unsure whether Council officials' ethnic backgrounds influenced this assessment of individual wards.
[218] 1999 Housing and Population Census, Vol. II, Table 2, p2-40
[219] Government of Kenya 2009 - Statistical Abstracts, Table 189a

of those who are employed have paid employment. The majority (70.5 percent) work on family farms while 11 percent work in the informal market.[220] Thus, 81.5 percent are self-employed. This proportion is higher than the national proportions of self-employed workers, which is 74.7 percent. The full distribution of the activity status of the population is included in Appendix B.

Agriculture is the backbone of the district's economy. Twenty years ago, 52 to 61 percent of the district's land was used for cultivating produce and the assumption is that current land uses remain relatively unchanged.[221] Much of that production however is through small, non-mechanized, owner-operated farms, features which reduce the capabilities for ensuring higher yields, and which affect the market price of the produce. Typically, each farm consists of a long strip of land, running from the top of a ridge to the valley bottom.[222] Farm holdings average around five acres or less per household, although many are as small as one-quarter of an acre.[223] While some of the land is used for subsistence farming, much of the produce is sold to wholesale distributors. The most common food crops include maize, beans, millet, and bananas. The main cash crops here are coffee and tea, although most of the farmers grow tea. Tea is one of Kenya's main export commodities, accounting for 21 percent of its total exports in 2008.[224] A few residents also engage in fish farming along with the common practice of subsistence farming. The vast majority of farms are owner-

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[220] 1999 Population and Housing Census, Vol. II, Table 3, p3-40. These figures were calculated from the stated proportions of the economically active population for Kisii district as a whole, including its urban centers. The census computations defined those ages 5 and above as economically active. In order to provide a more simplified interpretation than what was stated in the census records, the stated proportion of paid and unpaid employment was recalculated using a baseline that only included those that were employed (paid or self-employed) or working on family farms.

[221] Uitto 1992. This assumption is based on observation and conversations with locals. For example, during a visit to Birongo market, Council officials stated that the market had maintained the same layout and form since 1957.

[222] Uchendu and Anthony 1975

[223] Hakansson 1988 as cited in Uitto 1992, Omosa 1998

[224] Government of Kenya 2009 – Statistical Abstracts, Table 40a

operated, having been passed down to male offsprings through the generations. This practice has however led to the continuous fragmentation of land.[225]

3. Service Provision

During consultations for the International Monetary Fund's Poverty Reduction Strategy Paper (PRSP), the people of Kisii district identified the need for physical infrastructure as their foremost need.[226] These include better roads, transportation and communication networks, energy supply, water, and sanitation. However, in Kenya, county councils such as GCC have historically offered little, if any basic services for residents living within their jurisdiction. There are several reasons for this. The first is that they are not mandated to do so. As outlined in Chapter 2, the laws of Kenya only require councils to do two things in terms of service provision. One is to provide sites for burials and cremations. The other is to provide support for the burial of destitute people.[227] Aside from these two responsibilities, councils are permitted, but not mandated to provide any other services. However, rural councils such as GCC tend to forgo even this minimal responsibility. This is due to the fact that the rural populations they oversee tend to live on their own land, without much restriction on what they can do on that land. As such, it is common practice to bury the dead on family land. Even those who die in the city are transported to their hometowns and laid to rest on family land. Thus, county councils are relieved of the only services they are mandated to provide.

Households are responsible for the provision of their own water and sanitation services. In Kisii district, there is an abundance of natural water springs and many communities rely on those springs for their water supply. Access to piped water is rare outside the main urban centers, although a very small number of households in the

[225] Uitto 1992
[226] Kisii Central District Development Plan 2002-2008
[227] See the Appendices for the distribution of service delivery responsibilities.

rural areas have gained access to piped water via gravity tanks. The gravity tanks are placed next to and supplied by water from natural springs. The tanks are then fitted with pipes leading to individual compounds in the surrounding area. However, since this concept relies on the presence of a hilly terrain, with no pumping mechanisms involved, its application has thus far been very limited.[228] In Kisii district, 56 percent of the residents rely on natural springs as their main source of water. Another 30 percent rely on streams or rivers, while only seven percent have access to piped water.[229]

Due to the scarcity of piped water, pit latrines are the predominant mechanism for solid waste disposal. This is indicative of practices in other urban and rural areas, as 73 percent of the country's population uses this mode of waste disposal. The district has a limited supply of other amenities, including healthcare centers. There are 25 dispensaries, 11 clinics, and three hospitals serving over half a million residents of the district.[230] Almost all of these facilities are managed by the Ministry of Public Health. There are very few private medical clinics within the Council's jurisdictions.

The second reason why rural councils like GCC offer little, if any basic services is that they simply do not have the kinds of funds it would take to effectively cover the cost of maintaining adequate service provision all over the district. Kisii district covers approximately 250 square miles. Minus the small areas covered by the four urban councils (shown in Figure 5.1), GCC is responsible for the vast majority of

[228] While the general terrain of the district can be classified as hilly, the installation of gravity tanks has been limited because water springs are not always located at the top of a hill, limiting its applicability. Even in areas where it is feasible, households need to be financially able to help pay for the cost of piping the water to their compound, plus pay the cost of maintaining the taps within their compound. Some households are so poor that they are unable to afford even the latter—as was the case with one of the households visited. Most of the gravity tanks have been put in place with the help of funds from international donors, the LASDAP program, or the Community Development Fund (CDF)—another devolved development fund provided by the central government.

[229] 1999 Population and Housing Census, Volume II

[230] DEPHA Dataset, 2005. This population figure includes the population of the entire district, not just GCC.

this area. Table 5.1 shows the council's yearly revenue totals for FY 2004/2005 to FY 2007/2008. With the exception of FY 2007/2008, the council's total annual revenue has been under USD 1 million. Much of this revenue comes from the council's LATF allocation, which accounts for approximately three-quarters of each year's total revenue.

Table 5.1: Total Revenue Figures for Gusii County Council FY 2004/2005 to FY 2007/2008

Revenue Source	FY 2004/2005	FY 2005/2006	FY 2006/2007	FY 2007/2008
	(Kenyan Schillings)			
LATF (100%)	26,895,907 ($413,783)	33,244,884 ($511,460)	49,117,325 ($755,651)	53,879,058 ($828,909)
Council's Own Revenue	8,389,455 ($129,069)	10,317,152 ($158,725)	15,681,479 ($241,254)	18,202,470 ($280,038)
Total Revenue*	36,573,562 ($542,852)	46,062,036 ($670,185)	67,107,927 ($996,905)	73,281,528 ($1,108,947)
% Own Revenue to Total	23%	22%	23%	25%
% LATF Revenue to Total	74%	72%	73%	74%

Source: Annual LATF reports
* Total revenue reflects addition of the RMLF devolved funding

County councils do not collect as much in taxes and fees as their counterpart Town and Municipal Councils do. In addition, their rental rates are lower, and many are not equipped to levy property tax, a source of significant revenue for town and municipal councils. Furthermore, Council officials complain that the designation of high revenue centers as separate Town Councils in recent years has all but depleted their main sources of revenue.[231]

The third reason is that county councils like GCC often lack the appropriate manpower and technical competence to design the necessary short- and long-term work plans to facilitate such detailed endeavors. The council's 2007-2011 Strategic

[231] Along with the creation of new Town Councils, several new districts have also been carved out of Kisii district in recent years, resulting in bitter political feuds involving current and past Presidents, Members of Parliament, local Councilors, and local leaders. See "Controversy rages over new districts created in Kisiiland" from Kisii.com. Accessed September 11, 2008.

Plan—its first—identifies some of these weaknesses. They include a lack of enough skilled staff, poor motivation of current staff, poor internal control systems, nepotism and favoritism, lack of work plans, lack of [appropriate] tools, poor job classifications and duplication of duties, poor planning of commercial centers, inefficient management of human resources, lack of public utilities, and poor time management. As one Council official admitted,

> "People know how to work because of [their] experience [working in that position]. But [they] don’t know why [they do what they do]. So if [they are] changed to different job responsibility, [they will] fight [it] because [they are] not literate."

Another Council official noted that it is difficult for a senior official to institute long-lasting reform in the human resources area at the local Councils. For one, many people are quick to evaluate incidents along tribal lines. Thus, if for example a clerk were trained and repositioned to work as an accountant so that they can be better positioned to manage records and council affairs, others might evaluate this action as clanism. Some might then undermine or sidestep the person's authority by not reporting to them as required so that in the end, the effort at reform is "frustrated." Furthermore, when the senior official who initiated the reform is transferred to a different council as they often are after a few years of service, many of the staff revert back to their old ways. Thus, some senior officials have given up on making any attempt to reform workers' performance or responsibilities, preferring to not ruffle any feathers or be perceived in a negative light, and simply wait to be transferred to the next council. This tendency perpetuates the cycle of Councils' low performance standards, as the reform which must happen from within is limited or non-existent in many cases.

4. Characteristics of the Council

GCC's offices are located in the town of Kisii, the district's primary urban center. The administration of the Council takes place through five departments: Town Clerk; Treasurer; Works and Planning; Education, Health and Social Services; and Markets. Unlike municipal councils, a significant source of revenue for many county councils (including GCC) is the fees collected at council markets; thus the need for a Markets Department.[232]

The Works and Planning department oversees the provision of basic services. However, as of summer 2008, the department operated with only one land surveyor and a new engineering graduate as its sole senior officers. Neither of them has any junior technical staff working for them. The surveyor loosely plays the role of town planner, especially for land and water issues since there are no planners assigned to the Council.[233] Medium and long-term planning activities are almost non-existent, and like the Municipal Council of Nakuru (MCN), day-to-day management activities are resolved as they arise using whatever personnel are available.

The Council is divided into 18 wards, each with its own elected Councilor. Wards are typically divided by clan, leaving political issues vulnerable to tribal clashes, and vice versa, as political affiliations usually form along ethnic lines. In addition, there are six nominated Councilors, for a total of 24. Together, these Councilors serve on various committees that make up the policy arm of the Council. The Council has a workforce of 266 employees, making it the 30th largest of Kenya's 175 councils.[234]

One other important characteristic about GCC is that it has been consistently ranked among the top 10 to 15 councils with the most outstanding debt.[235] While the

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[232] The market fees are for stall or land rentals.
[233] Planners are assigned to work at the local government councils by the government.
[234] Similar to the MCN, the majority of these workers work outside the council offices—as market cleaners and fee collectors for example. There are no more than 20 officers actually working in the offices on a day-to-day basis, excluding the Councilors, who only come to the Council offices to attend meetings or as needed.
[235] Based on annual LATF reports

council's debt only accounted for 0.8 percent of all Councils' debt for FY 2007/2008, GCC's debt to own-revenue ratio was 6:1.[236] By comparison, the MCN's debt to own-revenue ratio was slight less than one. While the annual LATF revenue substantially boosts the Council's total revenue (accounting for three-quarters of the total revenue as shown in Table 5.1), annual budget estimates regularly include large deficits—of more than Ksh 10 million.[237] Needless to say, the Council is heavily reliant on the annual LATF transfers.

Evaluating the Planning Process

Gusii County Council's (GCC) yearly LASDAP planning process has taken place without much incident. However, this is not to say that the entire process has occurred without residents being discontent about particular issues. To start the process, each ward's prioritization meeting is scheduled to occur with others—much like the MCN. The wards are grouped by division (there are two to five wards in each division)[238] and one consultation meeting is scheduled for each division. Under this scheme, the Council hosts about seven divisional meetings to cover its 18 wards. The meetings typically take place at a local market in the division or the division's social hall. Attendance rates at these meetings were higher than the rates in Nakuru, averaging 31 people per ward.[239] One potential reason for this is that at times,

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[236] 2007/2008 Annual LATF report

[237] Based on previous years' budget estimates obtained from the Council

[238] Under the provincial administration system, districts are further subdivided into divisions. Several wards are located within each division. In GCC, these boundaries overlap; although this is not always the case since each unit (wards and divisions) is a subset of different administrative systems, the constituency and provincial administrative systems respectively.

[239] The council stated that it typically mailed out notices to several of the 399 community-based self-help organizations within its jurisdiction. The Council's three Community Development Assistants are also tasked with mobilizing people to come to meetings. Notices are also posted at schools and trading centers such as tea buying centers where farmers typically go to sell their produce to wholesale distributors. However, many of these farmers are illiterate in the reading of the English language. Thus, it is doubtful that these posted notices of upcoming meetings serve their intended purpose. It is interesting to observe that unlike in Nakuru, the average attendance rate at consultation meetings was relatively similar across divisions. Thus the mean was more representative of actual attendance rates across all wards.

attendees are each offered a soft drink. At times, some are offered a small allowance. As one council official stated, "What do you do when you call a meeting and nobody shows up?" Records also showed that the meetings were usually long, lasting about three to five hours. Like the MCN, most of those who attend are members of community-based organizations (CBO).

Two rationales were given for running division-level meetings. One is to save costs. The other is to allow residents from one ward to objectively analyze and suggest solutions for problems encountered in another ward.[240] Thus, while ward meetings were combined by division, it was with the understanding that projects would still be prioritized by ward. However, a review of the records shows that each ward has never generated its own list of priorities. Rather than generating ward-specific priorities, *one list*, consisting of three to five projects, is compiled for all the wards in each division.[241]

This method implies that each ward has the same set of needs, which is not necessarily true. Moreover, like the MCN, only a list of desired *projects*, not needs, is articulated and compiled during each consultation meeting. This effectively limits any sense of "development planning" around a community's short- and long-term needs, as it focuses on the needs of one specific area without analyzing the needs on a more comprehensive basis.

Following these consultation meetings, the council utilizes a rather peculiar method during the consensus meeting to determine what projects to prioritize and allocate funding to for the subsequent fiscal year. The process consists of ranking and re-ranking a list of generic priorities; two or three of which are then chosen and slated

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[240] Personal conversation with Council staff, June 2008.

[241] As might be expected, the array of proposed projects did not necessarily reflect the needs of the communities as a whole. Rather, they mirrored the priorities of those present at the meeting. For example, in cases where attendees were from CBOs focused on widows or orphans, the proposed projects were for the construction of orphanages or for the provision of assistance to widows.

for implementation in every ward.[242]

It comes as no surprise that each year, this method of project prioritization elicits the most negative responses from those present at the consensus meeting. They state that they have continually requested for ward-specific priorities to be implemented in each ward rather than projects from a generic list. However, the Council refuses to do this, stating that residents have also stressed that there should be a "balance of benefits" across all wards, and that this is one way to make that happen. It comes as no surprise then that in my survey of residents on the impact of the LASDAP program, the majority of respondents stated that the LASDAP program had not changed the way they are able to influence their political representatives (Councilors) or the local government over how development funds are spent. Besides this issue, other comments from residents include their desire for more employment opportunities through the use of "community contracting" as projects are implemented.[243]

For the most part however, many of the projects have been implemented with the use of individual contractors. Two factors that contribute to this are that 1) the protection of water springs—the council's main focus—requires a level of expertise that is greater than what ordinary residents can most likely offer, and 2) community

[242] First, a list of the top three to five projects identified in each division is compiled. Since the needs are common across divisions, and there is evidence that the local government officials facilitating the initial consultation meetings "suggest" certain types of projects (as recorded in minutes for Ikorongo division held on Nov. 13, 2006 for FY 2007/2008), this compilation ends up as a list of eight to ten types of generic priorities, such as "rehabilitation of rural roads," "protection of water springs," or "construction of bridges." This list—which does not reference exact project locations unit costs—is then handed out to ward representatives during the consensus meeting and they are told to rank them for each of their respective wards. As a result, many wards are left ranking projects they might not have even identified as a priority. Furthermore, this time-consuming exercise is negated in the next step, as the council's technical committee then uses a loose "statistically-based method" to derive an "overall priority ranking," based on tallies of how high each project had been ranked by the individual wards. In the end, the top two or three projects from the final list are then typically chosen as projects that will be funded and implemented across all wards.

[243] In Kisii district, many residents are desperate for work as 52 percent of the population is unemployed or economically inactive. Another 32 percent work as unpaid workers on family farms (1999 Population and Housing Census, Vol. II).

contracting (hiring several community members to complete the job) requires substantial coordination and oversight by the council. Rather than being paid for their participation, residents are asked to contribute labor and materials by transporting building materials (such as stones) from the vicinity of each project site to the actual project location. Possibly due to the fact that women are responsible for the collection of water, it is the women who are usually tasked with this activity. Discussions with women at one particular project site indicated they did not know any details about the project, other than the fact that they were told to bring the materials to the site. Thus, while they were partakers in the implementation process, they were not true participants of the planning process in the terms envisioned for the program's structure. As a result, their ability to question, to seek accountability, transparency, or equity in the distribution of resources is non-existent.

At all levels, there has been little to no monitoring or evaluation of the planning process at GCC. Each year one representative is chosen from each division during the consensus meeting to serve on the Community Project Monitoring Committee. However, these appointments seem to be largely ceremonial, as the committees have not been active. When they have convened, their activity has been limited to following Council members on tours of a few project sites. However, there is usually no follow up to seek broader information about other projects, question any inconsistencies, or disseminate details of their evaluations. Meanwhile, those interviewed say they rely on the Monitoring Committee to ensure that the planning process runs as planned and that projects are implemented across the wards. Understandably, the Committee's ability to inspect project sites is limited by the difficulty of traveling around the vast area covered by the Council. Many people do not own personal vehicles and public transit only traverses the main arterials. Moreover, it is often difficult to negotiate the terrain around many project sites, whether by car or on foot.[244] Thus, continuously monitoring and evaluating ongoing and previously implemented projects is difficult.

The local government itself does monitor ongoing projects, but only to the extent that the selected contractor performed the stated scope of work. The quality of construction—and site visits revealed some poorly constructed bridges and poorly protected water springs[245]—is seldom questioned, at least not to the extent that it necessitates full reconstruction. On their part, the Council commented that it is often difficult for them to discipline contractors because he/she will simply increase costs. Since there is no template for the quality of work that is expected, the Council is often at the mercy of each contractor's proficiency.

Residents also complained that contractors often worked without allowing for community input on the design. In one instance, this led a man to destroy the cement flooring at a water spring in order to accommodate the height of a standard water keg. Residents complained that they had told the contractor to increase the height at which he placed the discharge pipes but he had failed to listen to their advice.

Assessing LASDAP's Impact

Table 5.2 shows Gusii County Council's LATF allocations and expenditures between FY 2004/2005 and FY 2007/2008. As was the case for the Municipal Council of Nakuru, both the estimated and actual expenditure on improvements to service delivery fell short of the recommended 40-60 percent range, except during FY 2006/2007 when 58 percent of the Local Authority Transfer Fund (LATF) was allocated towards improvement projects. However, by the end of that fiscal year, only

[244] Based on personal site visits and conversations with the Chair of the monitoring committee, June 2008.

[245] The protection/rehabilitation of water springs is an important project for the district. Many communities rely on natural springs for their water supply because access to potable water is rare outside the main urban centers. Water from the springs is safer for consumption if the springs are "protected." That is, redesigned to allow for a natural filtration system, and then fitted with dispensing pipes.

7 percent of the LATF (a mere 12.5 percent of the original 58 percent allocation) was actually spent on improvement projects.

Table 5.2: Gusii County Council LASDAP Receipts & Expenditures, FY 2004/2005 - FY 2007/2008

Gusii County Council	**FY 04/05**		**FY 05/06**		**FY 06/07**		**FY 07/08**	
	Ksh	**% of LATF**	**Ksh**	**% of LATF**	**Ksh**	**% of LATF**	**Ksh**	**% of LATF**
Total LATF Allocation	26,895,907	(100%)	33,244,884	(100%)	49,117,325	(100%)	53,879,058	(100%)
Estimated Allocation for Service Delivery* Should range from 40-60% of LATF	8,068,772	(30%)	12,798,465	(38%)	28,355,757	(58%)	6,596,013	(12%)
Actual Expenditure on Service Delivery Note: Mandatory minimum is 30% of LATF	1,586,000	(6%)	3,182,995	(10%)	3,543,639	(7%)	0	(0%)

* Like the MCN, the upcoming year's budget is calculated before the end of the preceding fiscal year. As such, council revenue from the previous year and LATF allocations for the current year are used to calculate the 'resource envelope. Unlike the MCN however, GCC reestimates its resource envelope after the upcoming year's LATF allocation amounts are released by the central government.

During the four years under review, no more than 10 percent of the council's LATF money was actually spent on community improvement projects. Actual expenditures on service delivery amounted to 6 percent, 10 percent, and 7 percent during FY 2004/2005, FY 2005/2006, and FY 2006/2007 respectively. For FY 2007/2008, none of the money that had been allocated towards improvement projects was actually spent. For a more visual representation, the council's LASDAP receipts and expenditures are also summarized in a bar chart, shown in Figure 5.2.

Accumulating the facts and figures on LASDAP expenditures for GCC took some ingenuity. Records were available in piecemeal fashion, the details of which then had to be reconciled to ascertain an accurate picture of the planning process and outcomes. Unlike records of the Council's water spring projects that are financed by the European Union (EU),[246] there are no LASDAP records for individual projects. Furthermore, forms that were completed as part of the LASDAP reporting template to

[246] Through its Rural Poverty Reduction and Local Government Support Program (RPRLGSP), the European Union (EU) committed 9 million Ksh over three years to improve 92 water springs around Kisii district. The Council had to demonstrate their commitment to the project by making a one-time contribution of 1.8 million Ksh to the project. This partnership started in September 2006. For each of these water springs, there are forms detailing the associated costs and expenditures, making it easy to review the financial details concerning each project.

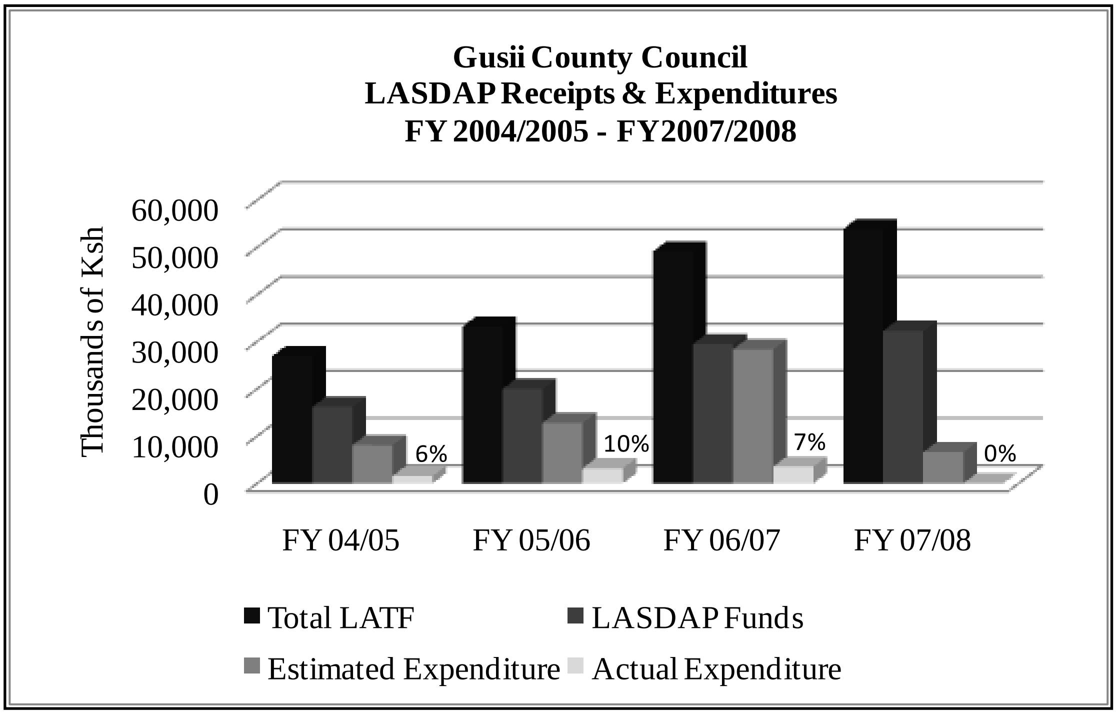

Figure 5.2: Gusii County Council LASDAP Receipts & Expenditures, FY 2004/2005 - FY 2007/2008

indicate the council's project implementation plan to the central government were often inaccurate.[247]

As will be seen in the tables outlining each year's prioritized projects, GCC drafts two copies of its estimated annual budget. The first is done about 9 months before the beginning of the corresponding fiscal year (which starts in July); just before community consultation meetings are held. Based on this budget, the community is told how much money will most likely be available for implementing projects during the upcoming fiscal year (the amount of the *resource envelope*). This initial budget *(Budget I)* is then revised after the central government releases the actual LATF allocations figures for each council, prompting project and allocation changes to the original LASDAP plans. These revised project allocations are listed under *Budget II*.

[247] For example, Form 8.4 in the FY 2007/2008 report notes that over 2 million Ksh had been spend on the construction and protection of water springs in 2006. However, after reconciling the records, only 123,175 Ksh of LASDAP allocations had actually been spent on water springs.

In almost all cases, the projects that are added to the list are projects that are meant to help the Council increase its revenue base. However, during the four years under review, only once did any of those additional projects get implemented. Rather than a project that would directly increase council revenue—and perhaps people's livelihoods at the same time—a more indirect route to increasing revenue was taken. The council purchased a vehicle to help ease the collection of market dues and other taxes.

Physical Impact

Tables 5.3 through 5.6 show the prioritized versus implemented projects for GCC between FY 2004/2005 to FY 2007/2008.[248] For each of the tables, the initial and subsequent budget estimates are listed (Budget I and II respectively), along with the list of actual expenditures, as stated in the end-of-year report. The data reveals that GCC has mainly focused on the rehabilitation of water springs around the district, as well as the construction of a few bridges.

Table 5.3 shows that for FY 2004/2005, a total of just over 4 million Ksh was initially allocated towards capital projects. This money was to implement three projects: the construction of bridges, the protection of water springs, and the rehabilitation of rural roads. The revised budget was increased by 4 million Ksh, to invest in projects that the Council felt would help boost its revenue base in subsequent years.

This included the rehabilitation of council-owned homes (some of which are rented out and some of which are inhabited by council staff), improvements in the main markets, and an update of its land valuation roll. Renovation of council-owned houses was planned so that the Council could increase their rental charges after the

[248] For some of the years, GCC's records differed on what was slated for implementation. The facts and figures shown here are those indicated in the annual estimates of expenditures (from the Council's annual LASDAP reports) and the end-of-year actual expenditures (which are forwarded to the central government as the official numbers).

Table 5.3: Projects Prioritized and Implemented by GCC for FY 2004/2005

COMMUNITY-IDENTIFIED PROJECTS	Budget I (Ksh)	Budget II (Ksh)	Spent (Ksh)
Construction of bridges	2,030,000	2,030,000	55,000
Rehabilitation and protection of water springs	1,350,000	1,350,000	1,531,000
Rehabilitation of rural access roads	670,000	670,000	
COUNCIL-IDENTIFIED PROJECTS			
Construction of 17 Councilors offices in wards		1,300,000	
Rehabilitation of council houses		1,000,000	
Valuation roll		550,000	
Market improvements		1,000,000	
Purchase of office equipment		168,772	
TOTAL	4,050,000	8,068,772	1,586,000

properties were upgraded. While also requested by traders, an expansion of previously implemented market improvements—including the addition of sanitation facilities and fences around the markets' boundaries—was envisioned to help spur the traders to more readily pay their market dues (for stall or space rentals), a major source of revenue for the Council. By having a more up-to-date record of land ownership, the Council would be in a better position to assess property taxes, a tax which it has not assessed for at least the past 10 years. The Council focused on improving its revenue collection because in the years prior, the Council had undergone periods where it was not able to pay its workers their full salaries. The payment of partial salaries went on for several months, despite introduction of the LATF program in 1999, which included funds for improving local government operations.

Despite these revisions, at the end of the year, GCC had only implemented two of the eight projects on the list, for a total expenditure of just under 1.6 million Ksh. This is equivalent to one-fifth of what the council had committed to spending.

Table 5.4 lists the project allocations for FY 2005/2006. Approximately 2.7 million was originally budgeted for capital improvements, going towards the protection of water springs, the construction of bridges, and the rehabilitation of rural roads. That budget was later revised to 12.8 million Ksh.

Table 5.4: Projects Prioritized and Implemented by GCC for FY 2005/2006

COMMUNITY-IDENTIFIED PROJECTS	Budget I (Ksh)	Budget II (Ksh)	Spent (Ksh)
Water spring protection	1,500,000	2,825,000	3,167,875
Construction of bridges	469,879		15,120
Rehabilitation or opening of Rural Access Roads	700,000	2,500,000	
COUNCIL-IDENTIFIED PROJECTS			
Market improvements		3,250,000	
Planning of market and valuation roll		2,823,465	
County Hall improvements		400,000	
Repair of council grader		1,000,000	
TOTAL	2,669,879	12,798,465	3,182,995

Having failed to make market improvement or update the valuation roll the previous year, in the revised budget, the Council once again made allocations to undertake these two projects. In fact, allocations for market improvements have been present in annual budgets dating back to at least 2001/2002. However, little if any progress is made each year. Money was also set aside to fix the council's road grader. This project had also appeared repeatedly in previous annual budgets. However, as of June 2008 the grader was still in a state of disrepair. The Council had hoped to fix the grader so that they could generate income by renting it out to road construction crews.

At the end of the year, only 3.2 of the 12.8 million Ksh (one-quarter of the money) that was budgeted for capital improvements had been spent to do so. Most of those expenditures went towards the protection of water springs.

For FY 2006/2007, 5.5 million Ksh was initially allocated towards LASDAP development projects. Under the revised budget, project allocations were increased to Ksh 28.4 million. The projects are itemized in Table 5.5. Once again, the main project was the protection of water springs, which received forty percent of the funds.[249] The Ksh 28.4 million in allocations was the largest the council had allocated towards project implementation in recent years.

[249] While the Council's ongoing partnership with the EU to protect many of its water springs might help explain its continued focus on protecting water springs, it is also clear that access to clean water is one of residents' top priorities.

Table 5.5: Projects Prioritized and Implemented by GCC for FY 2006/2007

COMMUNITY-IDENTIFIED PROJECTS	Budget I (Ksh)	Budget II (Ksh)	Spent (Ksh)
Water spring protection	2,953,160	11,511,800	123,175
Rehab of rural roads	2,500,000	1,288,200	
COUNCIL-IDENTIFIED PROJECTS			
Market Improvements		3,000,000	
Rehabilitation of Council shovel		2,000,000	
Renovation of Council houses		1,000,000	
Renovation of County Hall		500,000	
Valuation Roll		2,800,000	
Purchase of tractor trailer		2,000,000	
Purchase of civic car		2,400,000	2,500,000
Purchase of computers		655,757	520,464
Preparation of 2007-2011 strategic plan by consultants		1,200,000	400,000
TOTAL	5,453,160	28,355,757	3,543,639

The allocation amount was almost equal to its entire LASDAP allocation for the year (60 percent of the LATF). While seemingly laudable (that is how the program was designed to take place but many councils do not do so), more than half of the money was allocated towards projects that the council itself deemed necessary, not those identified by the residents. This included the renovation of council property and the purchase of vehicles and electronics for the council offices. While residents had also prioritized projects such as the building of orphanage homes, a fund to offer assistance to widows, and the construction of bridges and boreholes, none of these projects were allocated funds under the expanded budget allocations.

Similar to previous years, the council only managed to spend a mere fraction (one-eighth) of the allocations on project implementation. Moreover, only 123,175 Ksh of the 3.5 *million* Ksh that was spent went towards community-identified needs during this year.[250] The rest went towards the council's purchase of a vehicle,

[250] The central government's annual LASDAP report indicates that a total of 10.6 million Ksh was spent on projects during FY 2006/2007. However, that amount included the 5.7 million Ksh that was received from the EU to finance the first phase of protecting a total of 92 water springs around the district. It also included 1.5 million Ksh from the RMLF fund that supports road rehabilitation projects.

computers, and payment of consultancy fees.[251]

Table 5.6 shows the list of itemized allocations for FY 2007/2008. The Council initially estimated that 6.6 million Ksh would be spent to fund three community-identified priorities.[252] The revised budget altered these initial allocations, removing the funding for the digging of wells and only allocating money for the building of gravity tanks in 8 of the 18 wards. The council also allocated money towards the construction of market stalls, the renovation of a training center and council houses, as well as the purchase of computers and networking technology for the council offices.

Table 5.6: Projects Prioritized and Implemented by GCC for FY 2007/2008

COMMUNITY-IDENTIFIED PROJECTS	Budget I (Ksh)	Budget II (Ksh)	Spent (Ksh)
Construction of bridges (later decided as 150,000 Ksh each to 16 wards)	3,000,000	2,400,000	
Digging of wells - all wards	1,596,013		
Building of gravity tanks - all wards	2,000,000		
Construction of 8 gravity tanks & protection of 2 water springs @ 300,000 Ksh each		3,000,000	
Construction of market stalls in 4 market centers: Nyakeo, Keumbu, Rioma, & Marani		4,000,000	
COUNCIL-IDENTIFIED PROJECTS			
Renovation of the community training center		4,000,000	
Computer hardware and networking		1,512,833	
Renovation of council rental houses @ Kanga & Nyanchwa		3,000,000	
TOTAL	6,596,013	17,912,833	0

[251] The consultancy fees were to pay for the services of a consultant for drafting the council's 2007-2011 Strategic Plan. However, the document is more a statement of what is known—such as the council's strengths, weaknesses, and potential revenue sources—not a plan of action for the Council's future. The implementation framework, meant to "drive the aspirations of the council and its residents going into the future" does not even provide existing baseline data (quantitative or otherwise), nor does it articulate specifically what is needed in core areas such as service delivery, debt management, institutional capacity, or ICT development. It also does not include the current state of affairs in any of the sectors it describes. Rather, it provides a list of general objectives, followed by a handful of issues that need to be addressed, along with very simplified, overtly general statements on what inputs, outputs, and time frames that can be expected when addressing those issues.

[252] During consultation and consensus meetings, residents had once again expressed the need to fund different projects in different wards depending on their stated priorities. Thus, each ward had generated its own list of priorities during consultation meetings. However, during the consensus meeting, the Council once again generated one "overall priority" list for all the wards. While the construction of bridges was one of the top priorities, the digging of boreholes had been ranked 5th and the building of gravity tanks ranked 8th out of 9 projects. No clear rationale was given as to why these last two projects were then prioritized for all the wards.

In all, 17.9 million Ksh was allocated towards development projects. However, as of June 2008, none of the projects planned for the fiscal year had been implemented. Council representatives noted that the implementation of all projects was halted due to the post-election violence. However, there is no indication that any projects had been started prior to the violence that erupted after the elections in December 2007. One official revealed that revenue collection was hindered for about three months following the post-election violence period. This meant that LATF monies were the only source of incoming revenue during this time. Even taking into consideration that the central government was late in disbursing funds for the fiscal year,[253] none of the planned projects had been implemented and nor were any slated for implementation as of June 2008, the end of the fiscal year.[254]

Summarizing the Project Prioritization and Implementation Record

Table 5.7 summarizes the number of projects that were planned versus the number that was completed each year between FY 2004/2005 and FY 2007/2008. Similar to Table 4.6, the project completion rates were computed using the ratio of the number of projects that were planned (projects allocated money during the planning process) to those that were completed from that list.

Over the four years, the Council averaged a 20 percent completion rate. The calculations exclude projects that were completed but not listed in the final budget. Thus, the one project that was implemented outside the budget during FY 2005/2006

[253] LATF funds are disbursed in three installments; in September, January, and April of the respective fiscal year. For FY 2007/2008, the first and third installments arrived a couple of months late (Per official interviewed).

[254] The 2007/2008 Annual LATF report does however indicate that three projects—the construction of dispensaries, the renovation of the County Hall, and the protection of water springs—were completed for a total of 5.1 million Ksh. While the latter two projects may have indeed been completed following my departure, the reported LASDAP capital expenditure is false because the dispensaries were funded by a separate grant from the EU. By my estimates, it is highly doubtful that even the latter two projects were implemented in time to attribute them to the 2007/2008 fiscal year because reports of completed projects during each fiscal year are due to the central government shortly after the fiscal year ends in order to compile the annual LATF report, which lists the capital projects completed by each council.

Table 5.7: Percentage of Prioritized Projects Completed, FY 2004/2005 - FY 2007/2008)

Year		No. of Projects Planned		No. of Projects Completed		Projects Implemented but not Bugeted		Completion Rate of Planned Projects
		#	(Ksh)	#	(million Ksh)	#	(million Ksh)	
2004/2005	Community-identified	3	4,050,000	2	1,586,000	0	0	
	Council-identified	5	4,019,000	0	0	0	0	
	TOTAL	**8**	**8,069,000**	**2**	**1,586,000**	**0**	**0**	**25%**
2005/2006	Community-identified	3	8,575,000	1	3,168,000	1	15,000	
	Council-identified	3	4,223,000	0	0	0	0	
	TOTAL	**6**	**12,798,000**	**1**	**3,168,000**	**1**	**15,000**	**17%**
2006/2007	Community-identified	2	12,800,000	1	123,000	0	0	
	Council-identified	9	15,556,000	3	3,420,000	0	0	
	TOTAL	**11**	**28,356,000**	**4**	**3,543,000**	**0**	**0**	**36%**
2007/2008	Community-identified	3	9,400,000	0	0	0	0	
	Council-identified	3	8,513,000	0	0	0	0	
	TOTAL	**6**	**17,913,000**	**0**	**0**	**0**	**0**	**0%**
	TOTAL	**31**	**67,136,000**	**7**	**8,297,000**	**1**	**15,000**	
	Average Rate of Completion over 4 Years =							**20%**

Expenditures rounded to nearest thousand

was not included in the computation of that year's completion rates.

The number of community-identified projects is far fewer than those for the MCN because each year, only a few projects are selected by the Council for implementation in all wards. While listed as one line item, each project, when implemented as planned, was to occur in multiple locations around the district. At GCC, one lump sum is allocated to each *type* of project. For example, projects are simply listed as "rehab of rural roads" or "water spring protection" without stating exactly which roads or water springs were to be improved.

For FY 2004/2005, three community-identified projects were planned at the cost of just over 4 million Ksh. Money was also allocated to five council-identified projects. Of these eight projects, only two were completed, and on a much smaller scale than originally planned.[255] They were however, community-identified projects.

[255] One of the "completed" projects was the construction of foot bridges around the district. While the project had been allocated 2 million Ksh, only 55,000 Ksh was spent. Instead of building several foot bridges across the district, only a few were built. Without any means of transportation and the need to get farm produce to trading centers and markets, many farmers move their produce on foot, using a wheelbarrow, or place it on their head. As such, routes that offer a shortcut to their destination are of

The implementation of two out of eight projects equates to a completion rate of 25 percent. For FY 2005/2006, a total of six projects were planned at a cost of 12.8 million Ksh. Three were identified by the community while the other three were identified by the council. Only one of these six projects—the protection of water springs—was implemented. A small bridge project was also implemented at the cost of 15,000 Ksh, although it was not originally slated for implementation. Thus, the project completion rate for FY 2005/2006 was only 17 percent.

For FY 2006/2007, a total of 11 projects were listed for implementation. Of these, only two were community-identified projects. The other nine projects were selected by the council to meet council needs. Three of those nine projects were completed while one of the two community-identified projects was implemented. For that one project, 11.5 million Ksh had been allocated but only 123,000 Ksh was spent.[256] Since four of the 11 projects were implemented in some fashion, the council recorded a 36 percent completion rate for the year. For FY 2007/2008 six projects were planned, totaling 17.9 million Ksh. Since none of the projects had been implemented as of June 2008, the completion rate for FY 2007/2008 is zero.

In all, seven of 31 planned projects were implemented over the four years. One unplanned project was also implemented. While the council averaged a completion rate of 20 percent over the four years, an even smaller proportion—12 percent—of the project allocations was spent (8.3 million Ksh out of 67.1 million Ksh). When questioned, the Council's defense against their low completion rate is that once projects take off, people start to interfere, disrupting the flow of completion.[257]

outmost importance. Foot bridges across streams and natural springs help create these shortcuts.

[256] It was not possible to determine the rationale behind the allocation and expenditure on projects during this time because both the Treasurer and Town Clerk who were instrumental in determining those amounts have since been relocated to other councils and were unreachable for interviews. The fact that only these two senior officers were involved in the decision-making reveals the extent to which decisions are still largely made by individuals, despite a structure for joint decision-making.

[257] I should note that while I have interchangeably used the words "implemented" and "completed" in

Summarizing the Type and Expenditures on Implemented Projects

Table 5.8 summarizes the number and type of projects that were implemented by the GCC between FY 2004/2005 and FY 2007/2008. In total, eight projects were implemented with LASDAP funds.

Table 5.8: Type of Implemented Projects, FY 2004/2005 - FY 2007/2008

Itemized Expenditures	**Ksh**	**US Dollars**	**(%)**
Improved Water *(3 projects)*	4,822,050	69,438	58%
Council needs *(3 projects)*	3,420,464	49,255	41%
Bridges *(2 projects)*	70,120	1,010	1%
Total	8,312,634	119,702	100%
Total LATF Allocations during Period	163,137,174	2,349,175	
% Spent on Capital Investments			5%

In converting Kenyan Schillings to US Dollars, I used the same conversion rate (1 USD = Ksh 69.4) for each year to simplify the calculations.

Like the MCN, more than one-third (in this case 41 percent) of the 8.3 million Ksh that was spent went towards Council needs. Less than two-thirds of the expenses went towards community-identified projects; 58 percent went towards the protection of water springs and 1 percent was spent on the construction of footbridges.

Similarly, GCC has also chronically underinvested in the creation of capital infrastructure for its residents, at least as envisioned by the program's creators. The program guidelines recommended that each council spend at least 60 percent of the LATF funds on development projects. A clause in the directives lowers that target to a minimum of 30 percent of a council's annual LATF allocation. Over the four years

the narrative above, I have done so with the realization that technically, they offer different meanings. I have classified a project as completed if the council implemented it in at least one location. While important, I did not place any weight on the project's level of sophistication or breadth of coverage because these elements are difficult to quantify. Moreover, there was no official documentation from the council regarding how many locations it planned to implement any given project, such as the protection of water springs. Thus, if the project was implemented in at least one location, it was categorized as "completed." However, marking the project as complete does not imply that there is no further need to expand the scale or scope of the project in the future. Indeed, many of the council's projects are repeated year after year because the scale of implementation has not matched the level of need.

under review in this study, only five percent of all GCC's yearly LATF allocations were spent on capital projects (total expenditure on projects / total LATF allocations to the council). The rest of the monies were said to have been spent on personnel and operations. While this is a violation of the guidelines, none of the councils have been subject to any repercussions.

Socioeconomic Impact

As might be expected, all the projects that were implemented by the council during the four years under review have had a positive impact on the community. While some respondents noted that the level of impact for some projects was "small," the majority of respondents cited most projects as having a "large" or "very large" impact on their community. In a region with high poverty rates, high unemployment, and poor access to all basic amenities, it comes as no surprise that any improvements—especially those initiated without requiring direct financial contributions from community members—are viewed positively. Residents noted several socioeconomic benefits from the few community-identified projects that were implemented. In no particular order, the first is improved access to potable water. With 56 percent of the population reliant on water springs for their daily water needs, the refurbishment of several natural springs to create a cleaner filtration system, as well as the construction of more accessible paths to get to the springs have been very well received by the community. Whereas in the past water flowing out from the natural spring would simply run off on the vegetation that surrounded it and people would have to collect it by scooping up the runoff, after a spring is protected, the source is fitted with pipes that dispense the water. Thus, people are able to collect potable water.[258] Several school children, women, and even a few men were observed

[258] According to those interviewed, only 50 percent of the people boil the water before use because the perception is that the water is clean.

using the refurbished springs. In addition to domestic uses, the water is also collected for use at local dispensaries and schools. Several of the women noted the time savings they now enjoy, as it does not take as long to fetch water. Some of the users, including an elderly man at one of the water springs, also profit from the project by collecting and selling the water to other households. A related socioeconomic benefit is that residents felt they experienced better health due to improvements in the water quality.

Road and bridge projects are the source of the third benefit, which is an improvement in the means and cost of transportation. For the small segment of the population to which it applies, road rehabilitation projects have provided employment opportunities, as several local residents are hired to manually remove growing vegetation along dirt roads and right-of-ways. Both men and women are hired for this task. Clearing of the dirt roads has encouraged public transportation vehicles (*matatus*) to ply these routes, offering the farmers, for example tea growers, a faster and less stressful means of reaching wholesale buying centers. However, these dirt roads can become impassable during the rainy season, leading some residents to rate such projects as having a small impact. Likewise, the construction of a few foot bridges has provided pedestrian shortcuts for school children and farmers alike, leading to travel time savings. However, residents complained that the bridges are not wide enough and that they were not consulted in the design.[259]

Besides the minute scale at which projects are implemented, some of the current limitations to the amount of socioeconomic benefits include the lack of community ownership of projects and individuals' fear of losing their land to a public

[259] The area Councilor was responsible for implementing these foot bridges. Site visits revealed the bridges were indeed very narrow and poorly constructed. Residents also say many footbridges need to be expanded for vehicular access to hospitals and markets. Another point to note is that many of the road projects are small scale (1-2 km) and since their "construction" simply consists of manually removing vegetation along a path, within a few years many of those routes are in a state where they have almost reverted back to footpaths, especially if not they are not heavily traversed routes.

good. In terms of taking ownership, on more than one occasion, projects implemented by the council had fallen into a state of disrepair without the primary beneficiaries making any effort to repair it. This was particularly the case for water-related projects. Anticipating that such might occur, the council carefully crafted a plan of "handing over" maintenance responsibilities to each community. While the plan had not gone into effect as of June 2008, it was to involve a high profile meeting where it would be announced that each community was now in charge of maintaining its protected water spring. Leadership would be taken by each project's committee—which residents claim are only known by the area Councilor who selected them. Currently, the committees are responsible for maintaining the site, including the removal of weeds and debris. However, for some of the sites visited, there was no evidence of any ongoing site management.

When residents around a poorly protected and recently vandalized water spring from which they were now no longer able to draw potable water were questioned, they complained fiercely about the fact that the contractor who was given the initial work subcontracted the work to lay people who didn’t have the right technical knowledge to do the work well.[260] However, in the six months since the spring had been vandalized, neither the project committee, the primary beneficiaries from the immediate surroundings, nor the land owner on whose land the spring was located had attempted to take ownership for getting the spring back into its free-flowing form again. Rather, the crowd got very hostile with council representatives at the scene, upset that the council had contracted the work to an irresponsible party from the onset.

Another example was of a gravity tank that had stopped working because the

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[260] Such complaints are common in the discourse over community involvement with improvements to service delivery. Mansuri and Rao (2004) are among many who have noted that community members cannot be relied upon to serve as a technical resource pool due to their lack of adequate technical expertise, which results in poor construction quality and reduces the quality of maintenance.

motor that pumped water into it from an adjacent spring had stopped working. Residents thought it was because the council stopped paying the associated electricity bill. Needless to say, neither the project committee nor the households connected to the smaller tanks downstream that were feed by the main tank had taken ownership of organizing a solution to the problem.[261]

A second limitation is some individual's fear that if they allow the Council to protect the water spring on their land, it will increase the flow of human traffic on their land and could potentially lead to other parts of their land being taken over for public use—more than the path leading up to or the area immediately surrounding the water spring. In one instance, the son of a deceased resident dug up the protected water spring on his newly inherited land in order to minimize public access to the land. Area residents said he was afraid people might take over his land since he was based in Nairobi, the capital city. In a country where land ownership helps determine wealth and community status, it is no surprise that such newly acquired land would be closely guarded, especially in the absence of daily interaction on the land.

Political Impact

In addition to social transformation, the LASDAP program was established with the vision of also stimulating political transformation, as already described under the political impact section of the case study on Nakuru. Much like the Municipal Council of Nakuru, this vision has yet to materialize in Gusii County Council. One of the core reasons—which is clearly illustrated in the case of GCC—is that the structure that has been set up to achieve the goal of increased grassroots voice and oversight is insufficient at fostering the types of localized positive political change envisioned by

[261] In the preceding narrative, I have insinuated that "community" exists between people of a defined geographical boundary. While such assumptions are often based on ideology rather than grounded or critical theory, in this instance, I would argue that the nature of the project and its setting, including its rural aspect, does indeed create a loose community of users defined by geographical boundaries.

the program's organizers. These envisioned changes include greater accountability of actions taken by representative leaders, greater transparency of all decision-making activities, equity in the distribution of resources, as well as greater inclusiveness in all areas of local governance. The structure of the program demands that first and foremost, all members of society actively participate in all aspects of the development planning process. People have to follow the details of each project, questioning any actors that usurp control of the planning process in-lieu of joint decision-making, and work in a coordinated fashion such that there are knowledgeable people following the various phases of the planning process. To be sure, such an approach takes time and a concerted effort on the part of the public. However, in my survey of residents to assess the impact of the program in GCC, 89 percent of the applicable respondents admitted that although they were aware of the LASDAP program, they had not attended any community meetings or actively participated in any other aspects of the development planning process. The majority (92 percent) cited unawareness of what the program was *really* about and the fact that they were "not invited," and thus had no knowledge of meeting times.[262] At the same time, when asked whether people's participation in the decision-making process had an impact on the local government's level of accountability and transparency, budget allocations, equity in the distribution of

[262] As stated in the evaluation of the planning process, most of those who attend consultation meetings are there as representatives of CBOs, including women's, widows, and youth groups. Most of them also represent the senior leadership within their respective organizations. Searching through the attendance lists, one would be hard-pressed to find individuals who were there on their own. While the council states that they post announcements of the meeting in strategic places, personal invitations are also sent to select CBOs. Thus, it is not surprising that since people are not really aware of the program's purpose or structure, they felt they needed an invitation to become engaged. Nonetheless, I would argue that the "success" of the program is not simply a matter of increasing attendance rates (currently at an average of 31 people per ward or 0.2 percent of the population) since there are several other social and institutional dynamics that also have an impact on the program's outcomes. Moreover, people's participation must go beyond attending meetings, to include active engagement in the implementation, evaluation, and monitoring aspects. However, as articulated in the case study on Nakuru, such engagement necessitates that residents have time to commit, the desire to participate, up-to-date knowledge of project details, as well as other related council affairs.

resources, or project completion rates, only 12 to 18 percent of respondents answered in the affirmative. The majority of respondents thought otherwise. Given these perceptions, it is not surprising then that people don't make it a priority to participate and be informed about the program.

Another aspect that has limited people's engagement with the planning process and by extension limited the program's political impact is that community consultation meetings are usually held *annually*, right before the LASDAP reports are due to the Ministry of Local Government. Rather than a forum for promoting continuous dialogue about community needs and the plans for implementing them, these meetings are treated like tasks that need to be marked off a checklist of the local government's to-do list. Furthermore, using wards as the unit of decision-making greatly reduces the Councils' ability to engage in truly democratic decision-making. In a rural council like GCC, where the population is spread out over a large area, often with vast differences between the levels of development within each ward, and where the cumulative cost of everyday communication and transportation is prohibitively high for many, it is a tall order for residents to be actively engaged in the development process of their ward, let alone others. A model consisting of smaller units of decision-making groups, clustered by appropriate neighborhood boundaries, which meet more frequently to discuss progress updates would be more likely, although not guaranteed, to develop the types of political change embedded within the rhetoric of the participatory approach.

These suggestions face the challenge of a third factor that has affected the political impact of the program at GCC, which is that the existing authoritative powers have not always been willing to allow such popular participation in the decision-making process. Popular participation displaces their authority within the existing structure of representative democracy. The loss of power equates to a loss of wealth,[263] thus the tension spoken of in the literature between representative forms of democracy and popular participation remains.[264] Five percent of the GCC's Councilors are opposed to participatory development practices.[265]

Similar to the case of Nakuru, GCC's local government officials still make many of the development decisions, even as the MoLG's annual Circular emphasizes that Councils engage in participatory decision-making.[266] As noted in the evaluation of GCC's planning process, the Council makes the final determination regarding which projects it will finance with the annual LASDAP funding, even as residents identify and call for ward specific projects. In like manner, local Chiefs and Councilors often make the decision regarding specific project locations, such as where footbridges will be built or which water springs will be protected. The Council, not the public, can veto the Chief or Councilor's decision if they do not agree with it.[267] Furthermore, residents claim that several of the Councilors elect themselves as project supervisors, thereby controlling the decisions and flow of information about each project, making it difficult for ordinary residents to obtain any information that would provide them with any leverage for holding the Councilor or Council accountable.[268] At the same time,

[263] Here, I think it is important to define wealth broadly, to include not only material wealth but also each person's standing within their community.
[264] For example, see Devas and Grant 2003, Brown 2004
[265] Based on the results from my survey of the Council's Councilors.
[266] Ministry of Local Government Circular 2002, 2003, 2008
[267] While not done directly, the Council can veto a Chief or Councilor's decision by delaying the tendering process (per interview with Council representative, June 2008). On the contrary, discussion with the Council's Chairman suggested that the selection process was more democratic, with the Provincial location committee determining project locations. However, further discussion with some residents and other Council officials suggest otherwise. The Town Clerk (the most senior civil servant at the council) can also indirectly veto a project by failing to co-sign the check to release project funds in a timely manner.
[268] Moreover, none of the 18 elected Councilors have designated offices where residents can go to meet with them and discuss community issues. Some of those interviewed stated that when they tried to call upon the Councilor at his place of residence, they were chased away. At the same time, one of the Councilors I interviewed stated that "as a Councilor you have no forum to tell people things except maybe during [a] funeral." While it is true that by law Councilors cannot call meetings (the central government views that as a potential avenue for Councilors to advance political movements against it),

such norms are also upheld because Kenya as a society places value on leadership from its community elders and "opinion leaders."[269] In some ways, this complicates the popular participation approach, pitting traditional values against the more modern[270] approach of democratic voice.

Rather than a tool for empowering ordinary people in a manner that would foster political transformation, the LASDAP program has often been used as a political tool. In one instance, when residents asked that a particular water spring be protected, the area Councilor first asked that he be provided with a list of potential users. While harmless and even appropriate on the face of it, the list also provides the Councilor with persons he can get to potentially support him for re-election. Another is the story is of a gentleman who was allegedly vying for a Councilor's position in the last round of local elections. One of his strategies for attacking and defaming the incumbent Councilor was to reportedly mobilize young men to destroy the work done to protect water springs in the ward. Three water springs had supposedly been destroyed as a result. His alleged motive was that the incumbent was using the protected water springs as a campaign strategy; destroying them would give the incumbent less to boast about.

It is commonplace to hear that Councilors often use the completion of projects

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this statement also reveals the "telling" and not "listening" culture of local politicians in Kenya. They see themselves as "directors," by virtue of their elected posts, not necessarily bound to *listen* to their constituents.

[269] Opinion leaders are people who are considered leaders within their community. For example, they include school head teachers, Pastors, and Chairpersons of certain self-help groups. Cleaver (2004) notes that the ideas of moral behavior in Kenya and other similar societies—such as respect for one's elders, those in power, and avoiding open conflict—are not compatible with the notion of "active citizenship" as posited by Mohan and Hickey (2004). The latter had hypothesized that radical political citizenship—individual sociopolitical practices that allow people to extend their status and rights as members of particular political communities, and thus increase their control of society's socioeconomic resources—is necessary in order to increase the livelihoods of the poor and marginalized. Thus "full" citizenship—the ability to be a part of the economic structure, must be claimed from below.

[270] Using the term "modern" here does not equate to "better." Rather, I use the terms "traditional" and "modern" to juxtapose how the two approaches are often referenced in the literature.

within their ward as evidence of their political accomplishments and as a symbol of more good things to come should they be reelect.[271] As such, the project outcomes from the LASDAP program are often framed in terms of Councilor's personal accomplishments, rather than a community-wide effort at participatory development. Some Councilors go as far as having their names inscribed at the project site to indicate they were responsible for its implementation. Thus, It is common to hear residents say that "politics is for their [Councilor's] own gain."

[271] While used prevalently, this approach did not work in the last election as only one of the Council's 18 elected Councilors was reelected in 2007.

CHAPTER SIX

Conclusion

In Africa, the practice of participatory development has been ongoing for many decades. However, since the early 1990s, the practice has gained significant prominence as *the* foremost approach for solving many societal shortcomings, including slow social and economic progress, underdeveloped institutional capacities, and gross inequity in the distribution of capital and natural resources. The dominance and reliance on participatory development has been so extreme that until recently, the discourse of participatory development had been on which participatory development *method* was used, not the *efficacy* of the process.[272] This study set out to fill that void, by examining the impact of a participatory development program in Kenya.

Although *efficacy* is referenced above, it should not to be confused with formal concepts of efficiency, such as Pareto efficiency in economics or cost-benefit assessments. Furthermore, where efficacy is referenced, the goal was not to measure *levels* of efficiency, effectiveness, accountability, transparency, or other claims of the participatory process. Instead, the goal of this research was to focus on narrating the local reality of Kenya's Local Authority Service Delivery Action Plan (LASDAP) and what that reality means for the future of social development in Kenya.[273]

To accomplish this, a mixed-method case study approach was employed, focusing on the communities of two local governments: the Municipal Council of Nakuru (MCN) and Gusii County Council (GCC). For each of these cases, the physical, socioeconomic, and political impact of the LASDAP program was documented. This concluding chapter summarizes those findings and suggests avenues

[272] Cleaver 2001

[273] Kenya's LASDAP program was structured to address three goals: reduce local governments' debt burden, improve their service delivery mechanisms, and in the process, alleviate poverty. This study assessed one of those goals—improving service delivery through collective decision-making.

for addressing the many shortcomings of the program and the "system" within which it operates.

Summary of Findings

In assessing the physical, socioeconomic, and political impact of the LASDAP program in Kenya, this study examined several facets, including the factors shaping the setting of priorities and the construction of projects, who participates in the development process and in what capacity, how various interests and incentives influence the program's outcomes, and how the program's own organizational structure influences the outcomes. The study also examined how the program has reorganized access to social infrastructure—in terms of where the projects have occurred—as well as projects' type, quantity, level of sophistication, and breadth of coverage. The findings can be summarized in four parts.

First, very little of the money that had been set aside by the central government to improve services was actually spent on doing so. Whereas at least 60 percent of the annual intergovernmental transfer fund should have been devoted to capital expenditures, only 11 percent and 5 percent of those funds was spent to do so at the MCN and GCC, respectively. Furthermore, the scale of projects that were completed was very small, with both councils only managing to complete one-quarter or less of the projects to which they had originally allocated funds.[274]

Second, there is limited community participation in the planning process. The ratio of residents who attend meetings in any given ward is relatively small. On average, 24 people were present to represent each ward in Nakuru while the average for GCC was 31. Based on the population served in each of the two local governments, this equates to approximately 0.2 percent of the population in both

[274] While this analysis only covered four years (FY 2004/2005 to FY 2007/2008), site visits and subsequent interviews reveal that the observed outcomes can be somewhat generalized to account for the previous years' performances.

locations. By contrast, council officers were under the perception that "at least 40 percent" of the people took part in LASDAP proceedings. Aside from participation in consultation meetings, residents also play a limited role in project implementation, which is usually overseen by the council Engineer or ward Councilors. While it would be utopian to expect a 100 percent participation rate, the current rates (0.2 percent in both locations) suggest that there is little "participation" going on. Very few local voices are a part of the decision-making process. Furthermore, the business community has only participated marginally, mainly because they have no incentive to participate. Many of the local businesses are small enterprises, without enough extra revenue to justify taking time off to participate in the process. Moreover, they have nothing to gain business-wise for their participation.

Interviews and informal discussions with residents identified three main reasons for their lack of attendance at community meetings and participation in the decision-making process in general.

- First, there is widespread unawareness about when and where meetings take place.
- The second reason was lack of affordability. Residents stated that they needed to work in order to obtain a day's wages, without which they would not be able to provide enough sustenance for their families.
- The third reason is that residents did not feel that their attendance would necessarily influence the outcome, alleging that Councilors and other local leaders often control the process of selecting projects.

The third finding is that Kenya's local governments organize poorly,[275] are underequipped, and are feeble development partners.[276] Their capabilities are further

[275] By this, I mean that the local governments do a poor job of organizing the community to participate in the development process.
[276] This conclusion is supported by findings from four other studies (Odhiambo et al. 2005, Oyugi &

weakened by the uncoordinated and competing structure of multiple administrative arms (the Provincial, Constituency, sector-based ministries, and local government). However, Kenya was among the 172 governments who pledged to position local governments as *the* coordinators of local development during the 1992 Earth Summit.[277] Unfortunately, their poor performance in the LASDAP program and in general—manifested through inadequate water and sanitation services, overcrowded and underequipped schools, as well as unfurnished and underfunded healthcare centers—has led to the general perception that local governments are not responsive to their citizens. Residents, in turn, have developed an attitude of resignation rather than of participation.

The fourth finding is that while much of the domestic and international demands for greater democratic governance have focused on expanding the circle of *who* participates in the decision-making process[278]—emphasizing the need to increase the presence of civil society, particularly local residents—this study shows that more

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Kibua 2006, Government of Kenya 2007, and Government of Kenya 2007b) covering 35 different local governments.

[277] In 1992, the UN hosted a conference on Environment and Development (otherwise referred to as the Earth Summit) to universally adopt "a wide-ranging blueprint for action to achieve sustainable development worldwide." The ensuing framework was to be adopted globally, nationally and locally by various governments. Over 100 heads of state, senior level officials, and thousands of NGOs voted to focus on local governments as the engine of development because they "play[s] a vital role in educating, mobilizing, and responding to the public to promote sustainable development" (United Nations 1992).

[278] While democratic decentralization to the local level is currently believed and favored to foster such inclusiveness, studies have shown that this method does not necessarily guarantee that everyone is included in the decision-making process (Emmett 2000, DFID 2002, Oyugi and Kibua 2006). Oyugi (2000) contends that it is almost a myth to expect that everyone will be included in the decision-making processes because for some, participation is a luxury that they cannot afford. Thus, while inclusiveness of all people may sometimes be hindered by elite capture; it may also be hindered by the economic condition of the poor themselves. Dahl and Tufts (1973) argue that it is useless to put forth a theory whereby 'maximum participation' is needed for control. They argue that most people were not interested in political participation and thus only a small number of people in any social organization would respond to decision-making opportunities. They also note that high levels of participation in decision-making is dangerous because this would translate to an increase in decision-making by the lower socioeconomic class, whom they thought to have the highest level of authoritarian personalities. They fear that such tendencies will lead to reduced chances of reaching a consensus on normative issues and thus *decline* (emphasis added) the democratic process. Gaventa (1980) however argues that access to decision-making processes provides a better guarantee that one's interests will be advanced and thus he advocates for more inclusive measures in decision-making processes.

emphasis needs to be placed on *how* people participate.[279] That is, it is not enough to simply focus on the widening of decision-making spaces to theoretically include more categories of participants. Ensuring that those "new-comers" are actually able to meaningfully participate in the decision-making process is also critically important.[280]

Kenya's LASDAP program is "participatory." Yet, the process is largely controlled by Councilors, a fact that is reflected in the type and location of projects, as well as the level of projects' sophistication. Such elite capture of the process not only results in an unequal distribution of resources, but also continues to *reinforce* the norm—exclusion of ordinary residents from the decision-making process, variation in the distribution of resources, and consequently, variation in the distribution of benefits—whereby local politicians gain disproportionately more benefits from existing resources and implemented projects than the average resident. Councilors, who are also members of the local government councils, have significant sway in controlling local processes, a pre-existing norm that did not change with the introduction of a participatory decision-making process. Kenya and other countries' experiences illustrate that it is not enough to simply state that decisions should be made in a participatory manner because that hasn't deterred elite capture.[281] Thus, in practice, the participatory ideology must undergo constant scrutiny to determine *how* different groups participate within that established process and the extent to which their participation or nonparticipation alters social, economic, or political norms. Understandably, it will be a near-impossible feat to structure a process that could facilitate such constant oversight. Kenya's Local Government Reform Program (KLGRP), which oversees the LASDAP program, is barely able to keep up with the

[279] A summary of how people participate was discussed in each case study chapter under the section evaluating the planning process.
[280] For more on levels of participation, refer to Arnstein's (1969) ladder of participation.
[281] Blair 2000, Crook and Sverrisson 2001, Government of Kenya 2007

minimal monitoring and evaluation measures currently in place.

Moving Forward: Identifying both Technical and Sociopolitical Barriers

Achieving long-lasting solutions to many of the issues pointed out in the summary of findings will require both technical and structural changes. Admittedly, many of the technical changes recommended here are simply extensions or enhancements to what the original program was already intended to do. However, the non-binding nature of the envisioned participatory development program has resulted in a situation whereby the development process has been subjugated by the politics of local power dynamics and interpersonal relationships, which have largely excluded ordinary residents from the decision-making process. This is all very ironic, because the impetus behind participatory development policies such as the LASDAP is for these very persons to be included in the decision-making processes at the local level.

Recommendations for Technical Changes

As outlined in Table 1.1, community participation as a means of improving development efficiency does not address any structural changes that might be needed in the system of operation. Thus, what follows are *technical* suggestions to effect better participatory methods and improve operational barriers in the LASDAP program. While it will require more than these simple technical changes to effect grassroots social change—including less inequality, greater transparency and accountability, and more inclusive decision-making processes, these recommendations nonetheless form a part of the solution. It is recommended that local governments:

i. **Create smaller units of decision-making groups** - Due to the sheer size of each ward, using wards as the unit of decision-making greatly reduces the Councils' ability to engage in truly democratic decision-making. Furthermore, there are often vast differences between the levels of development within each ward, complicating the prioritization of need. Thus, smaller units of decision-making groups would be more appropriate.[282]

ii. **Increase the frequency of community meetings** - More frequent meetings would help the local governments stay in tune with each community instead of stepping in and out once a year. Frequent meetings, free of elite capture, would also help foster a sense of communal decision-making and potentially increase opportunities for ensuring greater transparency of the process and greater accountability of the local government leaders. Currently, community consultation meetings are held once a year, usually right before the LASDAP reports are due to the Ministry of Local Government. Consequently, rather than a forum for promoting continuous dialogue about community needs and the plans for implementing them, these meetings are treated like tasks that need to be marked off a checklist of to-do items.

iii. **Commit to securing appropriate staff -** The two local governments studied do not have staff dedicated to managing and monitoring the LASDAP planning process from start to finish. In preparations for fulfilling the LASDAP report requirements, accounting and administrative Clerks are often tasked with playing whatever role is necessary in order to complete the annual report. Once the report is submitted (which is mainly comprised of minutes from each community meeting along with attendance records), their responsibilities are over. Both Councils also lack adequate technical expertise to properly manage development planning activities within their jurisdictions. The MCN only operates with one Engineer, two Architects, a senior Public Works officer, and some junior officers in its Engineering department. GCC's Works and Planning department operates with only one land surveyor and a new engineering graduate as its sole senior officers.

[282] How this unit is defined will be different for each locality. Therefore, no specific recommendations on that are stated here. Defining those units will require great work, and must be determined by the community-at-large, in collaboration with the local government.

Planners and other technical experts are needed to develop and execute concrete urban and rural planning systems for each local government.

iv. **Commit towards greater maintenance and capital expenditures** - For FY 2007/2008, 63 percent of all local governments' expenditures went towards personnel and operations. The remaining 38 percent of revenue was shared between maintenance, loan repayments, debt repayments, and capital expenditures.[283] The split in proportion of these national averages are in line with expenditure proportions for both GCC and the MCN. To increase their commitments towards maintenance and capital expenditures, both councils will have to generate more revenue and possibly restructure their current organizational layout in order to ensure cost effective use of funds. In 2005, a report commissioned by former British Prime Minister Tony Blair stated that as a continent, Africa needed to invest an additional USD 20 billion a year on maintenance as well as the construction of new infrastructure projects in order to sustain an acceptable growth rate.[284] More recently, the World Bank estimated that there needs to be an investment of at least USD 90 billion a year (more than twice the current expenditures).[285] While important, these reports lay emphasis on bringing in more money. However, this study has shown that there is a problem with *how* available funds are spent. Local governments must restructure themselves to ensure that they are making adequate investments in local infrastructure and maintenance.

v. **Improve access to project details** - Unequal power structures have limited

[283] In some councils, the proportion of personnel costs is much higher. In one council, the Town Clerk's salary alone was three times the total revenue, leading some to label such non-viable councils as "employment bureaus" that only serve to please the prominent political figures who hail from those locations. In such cases, a good portion of the LATF grant is used to pay salaries. (find source)
[284] Commission on Africa, Part I 2005. The report considered a seven percent growth rate as the minimally desired growth rate for African countries.
[285] World Bank 2009

residents' access to information regarding the status of project implementation. This has greatly diminished residents' ability to hold their Councilors and local government officials accountable, thereby reducing the level of accountability and transparency said to be inherent in the process. This also limits the potential for community monitoring and evaluation.

vi. **Improve monitoring and evaluation (M+E) oversight** – Currently, M+E is structured to occur at three different levels: community, local government, and the central government. As alluded to at various times, community monitoring committees are either non-existent or restricted in their ability to function effectively. Moreover, many members are hand-picked, promoting patronage and clientelism. Local government oversight amounts to self-policing, and central government oversight teams have been accused of rent-seeking and only basing their evaluations on a monetary framework.[286] In recent years, some efforts were made to inspect a few of the implemented projects, but little or no information is gathered about the details of the participatory process or the project's impact.

In addition to these program changes, some technical changes also need to be effected at the national level. They include:

i. **The coordination of administrative systems** – There are five channels for the delivery of public services in Kenya. They include the district, constituency, and local government system, as well as the sector ministries and civil society groups. While each system conducts its own set of core programs and largely operates as a semi-autonomous body, complications arise when multiple systems lay claim to having funded the same project. In other instances, projects are duplicated in one

[286] Municipal Development Partnership Brief, 2007

community while other communities within that same jurisdiction go without. Rivalry and competition between local leaders and organizations within each of these systems have also led to circumstances which ultimately reduce service delivery standards. Due to the uncoordinated efforts between each of these systems, funds and technical capabilities are often stretched thin, leading to small-scale, sub-standard, unsustainable, or incomplete projects. This structure of uncoordinated systems also leads some community members to regard other systems as superior to the local government system.[287] While each system has its pros and cons, such biased or in some cases justified perceptions will not advance even genuine development efforts from the local government.

ii. **Clear definitions of who is responsible for service provision** – Currently, there is no clear definition of roles when it come to who is responsible for ensuring service delivery at the local level. As shown in Table C.1 (Appendix C) and discussed in Chapter 2, generally, local governments are only mandated to provide burial sites and bury the destitute. Town planning responsibilities, as well as the provision of core services such as water, sanitation, and refuse collection are at the discretion of each local council. However, it is generally assumed that local councils would nonetheless provide these services. Many of them do, but only to the extent that they are managing infrastructure which have been in place since long before independence. In most cases, provisions are not made for the ever expanding population base, leading to overuse and accelerated deterioration. The situation is further compounded with low levels of maintenance. More recently however, through the LASDAP program, local governments have been

[287] For example, the Constituency Development program is more highly regarded than the local government's LASDAP program because each year, all the money received by each of the 210 Constituency Development Committees (from the Constituency Development Fund) is typically spent on just a handful of projects within each constituency, making the projects larger-scale and more "visible."

unofficially tasked as the leaders of local development,[288] although the current results are not promising. Furthermore, there is no real confidence in local governments to perform the tasks. While the 2002-2008 National Development Plan stated that "operation and development activities will be decentralized to other actors, including local authorities, the private sector, and…communities," in the same report, local authorities were cited as deficient in their ability to manage development activities.

> "However, [the] Local Government administration system had been in a state of neglect and has suffered loss of integrity in the eyes of both the Government and the general public because of gross mismanagement.
>
> "…Local Authority will require greater autonomy and strengthening of their capacity to be able to provide good local governance and ensure effective delivery of services.[289]

The 2002-2008 Plan further stated that

> "The expansion of Local Authorities coupled with urban population increases and budgetary constraints, has resulted in local authorities not being able to maintain and effectively manage existing services. Consequently the Government has shifted towards privatization, commercialization and stakeholder participation in traditional local service delivery."[290]

The current 2008-2012 Plan also states that

> "Local authorities lack an adequate capacity to plan and manage urban development."[291]

Despite these known deficiencies however, the only response thus far has been to implement the LASDAP participatory development program. Aside from signing a yearly "Performance Contract" with each council and requiring the councils to

[288] I use the term "unofficial" here to indicate that the LASDAP program does not legally bind local governments to provide services.
[289] National Development Plan 2002-2008 p87, p96
[290] National Development Plan 2002-2008 p97
[291] Kenya Vision 2030 p147

send quarterly finance reports to the Ministry of Local Government, as well as ranking the councils based on certain indicators, nothing concrete has been done to address the inadequacy of basic services. Without first defining and incorporating the role of local governments into the national agenda, there can be no significant progress in developing the necessary resource base to propel Kenya forward. Recent efforts, such as establishing the local governments as the lead partner for the LASDAP development program, are a step in the right direction. However, local governments must be duly empowered, structured, and reorganized in order to take that lead. Participatory development policies such as the LASDAP require strong institutional capacity in order to operate optimally. Yet the program was established to *create* that same institutional capacity. Thus, unsurprisingly, the findings suggest that the LASDAP has done little to provide the two local governments with the capacity or expertise they need. Moreover, the LASDAP program needs to be recognized and supported outside the Ministry of Local Government. Neither of the two most recent national plans makes any reference to the LASDAP, even though it is one of the main local development programs, and the only avenue through which many of the local governments are investing in capital infrastructure. Rather, the 2002-2008 Plan called for the revamping of the District Focus for Rural Development (DFRD) program as the springboard upon which to adopt a participatory approach to development. Unlike the LASDAP program which is controlled by locals, the DFRD program is directed by the Office of the President, under the Provincial Administration system. Failure to definitively plan for local service needs, defining the role of each government entity, as well as private actors, will only result in more of the same in the years to come.[292]

Moving Beyond Technical Recommendations…to Sociopolitical Change

Implementation of the technical changes that are suggested above can go as far as (i) improving the types and increasing the number of projects that are constructed (ii) creating an improved system for local development planning and (iii) improving the relationship between the local authorities and their residents in these two communities. However, limiting the conclusion of this dissertation to those recommendations, or further discussing the nuances of the most effective means of implementing a "productive" development planning system in Kenya would be akin to discussing which make and model of a mop is most effective for cleaning up a water soaked floor without addressing why the leak is occurring in the first place.

Implementation of a more productive planning system in Kenya would be commendable, and would undoubtedly go a long way towards improving the day-to-day functioning of millions of people. Nearly every human activity is positively impacted by the ready availability of water and electricity. Nevertheless, such solutions are merely technical. They do not address the underlying sociopolitical realities of unequal power and access to assets that continue to leave millions of people in Kenya and elsewhere without access to everyday basic needs in the first place. Thus, the circumstances demand that one not look at what is happening in Kenya as a solitary development issue. As discussed in Chapter Two, one must look at the larger context, to understand the global forces influencing the conditions and decisions that are made in Kenya. That is, an inside-out analysis. Under such a lens, it is clear to see that the participatory approach to development is part of the neoliberal

[292] It should be noted that the newly passed Constitution (voted for in August 2010) does devolve more power to the subnational regions. However, it remains yet to be seen what changes this will actually result in at the local level. Without changes in the ideology that guides development practice, these sort of changes usually turn out to be superficial.

agenda, a political ideology that is structured to empower the market and set tighter controls on state social expenditure, while advocating for greater democratization.[293]

As Olpadwala (unpublished) suggests, resistance to critically examining the system and structure within which development takes place inevitably results in a recycling of the same development policies every few decades. This seems to be the case in Kenya, where policies have oscillated between area and multi-sector based rural development, urban-regional development, and participatory governance without addressing the underlying reasons for the cases of poverty and underdevelopment that the policies seek to address. As a result, almost fifty years after gaining independence [and securing the freedom to extend community upgrading services beyond the white highlands and other British settlements around the country], Kenya has yet to secure potable water, adequate healthcare, electricity, housing, or the guarantee of a secondary school education for a significant proportion of its population.[294]

The problem with the neoliberal agenda is that it reproduces poverty, and is thus unable to deliver the "freedoms" that it espouses.[295] These freedoms include economic and political freedoms such as the ability to avoid starvation and undernourishment, escape morbidity and premature mortality, be literate and numerate, and enjoy political participation and uncensored speech. Sen (2000) and other critics argue that achieving these freedoms requires the removal of elements which hinder such progress: poverty, neglect of public facilities, poor economic

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[293] Cammack (2004) posits that community participation is only encouraged to the extent that it legitimizes the neoliberal agenda. And even then, this “bottom-up" participation is controlled by rules set by the international institutions.

[294] Third Kenya Human Development Report 2004

[295] For such critiques, see the work of prominent scholars such as David Harvey, Joseph Stiglitz, Amartya Sen, and Richard Peet. Peet (2003) provides a good summary of the neoliberal agenda. Supporters of the free-market ideology upon which the neoliberal pillar of economic reasoning rests include scholars such as Milton Friedman and Frederick von Hayek. Development agencies such as the World Bank and IMF favor neoliberal policies as a means of wealth creation and generating higher living standards in developing countries.

opportunities, social deprivation, tyranny, and the intolerance of repressive states. On the contrary however, neoliberal policies—which champion the notion of free markets, deregulation of business, privatization, and reduction in public expenditures—result amongst other things, in the reduction of economic mobility and a tendency to exploit workers in order for the owners of existing capital to reap the maximum gain on investments. Inevitably, inequality increases. Informal employment also tends to increase.[296] Thus, there is a disconnection between the normative outcomes of neoliberal policies and the ideological fervor that often accompanies it.

In Kenya, where neoliberal policies have been a part of the governance structure for the last several decades, the rate of poverty increased significantly during the 1990s, going from 40 percent to 52 percent by 1997.[297] By the mid-2000s, the rate had reduced to 47 percent—lower than its 1997 levels, but higher than the poverty level during the early 1990s. Moreover, concentration of wealth in the hands of the highest income group is on the rise following a drop in the early 1990s. As shown in Table 6.1, in 2005, approximately 54 percent of the annual share of income was held by the highest 20 percent. In the mid-1990s, the share was lower. Likewise, the percentage share of income held by the lowest 20 percent is on the decline after rising slightly in the mid-1990s.

Table 6.1: Percentage Share of Income Held by Population Quintiles

Year	Highest 20%	Lowest 20%
1992	61.8	3.4
1994	48.1	5.6
1997	49	6
2005	53.8	4.7

Source: 2005 World Development Indicators (World Bank)

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[296] Portes and Roberts 2005
[297] World Bank 2005, Table 2.5

Furthermore, Kenya's urban unemployment rate nearly trebled from 6.7 percent in 1978 to 19.9 percent in 2006.[298] Even more revealing is that approximately three-quarters of the employed are self-employed.[299] Only one-quarter of the active population (ages 5+) has paid employment. Moreover, the expected employment rate of growth in the formal sector was much slower than that of the informal sector.[300] Since the main reason for informal sector growth is to at least maintain survival livelihoods for the most economically disadvantaged, one can reasonably conclude that even if neoliberalism is not the cause of increased poverty levels, neither does it seem to be the cure for it and many other societal ills faced by residents of the two case study communities.

Rethinking the means of addressing many of these social ills will require both a technical *and sociopolitical* approach. That is, the development process will have to be politicized, much to the chagrin of many.[301] One of the first steps in politicizing the development process is rethinking of the role of the state in development. Under the current capitalist system, the state is largely separated from guaranteeing that its citizens have access to the assets that can provide for their basic needs. The state is only engaged in the provision of those needs to the extent that doing so helps it establish the necessary foundation for capital to grow. Since that growth in capital is then harnessed by a small, select group of individuals, and used as the means of obtaining everyday needs, society is separated into the *"have"* and *"have nots."* As noted elsewhere in this report, Hyatt, Cooke and Kothari, Hickey and Mohan all concur that by focusing on poverty alleviation and the provision of basic needs, many

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[298] *Daily Nation* newspaper, August 24, 2009
[299] 1999 Population and Housing Census, Vol. IX
[300] Republic of Kenya 1999, p72
[301] As noted in Chapter 4, when disputes arose during community meetings at the Municipal Council of Nakuru, the local government officials were often quick to state that the development process and its outcomes should not be politicized.

development programs fail to reflect of *how* and *why* poverty is generated in the first place. Rather, focus is on the primacy of the individual.[302]

In order to address the underlying inequality that forms the basis of many of Kenya's societal ills, the state will have to reinvent itself as a more socially democratic one. As Judt (2010) writes, at stake is not how wealthy a country is but how unequal it is. "Inequality is corrosive. It rots societies from within." Such an argument is not popular in the non-European West, where social policies have been dismantled in the name of efficiency and "less government." However, the popularity and success of the welfare state at limiting inequality in Europe holds hope for its ability to redefine a more benevolent state in Kenya—one that is structured to ensure that the basic needs of its most vulnerable members are addressed.

One of the arguments against social democracy is that it harms civil liberties. However, many societies, including Kenya, are already dependent on the state for protection without having their civil liberties diminished.[303] The Kenyan state protects its people against terrorists, pirates, and other criminals. Protection in the form of agricultural subsidies is prevalent. Literacy in the form of primary education is also provided. Moving forward, Kenya must approach this task of nation building with the same drive and intensity it took to resolve the disputed 2007 Presidential elections, when it invested heavily to form an expanded coalition government.

One of the goals slated for 2012 in the First Medium Term Plan (2008-2012) for achieving Vision 2030 is to develop "a utility sector that is modern, customer-oriented, and technologically-enabled to provide efficient, cost-effective, quality services to all citizens."[304] Another was to "accelerate ongoing infrastructure development, focusing on quality, aesthetics, and functionality of the infrastructure

[302] Cooke and Kothari 2001
[303] Judt 2010. This is often the counter-argument against social democracy.
[304] Kenya Vision 2030

services developed." Based on the findings of this study, these visions are far from becoming a reality by 2012. In order to make the statements go beyond merely being words on a page, the government must restructure its social development agenda to align with its vision. Socially democratic policies are key to achieving these tasks. A merely technical approach of popular participation will not suffice.

Setting the Limits of Participatory Development

This story of democratic decentralization is not just a Kenyan story. It is a story that applies to many of Africa's 53 countries,[305] where the popularity of decentralization is unparalleled. Dubbed as a "bottom-up" strategy, 80 percent of countries have enacted participatory development policies in one form or another.[306] However, while there are reports of policies that have resulted in very positive outcomes for some countries, there are also reports that have stated that participatory development policies failed to achieve the desired goals.[307] Unfortunately, several of those failed attempts are linked to African countries.

Writing about participatory development practices in South Africa, Emmett (2000) notes that while there is much support for participatory development, the practice is fraught with conceptual and technical difficulties, limiting what participation can do for development. Yet, international development agencies, international financial institutions, scholars, and central governments continue to conceptualize development in participatory terms, as illustrated through the methodological approach often favored by the United Nations, OECD Development Assistance Committee, World Bank, International Monetary Fund, and others. Not only is the participatory approach favored, it is often a requirement for many loans and grants.

[305] The disputed territory of Western Sahara is not included in this count.
[306] Crawford and Hartmann 2008, Stren and Eyoh 2007
[307] Blair 2000, Crook and Sverrisson 2001, Chinsinga 2003

In places like West Bengal (India), Porto Alegre (Brazil), Rufisque (Senegal), and some of the Andean communities in Bolivia, participatory development policies have improved female and minority representation on municipal councils and other decision-making boards.[308] Participatory development has also been credited with improving institutional responsiveness to the poor, although only on rare occasions, and those occasions are largely determined by the politics of local-center relations.[309]

The key component is that unless a national government or party has a strong commitment towards promoting the interests of the poor, it is rare to find participatory policies that have resulted in positive outcomes.[310] Such is the case of the oft cited positive cases of participatory budgeting in Porto Alegre and the Panchayati Raj[311] system of decentralized local government in India. As in Kenya, constitutional change in Brazil led to the transfer of development funds from the central government to the local governments. However, it was the long-running social justice campaign and focus of the ruling Workers' Party that enabled sociopolitical change at the grassroots level.[312]

In most cases, participatory development has not led to improved systems of accountability, or been effective at reducing the rate of poverty—goals which the practice of participatory development is often targeted to achieve. The practice has also generally not attracted the participation of the poor, even though that is the target population. Much of that has to do with the disconnection between participation as a process and the effect it can have in society. So often, participatory development is spoken of using the language of "transformation" that not only includes social

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[308] Gaye and Diallo 1997, Crook and Sverrisson 2001, Thompson 2006 (unpublished thesis)
[309] Crook and Sverrisson 2001
[310] *ibid*
[311] The Panchayati Raj system of local government is practiced in West Bengal, Karnataka, Kerela, and Madhya Pradesh. The word Panchayati means forum of five village elders. For more on democratic decentralization in India, see Crook and Sverrisson 2001.
[312] See Thompson 2006

changes, but economic and political changes. In this context, the intent of people's participation moves from a purely instrumental purpose of social transformation to one that also seeks to achieve systemic changes to the current economic and political value systems of society. Yet, such change is more prone to occur when there is an *internal, self-initiated mobilization* for social change, not one directed "from above" as is often the case with participatory development programs initiated by the government or advocated for by international development agencies.

Theorists of agency emphasize the transformatory and emancipatory potential of individual and collective agency.[313] However, as noted throughout this report, underlying processes of development can strip away people's agency, as agency is not exercised in a vacuum.[314] In this case, those underlying processes include "community oversight" of non-binding "development agreements" that are reached via "consensus" decision-making. Agency is shaped by the minutiae of social life and relationships, which is difficult to transform.[315] In Kenyan society, that includes showing respect for anyone who is older than oneself, is in a higher position, or who is considered a "community leader." Thus, the very exercise of agency can also serve to *reinforce* inequality.[316]

There is no doubt that community participation has a place within the development process. However, findings from this report on Kenya suggest that there are limits as to what participatory development can do. One is that community members cannot replace technical experts in the construction of infrastructure, although it is possible that they could be guided by them. In instances where this substitution was made in the cases studied here, community members complained of

[313] For example, Giddens 1984, as cited in Cleaver 2004
[314] Hickey and Mohan 2004, Cleaver 2004
[315] Cleaver 2004
[316] *ibid*

shoddy workmanship and poor construction quality.[317] Even when contractors are hired, they must be contractors who are specialized in the area of need. Another limitation is that participatory development practices cannot replace traditional approaches to urban and regional planning. If, in the case of Kenya, the ultimate goal is to create well-planned infrastructure systems that will improve service delivery mechanisms, an approach focused on participatory decision-making processes alone is not enough. The expertise and time commitment required is simply too scarce a resource to be effectively or continuously sustained by civil society. Thus to address one of the tyrannies identified by Cooke and Kothari (2001), there must be a discussion of alternative methods for cultivating development.

Most importantly, agencies and specialists in the field of development must face the reality that participatory development is not the panacea that will solve the many instances of social injustice that are occurring in Kenya and elsewhere around the world. This study serves as one more addition to the list of evidences to that effect. Local power dynamics are simply too strong, too complicated, and too intertwined to be inconsequential during local development processes. In their response to the labeling of participation as tyranny by Cooke et al. (2001), Hickey et al. (2004) largely fail to address this issue. They only go as far as saying that institutions and nations need to rethink development within a broader project of social justice. For Kenya, this study suggests the reinvention of the state as a more socially democratic one, which gives priority to ensuring that the basic needs of its most vulnerable populations are met. Currently, the state is devoted to creating wealth, which is largely concentrated in the hands of a few.

Without acknowledging the limitations of participation and recognizing the

[317] Mansuri and Rao (2004) also concluded that community members cannot be relied upon to serve as a technical resource pool because studies show that lack of adequate technical expertise results in poor construction quality and reduces the quality of maintenance.

conflation that is often made between the means and the desired end of participation, the practice of participatory development will only be a superficial cover for the underlying issues of social injustice, regardless of the rhetoric used to promote it. As Cleaver (2004) writes,

> "Recognizing the limits of the makeability of social life is as important to achieving something in development as over-optimistic faith in the possibilities of participatory politics."[318]

That said, these conclusions do not mean that there is no place for participatory development in Kenya. Local input is valuable in any development process. However, the international community and national proponents cannot rely on participatory development to fix underlying sociopolitical problems of social injustice and unequal power structures.

[318] p276

APPENDIX A

Research Methodology

While the incorporation of participatory approaches into the delivery of urban infrastructure has increased dramatically over the last two decades, there is still no standard conceptual framework for incorporating community participation into local development.[319] However, new strategies and methodological approaches for community participation are constantly being formulated by development agencies, scholars, and practitioners of participatory research and development.

Over the last decade, Kenya has developed its own methodological approach to go along with a national program of participatory development. This study examined that program, its accompanying methodology, and its outcomes over the last 5 years.[320] The aim was to determine *if* and *how* the participatory process works. The assessment included two parts. The first was an assessment of the process; who was involved and how. The second was an assessment of the projects that were initiated as a result of the program—what type of projects were implemented and where they occurred. Thus, a lot of the focus was on the issue of process—and inevitably, power, as the outcomes of any process is determined by the unfolding of the power dynamics involved.

This evaluation was necessary for two reasons. First, it is one of the only

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[319] Woelk 1992, Cernea 1992, as cited in Emmett 2000

[320] The study of project outcomes was limited to projects prioritized between FY 2004/2005 and FY 2007/2008. The reasons for selecting these years include that fact that 1) it wasn't until about 2003 that most local governments began involving their citizens in the participatory development process that had been prescribed by the central government. Prior to this time, many local governments had employed the services of a consultant to develop the yearly Local Authority Service Delivery Action Plan that the central government required for disbursement of development funds. Thus the initial LASDAP reports (c. 1999-2003) were created more to fulfill bureaucratic requirements. They were not priorities expressed by the community 2) since I was going to be interviewing residents on issues related to prioritized/implemented projects; it was better to limit the study to projects slated for development within the last five years so that respondents would not have too much difficulty remembering the events surrounding each project.

studies that provide a detailed account of the outcomes from Kenya's Local Authority Service Delivery Action Plan (LASDAP). Since its inception more than 10 years ago, Kenya's LASDAP program has been the main avenue through which its central government is making capital investment in local infrastructure. As such, an evaluation of its success and potential to serve as a long-term vessel for growth and development is justified. Second, it expands the depth and geographic diversity of the literature on participation and development, and provides the opportunity to create a richer and more nuanced grounded theory of community participation in local development. Such grounded theory is crucial for developing place-based ideological expectations of participation, as opposed to the current universal expectations.

Technique Employed

This study employed a variety of qualitative and quantitative methods to explore the effects of the LASDAP program in local communities using a case study approach. A mixed-method approach allows for the triangulation of various sources of evidence.[321] A case study approach was selected because case studies seek to "explain a phenomenon within its real-life context." Furthermore, case studies are useful for determining *how* or *why* questions about contemporary events,[322] which was the goal of the research. The approach illuminates the results of a decision or set of decisions and how they were implemented.[323] A multiple case study approach was deemed most appropriate for this study.

[321] The use of parallel methods in a research project leads to revelations that might otherwise not have occurred through the use of a single methodology in data collection. It also ensures that the observed variances are traits of the phenomenon and not spurred by the method of measurement. See Tasshakkori and Teddlie 1998 for more on the importance of triangulation and using a mixed method approach. Also see Miles and Huberman 1994.

[322] See Yin 2003 for more on case study research

[323] Schramm 1971 as cited in Yin 2003

The original intent was to conduct an evaluation of the LASDAP program in three local governments.[324] The reasoning was that by assessing three communities, I would provide myself the opportunity to compare and contrast multiple cases, and be better suited to make broader generalizations from my findings. Limiting it to three cases would allow me to meet budget and time constraints. However, as I prepared to leave for my fieldwork in January 2008, post-election violence broke out in Kenya following disputes over the December 2007 Presidential elections. I was forced to delay my trip for several months, diminishing part of the seven and a half months I had allotted for collecting research data in Kenya. As a result, I revised my data collection efforts to only focus on two case studies, one in an urban area, and another in a rural area. It was envisaged that the findings from these two case studies, combined with those from a handful of other small studies that had been conducted during the last few years would be sufficient enough to draw meaningful conclusions about the impact of the LASDAP program in Kenya. The data collection effort began in the capital city of Nairobi, followed by visits to the two case study sites: the Municipal Council of Nakuru (MCN) and Gusii County Council (GCC).

Criteria Used for Site Selection

A purposeful sampling technique (also known as purposeful selection) was used to select the two case study sites. This technique involves the deliberate selection of particular places, persons, or activities to provide information that cannot be obtained (or can only be obtained in limited form) from other choices.[325] Purposeful sampling is the most commonly used form of non-probabilistic (non-random) sampling.[326] If the sites were selected randomly, a large sample size would have to be

[324] The program was evaluated at the local government level as opposed to selecting specific towns or communities because the LASDAP program is led by the local governments (see Chapter 2 for details).
[325] Maxwell 2005, Patton 1990 and Light et al. 1990 as cited in Maxwell 2005
[326] Maxwell 2005

employed in order to ensure that the samples are "good" representatives, such that the conclusions drawn from the samples represent the average members of the population in a given place. Due to limitations in the amount of time and financial capital that was available for the study, a large sample size was infeasible.

As documented by Maxwell (2005), a purposeful selection approach allowed me to: (i) select sites that were representative of the program's setting, individuals, and activities. The selection of one urban and one rural local government was in line with the distribution of Kenya's local authorities; 62 percent of which govern urban areas, while 38 percent govern rural areas. Furthermore, the organizational structure of both the Municipal Council of Nakuru and Gusii County Council is representative of the structure of many other local governments in Kenya[327] In addition, both sites are areas with significant and increasing population, and are situated along the west to southeast diagonal (see Figure 3.1) that is home to the majority of Kenya's population (ii) establish particular comparisons to illustrate differences between the setting, individuals, and capabilities of an urban versus a rural local government (iii) adequately capture the heterogeneity of the population, so that the entire range of variation, rather than the average subset of the range are captured. Thus, while the urban population of Nakuru town features people from various ethnic backgrounds, the mostly indigenous people of Kisii district represent many of the rural areas, which are made up of one major ethnic group and (iv) examine cases that are critical to the theory being evaluated, or that were developed during the course of evaluation. For example, participatory development theory infers that the more civic education people have, the more likely they are to take part in deliberative processes where they can have their voices heard and their opinions counted. In light of this, the population of

[327] As determined by the staff I conferred with at the Kenya Local Government Reform Program (KLGRP) offices in Nairobi.

Nakuru municipality is ideal because Nakuru has attracted a fair share of civic workshops in the past, including ones on participatory development. Furthermore, various community needs, such as low-cost housing, water and sewage facilities as well as mechanisms for refuse disposal have been implemented as a result of participatory processes. Thus, at least some of the population has experience with participatory processes. Furthermore, some non-governmental organizations (NGOs) have even carried out workshops specifically targeted at improving the level of civic education concerning the LASDAP program. Choosing Nakuru as a case study site allowed me to examine whether this past history had any effect on people's awareness and participation in the LASDAP process. Moreover, one of the theories that have surfaced in the last decade or so in Kenya is that if each town had a Strategic Structure Plan (SSP) that outlined its development needs, the SSP would have an impact on its development planning process. Nakuru was the first to development an SSP in the 1990s thus selecting it as a case study site helped evaluate this theory. Gusii County Council is currently involved in a development partnership with the European Union's Rural Poverty Reduction and Local Government Support Program (RPRLGSP). The existence of this partnership, which is centered on the rehabilitation of natural water springs within the district, makes Gusii County Council a more likely candidate for success with the LASDAP program. This is because the program for rehabilitation of water springs by the EU has been very successful, and the presumption is that the successful methods of the EU program would be transferred over to the LASDAP program.

It is also reasonable to conclude that given their prior experiences with development programs—Nakuru with Localizing Agenda 21 and Gusii County Council with the RPRLGSP—these two cases represent cases that are more likely to succeed with materializing the vision of the LASDAP program as a key avenue for development planning in Kenya. Thus, if the program at these two locations turned out to not be successful, the evidence would be even more compelling. In selecting the sites, the feasibility of access and data collection was also considered.

Source of Data

The primary sources for the data used in this study include interviews and on-site project assessments. Newspaper articles, agency publications, and the knowledge gained from an extensive literature review on the research topic served as secondary data sources. While the majority of the data used in this study is qualitative in nature, some basic quantitative analyses were also conducted.[328] The value of such a mixed-method approach is that it provides a means of triangulating the data to ensure accuracy between various data sources.

1. Interviews

The interviews were designed to encompass three groups: those who formulated the national development policy, those who spearhead its implementation locally, and those who live in the communities where projects are implemented. The interview process began in the capital city of Nairobi. This is where all the government ministries (civil service officials) are located. In order to gain a clearer understanding of why and how the LASDAP policy was crafted into its current structure, it was important to interview the appropriate central government officials who played a role in the policy's formulation. As such, I administered two sets of questionnaires targeted at current and former members of the LASDAP management committee. In all, I conducted six formal interviews with this group of respondents, as well as one informal telephone discussion with another person (this telephone

[328] Qualitative research is practical for "its ability to elucidate local processes, meanings, and contextual influences" (Maxwell 2005). As such, it was an appropriate method to use in this study on the local impacts of the LASDAP program in Kenya.

discussion was not tallied into the final count of interviews). These interviews gave me a good understanding of the circumstances and discussions surrounding the program's creation, a necessary component for contextualizing the ideology behind its institution and corresponding expectations. Furthermore, in speaking with officials currently in charge of administering the program, I was able to get a good sense of their current operations, challenges, and achievements. Table A.1 shows the total number of interviews by category of respondents. In all, 98 interviews were conducted.

Table A.1: Interviews Conducted for this Study, by Category

	NAIROBI	GCC	MCN
Central Government	6	-	-
Local Government		11	11
Civil Society Organizations	5	1	11
Research Institutes[329]	3	-	-
Community Residents		17 (34 ppl)	33 (41 ppl)
			N=98

Interviewees were selected using a purposive sampling technique (expert and snowball sampling).[330] Although I was not able to interview everyone,[331] it was clear that I had conducted a rigorous sampling and reached a saturation point when I was told to talk to people I had already talked to and the same information kept being revealed during interviews. This line of questioning started in Nairobi, to get a good

329 These agencies are too small to reveal their names without revealing the identity of interviewees.

330 Purposive sampling (or purposeful selection) is a qualitative research technique in which study participants are not randomly selected. One method is to seek out "experts" on the topic in order to make research results convincing. Once such an individual is consulted, they can be asked to provide the names of others (snowballing technique) equally knowledgeable about the topic at hand (Rubin and Rubin 2005).

331 For example, I was unable to survey or talk to all of the former Councilors at both councils. However, I was able to survey or talk to enough of them to get a sense of Councilors' perspectives on the program. Additionally, I was unable to interview a few of the people who had helped structure the program because they had since retired and moved to their hometowns. Given time and travel constraints, plus the fact that I seemed to have reached a saturation point with those I had already interviewed on the matter, I made the decision not to pursue interviewing these individuals.

sense of the program's goals from those responsible for its formulation at the national level. I then traveled to my two case study locations to examine the reality of the envisioned development process locally. Besides getting first-hand knowledge of the program's outcomes, the in-depth analyses at these two sites were also meant to help me articulate whether, indeed, a better process to participation is what is needed, as some have argued, or whether the approach itself is plagued with enough shortcomings that a new approach to development should be taken.[332]

Gusii County Council

I interviewed Gusii County Council officials to gain an understanding of how they handled their LASDAP development process. Eleven interviews were conducted with this group of respondents.[333] Since I was seeking to understand how the development process was organized locally, I interviewed officials at the local government office knowledgeable about the development process. Similar to other questionnaires, the questionnaire for local government officials featured a set of open-ended questions. While several respondents answered many of the same questions, the questions asked were not completely standardized across all respondents in order to focus on each person's area of expertise. Interviews typically lasted 60-120 minutes and each respondent was provided with a consent form before the interview began. Since a new set of elections had just taken place a few months prior to my arrival in Kenya, I also conducted a survey of local Councilors (locally elected representatives who are part of the local government decision-making body). This survey was focused

[332] Cleaver 2001
[333] Reid (2008) cites that the size of purposive samples depend on when a saturation point is reached. This refers to the point at which no new information or themes are observed. The saturation point can be reached within the first 12 interviews, although basic elements on major themes can be revealed in as little as six interviews.

on assessing the new Councilors' level of awareness and personal opinions towards the LASDAP program.[334]

Gusii County Council covers more than 200 square miles of rural, rugged terrain. As such, it was quite an arduous task traveling around to conduct interviews and inspect project locations. Even with a four-wheel drive truck, the roads proved to be very treacherous in many places. However, effort was made to visit several of the community projects that had been implemented over the four year study period—which were mainly improvements to natural water springs. Working with research assistants to help with translation to the local dialect, at each site I visited, I conducted interviews focused on assessing the physical, social, economic, and political impact of the projects. Respondents were chosen using a stratified random sampling technique.[335] Although only a few questionnaires were completed at each project site (sometimes with two or more people in one interview), it only took a couple of respondents to reveal the significant aspects of project's impact to the surrounding community. In this rural setting, many of the beneficiaries knew each other and were keenly aware of each project's impact on the larger community, even if they were not direct beneficiaries of a particular project. Overall, the same types of impacts were reported in several of the project sites visited.[336] Most of these interviews lasted 30 minutes or less.

Municipal Council of Nakuru

The same methodology was repeated with interviews in the town of Nakuru,

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[334] The tally on the number of Councilor completed surveys is not included in Table A.1. In GCC, 23 of 24 Councilors completed the survey while 4 of 18 Councilors completed the survey at the MCN.

[335] Stratified random sampling involves the division of the population into smaller groups—strata—based on shared attributes or characteristics, which in this case was residential location. A random sample was then taken from each stratum, after which each subset was pooled together to form a random sample.

[336] While each project site was only visited once for inspection and to conduct impact assessment questionnaires, as cited in Maxwell (2005), the value of the sample was maximized by repeating the task at several similar project sites.

where I reviewed the work of the Municipal Council of Nakuru. This council covered the urban center of Nakuru and its immediate surroundings. The tabulation of interviews is shown in Table A.1. It was much easier to maneuver around the town of Nakuru. Public transport was readily available to travel to most project locations. While the higher number of interviews conducted with civic society organizations reflects this ease of access, it should also be noted that due to its urban nature, Nakuru has a high concentration of civil society organizations.

2. On-site Project Assessments

Observational visits to individual project sites were a crucial part of this study. While it was not possible to visit all project locations (more so in rural Kisii district), I was able to inspection a number of sites and document various aspects of each one. These include information on project type, current condition, level of sophistication, and immediate beneficiaries. The results were then categorized into basic needs groups such as water, sanitation, health, and education to determine the nature of their contribution to the infrastructure landscape.[337] Categorization in such a manner allows for easy quantizizing (counting) and tabulation of the data.[338]

3. Secondary Data

While conducting the fieldwork, several texts were obtained from various agencies and the two local governments in this study. These included past studies on the LASDAP program (focused on other local governments not included in this study), as well as several documents pertaining to organizational structure, expenditure, and the history of project implementation. Other texts were obtained from the library of the Urban Development Department at the Ministry of Local Government. I also meet

[337] These categories are similar to those that have been used for coding the type of project outcomes in previous studies. For example, see Oyugi 2005

[338] For more on tabulation in this manner, see Maxwell 2005

a couple of other doctoral students conducting research on similar topics, leading us to share various qualitative and quantitative data sets.

Fortunately, the Cornell Libraries had an extensive stock of literature on Kenya, including topics on politics, economics, demographics, and development agendas. Texts on popular participation and development were also utilized. Electronic copies of several articles related to this research topic were also available through the Cornell library catalogues. Many of these texts were used to help gain a better understanding of the research, and compose the content of several chapters in relation to the institution of the LASDAP program.

4. Newspaper Articles

While living in Kenya, I read daily, weekly, and monthly newspapers such as the *Daily Nation, The Standard, Kenya Times, and The Link* for pertinent news on the LATF/LASDAP program, as well as issues related to national politics, democracy, or the redistribution of resources. While there was not much information in the news about the LASDAP program and I was already aware of some of what was reported, the articles did serve as a way of triangulating my data. However, news related to the sociopolitical aspects of Kenya were very helpful in gaining a more nuanced understanding of redistributive programs like the LATF and its related development planning goals, as well as gaining a better understanding of Kenya in general. Since the country was still recovering from the political disputes over the 2007 Presidential elections, there was an endless supply of sociopolitical news, however much of it was directed as opinions related to the election results.

Quantitative Data Analyses

Simple quantitative analyses were undertaken in various parts of the study to enhance the research findings. These range from calculations of the proportion of the Kenyan population living in urban versus rural areas to the proportion of local government revenue spent on project implementation and maintenance. Census and other data were combined to create brief data profiles of the two communities in which the case studies were conducted. These profiles include population figures, the number of wards, the yearly LATF/LASDAP allocations for fiscal years (FY) 2004/2005 through FY 2007/2008, and the estimated funding set aside for improving services versus the proportion of those funds actually spent on implementing projects. These descriptive statistics were then used to report the findings.

Qualitative Data Analyses

Almost all of the interviews I conducted were recorded. I also took diligent notes during the interviews. However, due to the cost of transcribing all the interviews, I did not automatically transcribe all of them. I did however transcribe all of my notes into electronic form to ease the sorting and coding of themes that emerged from the interviews. When necessary, I then transcribed the audio of a particular section(s) from interviews that I wanted to quote verbatim. Each respondent was coded by random numbering to protect their identity.

I coded the themes that emerged from the interviews by noting some of the major topics respondents referred to during the interviews. I also noted the frequency of its being mentioned by all respondents. The themes that were chosen for discussion in the dissertation were the themes most often discussed in formal and informal conversations with people. However, I also chose themes based on common sense. These themes were then combined with project outcomes at both sites to form the basis of the theoretical assessment of the use of the participatory method in developing Kenya's infrastructure base.

Schematic Mapping

Geographic Information System (GIS) files and census socioeconomic data were combined to create schematic maps to facilitate a visual communication of facts about Kenya and the study locations. The GIS files came from a number of sources, including the International Livestock Research Institute (ILRI), the World Resource Institute (WRI), the Municipal Council of Nakuru (MCN), the United Nations University Data Exchange Platform for the Horn of Africa (DEPHA). and the Economic and Social Research Institute (ESRI), one of the world's leaders of GIS mapping software and datasets. Other demographic and socioeconomic data came from the 1999 decennial census data collected by Kenya's National Bureau of Statistics (KNBS). The most recent data available from all these sources were based on the 1999 census and administrative boundaries.

This included maps illustrating various administrative boundaries, population density, poverty density, and the per capita expenditure of LASDAP funds. Due to the limited nature of available GIS files for Kenya, some of the analyses was limited to levels at which the data was available, although effort was made to piece together data whenever possible to create more detailed assessments. This was not always possible however. For example, since local government boundaries are subdivided into electoral wards (neighborhood boundaries) and LASDAP funds are often subdivided between these wards, it would have been useful to visually show and state the socioeconomic differences between wards. However, despite extensive searches, I was unable to locate all of the information and files to illustrate this type of information.

APPENDIX B

Selected Socioeconomic Data on Kenya

Table B.1: Percentage Distribution of Households by Main Source of Water

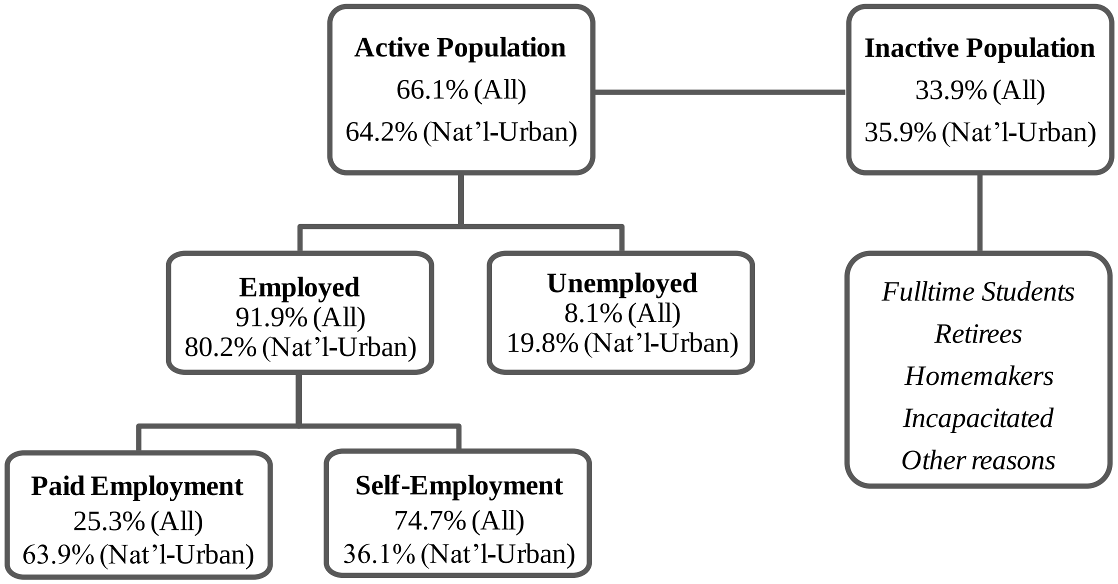
Location	Piped*	Borehole/ Tank/Well	Water Spring	Lake/River	Pond/Dam
Kenya	30.5	22.3	11.8	28.7	6.7
Urban Kenya**	74.7	10.8	1.9	5.5	1.4
Rural Kenya**	14.9	24.4	15.1	36.0	6.1
Select Areas					
Nairobi	92.7	3.0	0.4	0.6	3.3
Mombasa	79.3	data unavailable			
Kisumu	58.3				
Nakuru	91.6				
Kisii Central***	7.1	5.3	56.3	30.5	0.9
Province					
Central	30.4	24.1	3.1	38.4	3.9
Coast	53.1	18.5	2.1	11.3	15.0
Eastern	27.3	26.1	9.2	31.6	5.8
North Eastern	7.2	58.7	0.7	14.6	18.8
Nyanza	8.6	17.7	24.3	40.5	8.8
Rift Valley	23.9	25.1	7.9	36.0	7.2
Western	9.9	28.6	38.4	21.6	1.6

Source: Kenya Central Bureau of Statistics, 1999 Census, Vol. II Table 7; Vol. X Table 5.1
* While the data shows high percentages with access to piped water in some of the selected cities, the actual availability of water can be limited, especially in low income neighborhoods.
** Data provided in Census does not add up to 100 percent
*** The data for Kisii Central district is provide as a proxy for the prevalence of social amenities in rural Kisii, the area covered by Kisii County Council.

Table B.2: Percentage Distribution of Households by Method of Human Waste Disposal

Location	Main Sewer	Pit Latrine	Septic Tank/ Cess	Bush	Other
Kenya	7.7	72.1	2.8	16.4	1
Urban Kenya	27.4	60.5	8.4	2.1	1.6
Rural Kenya	1	76.1	0.9	21.3	0.7
Select Areas					
Nairobi	48.2	42.1	6.7	1.1	2
Mombasa	8.2	69.5	data unavailable		
Kisumu	16.2	75.1			
Nakuru	29.6	64.3			
Province					
Central	4.3	91.6	3.2	0.4	0.4
Coast	3.6	56.7	8.6	29.6	1.5
Eastern	2.2	80.4	1.3	15.4	0.7
North Eastern	1.2	17.6	0.6	77.2	3.4
Nyanza	2.4	77	0.9	18.5	1.3
Rift Valley	4.2	66	2	27.2	0.6
Western	1.6	92.3	0.7	4.9	0.5

Source: Kenya Central Bureau of Statistics, 1999 Census, Vol. X Table 5.3 & 5.4



Source:

Figure B.1: The Activity Status of the Population Aged 5 Years and Above, 1999

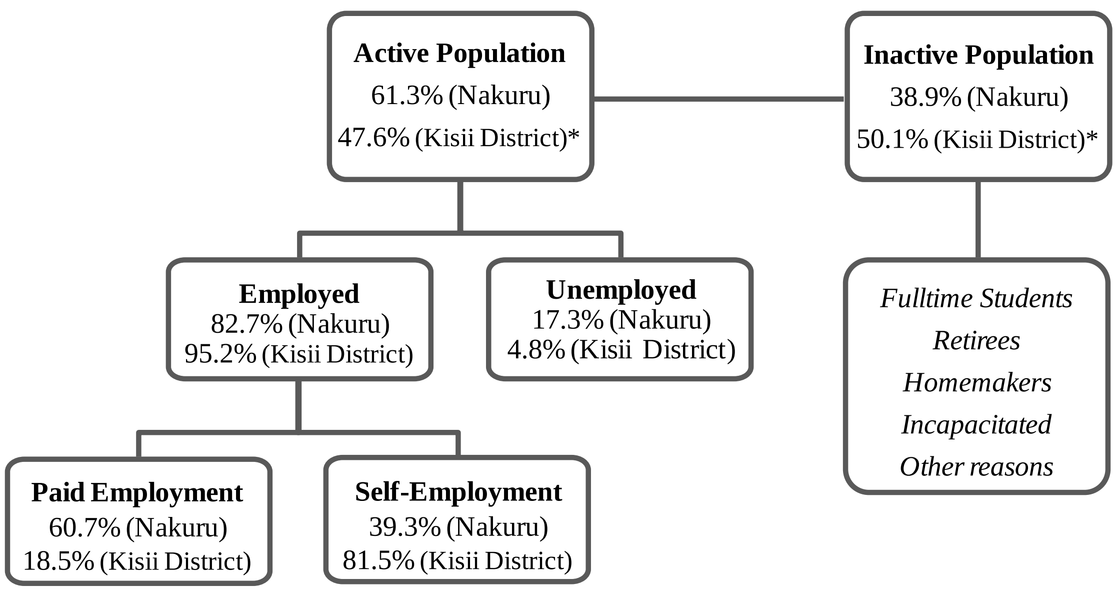


Figure B.2: The Activity Status of the Population Aged 5 Years and Above, 1999 Nakuru Town and Kisii District

APPENDIX C

Table C.1: Distribution of Service Delivery Responsibilities in Kenya

Services	Central Govt.	District	Local Govt.	Note
General Administration				
Fire protection			◊	
Statistical office	♦			
Electoral register	♦			
Education				
Pre-school			◊	
Primary		♦	◊	Seven councils only
Secondary		♦	◊	Seven councils only
Vocational and technical		♦		
Higher education				District responsible for oversight and monitoring
Adult education		♦	◊	
Social Welfare				
Kindergarten and nursery			◊	
Family welfare services			◊	
Welfare homes			♦	
Social security	♦		♦	
Public Health				
Primary care		♦	◊	Provided by a limited number of councils
Hospitals		♦	◊	Nairobi only
Health protection		♦	◊	
Housing and Town Planning				
Housing			◊	Primarily through housing related services
Town planning			◊	
Regional planning		♦		
Transport				
Roads	♦		◊	Some funded by Kenya Roads Board
Urban roads	♦		◊	
Water and Sanitation				
Water and Sanitation			◊	
Refuse collection and disposal			◊	
Cemeteries and crematoria			◊	
Slaughterhouses			◊	Primarily in rural areas
Environmental protection			◊	
Culture, Leisure, and Sports				
Museums and libraries			◊	
Parks and open spaces			◊	
Sports and leisure			◊	
Utilities				
Water supply	♦		◊	
Electricity			◊	Larger urban councils only
Economic Development				
Trade and industry			◊	
Tourism				Trade licensing
			◊ = *discretionary service by the local authority*	

Source: Kenya Country Profile, Commonwealth Local Government Handbook 2004

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