EXAMINING COMMUNICATION TECHNIQUES ADOPTED BY THE SENATE TO PROMOTE MANDATORY PUBLIC PARTICIPATION IN KENYA

BY

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DECLARATION

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This research has been submitted for examination with my approval as University Supervisor.

Dr. Peter Onyango Onyoyo   …………………….   …………………..

                   Signature   Date

DEDICATION

To my dad, the late James Owino Agiso Abonyo, who encouraged me to further my studies and my mother, Monica Akumu Obul-Owino, for teaching me the values of education. I would also like to dedicate this project to my husband, James Otieno Kaoga and my sons; Sammy Kaoga, Paul Kaoga and Austin Kaoga for their patience through this whole project.

ACKNOWLEDGEMENT

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ABBREVIATIONS AND ACRONYMS

AG	-	**Attorney General**
CSO	-	**Civil Society Organisations**
CoK	-	**Constitution of Kenya**
IPU	-	**Inter-Parliamentary Union**
CLS	-	**Clerks of the Committee**
MOS	-	**Media Officers**
CBD	-	**Central Business District**
LC	-	**Legal Counsel of the Committee**
S1	-	**The First Senator to be interviewed**
S2	-	**The Second Senator to be interviewed**
S3	-	**The Third Senator to be interviewed**
S4	-	**The Fourth Senator to be interviewed**
S5	-	**The Fifth Senator to be interviewed**
CL1	-	**The First Clerk of the Committee to be interviewed**
CL2	-	**The Second Clerk of the Committee to be interviewed**

CL3   -   **The Third Clerk of the Committee to be interviewed**

MO   -   **The Media Officer who was interviewed**

ABSTRACT

The aim of this study was to examine the communication strategies adopted by the Senate of the Republic of Kenya to promote mandatory public participation. This study was guided by participatory communication theory and the gate keeping theory. The study applied mixed research approach. This study drew its population from the members of the public in the Central Business District, Nairobi, the members of staff who serve in the Senate Committees and the Senators. It used purposive random sampling to collect quantitative data and criterion purposeful sampling to collect qualitative data. Quantitative data was collected using survey questionnaires. The researcher administered 400 questionnaires to sample a population of Nairobi City County residents. The responses were then analysed using descriptive and inferential statistics. The findings were summarised and presented using percentages, bar charts and pie charts. For the qualitative data, ten in-depth interviews were conducted using a detailed interview guide and thematically analysed. The study found out that the Senate majorly advertises the public hearings in three daily newspapers; *Daily Nation, The Star* and *The Standard* and more than 50 per cent of the respondents admitted of having not seen the advertisements. The study also found out that the Senate sends letters to the stakeholders to invite them to the public hearings. Out of all the respondents who had attended the public hearings, 79 per cent had not been influenced by the advertisements in the daily newspapers. On the other hand, this study found out that the respondents who have attended the public hearings organised by the Senate had a positive impression of the Senate and its work. The study found out that 66 per cent of the respondents who have attended the public hearing sessions were satisfied with the work of the Senate. The study recommends the following: the Senate should use the new media to communicate to the public of the upcoming public hearings for this will help them reach a bigger audience; employ more staff to handle communication matters; reduce the bureaucracy of the approval of the invitation letters to be sent to the stakeholders; reduce the bureaucracy of getting funds for the advertisement on the daily newspapers for the advertisements to be placed in the daily newspapers in good time; explore other methods of creating awareness regarding the upcoming hearings such as road shows, regional workshops, collaborate with the county assemblies by having the assemblies collect the views of the public on their behalf; advertise on radio or have radio programs and have Senators talk of the upcoming public participation on television and radio.

CHAPTER ONE

INTRODUCTION

1.1 Overview

This chapter discusses public participation and the Constitution of Kenya (CoK), accessibility of parliamentary procedures in the Senate, statement of the problem, justification of the study, objectives of the study, research questions, basic assumptions of the study, limitations of the study, delimitations of the study and summary of the methodology.

1.1.1 Public Participation and the Constitution of Kenya

Conventionally, Kenyans have participated in the legislation process through their elected leaders. The interaction between the Members of Parliament and the public also provides an opportunity for them to get views of the members of the public, who voted for them, on issues of local and national importance which would then get its way in the Floor of the House (Kanyinga, 2014). Other than this traditional method of participation, the Constitution demands that the citizens should participate in the legislation process besides electing their representative leaders. The idea of public participation is echoed by scholars notably (Koch, 1997), who finds the concept to be of great significance to democracy. Effective public participation highly depends on the communication channels employed at any one particular time.

Public participation is a Constitutional requirement in Kenya and it has been recognized as a right. The sovereignty and the supremacy of the CoK are outlined in Chapter One. According to Article 1, all sovereign power belongs to the people of Kenya and shall be exercised only

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in accordance with this Constitution. This reference to the people of Kenya upholds the principle of sovereignty of the people which is now constitutionally protected. The importance of participation by the people in governance is also signalled in the statement of national values and principles of governance in the Constitution which includes patriotism, national unity, and the rule of law, democracy and participation of the people.

Article 10(2) of the Constitution opines that the national values and principles of governance include patriotism, national unity, sharing and devolution of power, rule of law, democracy and participation of the people (d) sustainable development. Article 69(1)(d) holds that the state shall encourage public participation in the management, protection and conservation of the environment as Article 118 demands that Parliament facilitates public participation and involvement in the legislative and all the other businesses of Parliament and its committees and the same is required of the county assemblies in Article 196. Article 201 (a) requires that there should be openness and accountability, including public participation in financial matters. One of the key successes of the new Constitution was the devolved governance whose key objectives was to enable the people take charge of how they are governed by encouraging their participation on issues affecting them as per Article 174 (c). In general, the Constitution demands for public participation in all arms of government.

The resolve of the Kenyan citizen to identify public hearings as a fundamental value in the new Constitution from the national to county level and in wide ranging areas of public life, including finance arrangements was informed by a history of a highly centralised governance system that led to serious grievances about the way its citizenry had been excluded from the process of governance, especially in matters of public finance at all levels.

1.1. 2 Accessibility of Parliamentary Procedures in the Senate

For a long time, public participation in the older regime was hindered by the opaque nature of the legislature (Kanyinga, 2014) but the new Constitution has opened Parliament to the public. The Senate is majorly guided by the CoK when conducting public participation in the respective committees. All the proceedings are open for the members of the public as per Article 118 of the CoK which states that Parliament shall conduct its business in an open manner, and its sittings and those of its committees shall be in public. However, the CoK does not give specific details of how public participation should be carried out. This has necessitated the drafting of the Public Participation Bill by Senator Wako which is yet to be passed in the House. There is also a guideline from the AG's office that would provide a framework on how it should be facilitated. We also have the County Public Participation Guidelines stipulated by the Ministry of Devolution and Planning and the Council of Governors for the Counties. It is important to note that these statutory are yet to be enacted except for the public participation guidelines which goes ahead to show us how new the concept of public participation is in the country.

The Senate Standing Orders No. 234 makes provision for the broadcast of its proceedings. Different media houses are allowed to cover the proceeding as long as they follow the framework set out in the First Schedule of the Senate Standing Order. This had not been the case because media coverage of the live proceedings were only allowed in 2008 when the then Speaker, Honourable Kenneth Marende championed for the opening up of the National Assembly to the Kenyan public through the live broadcast (Okong'o, 2016). Other than this, the Senate publishes its Bills, the Hansard, the Order Paper and information regarding the programmes of the committees in its website; www.parliament.go.ke. People can also send

their petitions to the Senate on issues that they would want addressed as per Article 119(1) of the CoK. One can also send a written memoranda on a Bill that is to be discussed in the House or attend the public hearing sessions. Parliament also organises a Parliamentary week where members of the public get information on what is happening in Parliament. They also organise exhibitions in different Agricultural Society of Kenya shows where the citizens get a chance to learn about Parliament. Members of the public are informed in advance about the public hearings in the local dailies. The Senate Committees also organises public hearings in different counties to engage the members of the public on the issues that are affecting them. This means that the Senate has tried to provide information to the public though a careful observation of communication behaviours throughout the process and the use of media to bring about knowledge sharing and learning on the part of all is required (White et al, 1994).

1.2 Statement of the Problem

The drafters of the CoK anticipated that the citizens will be involved in the decision making process in the country which will then give them confidence in the governing institutions. However, the public still does not have access to information and the participatory process which leads to low participation levels. Public participation symbolises the peak of a democratic government. Blondel, who is a political scientist, opines that one of the most important things in politics is the nature, extent and strength of the relationship between the citizens and their government, the rulers and those who are ruled (Mafunisa, Maphunye, & Kealeboga, 2005). With the Senate occupying the space of ultimate representative of the people, the work of the Senate is grounded in public engagement and ensuring that decisions taken, policies and legislation adopted and general discourse is intrinsically tied to the public.

Public participation makes up one third of the salient functions of the Senate, the other two being oversight and passing legislation.

The Senate puts advertisements in the local dailies to inform and encourage the public to attend the hearings of the proposed bills but no study has been undertaken to find out about the correlation between the communication strategies used and the attendance during public hearings and this is what the study aims to establish. The advertisements are aimed to inform and encourage the members of the public to attend the hearings, has it done so? What other platform does the Senate use to engage the public? People have blamed Kenya's Parliament for lacking accountability and transparency in its operations (Wandera & Mugubi, 2014). Could this be the reason for the low attendance?

1.3 Objectives of the Study

   i.   To investigate the platforms used by the Senate to advertise the public hearings as from 2013 to 2017.

  ii.   To examine whether the platforms used by the Senate to inform the public of the upcoming public hearings were effective.

 iii.   To investigate whether the public have confidence in the public participation process of the Senate.

1.4 Research Questions

   i.   What are the platforms the Senate use to engage the public?

  ii.   How effective is the communication method of the Senate in encouraging the public to attend the public hearings?

 iii.   Do the public have confidence in the public participation process of the Senate?

1.5 Justification of the Study

This study was undertaken to find out the effects of the communication strategies used by the Senate in promoting mandatory public participation in Kenya. The findings of this research are expected to provide information that will help the Senate committees, the Senate and Senators to evaluate the success and shortcomings of the current communication strategies employed. At the moment, Senate does not have a communication policy and the findings of this research will help inform the leadership of the Senate as they draft a communication policy for the institution in the future.

The study looks at the concept of communication in relation to public participation thus it adds into the field of communication by adding literature.

1.6 Significance of the Study

As Kenya develops its democracy, the Senate of Kenya has to consider more opinions of the members of the public in the decision making process. The Constitution of Kenya dictates that the citizens have to be involved in all decision making processes. The best way of making sure that many people are included in the public participation processes organised by the Senate is by using communication channels that will inform the public of the upcoming public hearing sessions. When more members of the public are aware of the upcoming public hearings, they can create time to attend the sessions or even send a memorandum expressing their views on the matter being discussed.

1.7 Basic Assumptions of the Study

During the study, it was assumed that not all members of the public see the advertisements in the print media. It was also assumed that the respondents will answer the questions honestly. It was assumed that the secretariat staff and Senators interviewed were a credible sample to enable one to make a general assumption on the findings.

1.8 Scope and Limitations of the Study

The research restricted itself to the residents of Nairobi because the Senate of Kenya is based in Nairobi. However, it is important to note that the residents of Nairobi may at times be too busy to attend the public hearings. The findings of this study might, therefore, be different if conducted in a different setting.

The study based its findings on the views of the secretariat of the Senate and the Senators who influence and implement the communication strategies employed by the Senate. This enabled the research to get information from the source.

Admittedly, participatory communication theories under this study and the practice and understanding of public participation by the Senate in Kenya have not been thoroughly explored by scholarly research at our disposal. This limited the latitude of the research and forced the researcher to review other foreign jurisdiction in an attempt to come up with comparative variables to justify the findings.

1.9 Operational Definitions

Public hearing: Refers to meetings where the senators meet with the members of the public to receive their views on certain issues.

Clerk: Clerk of the Senate

Floor of the House: Senate Plenary Session

Tabled: Laid on the table of the House

Senate: Senate of the Republic of Kenya

House: Senate

CHAPTER TWO

LITERATURE REVIEW

2.1 Overview

This chapter looks at public participation, public, communication and public participation, platforms for engaging the public, use of new media, new media and public participation, public participation and other parliaments, media coverage and parliamentary committees, implementation of public participation by parliaments, theoretical frameworks and conceptual framework.

2.2 The Senate

The first Senate in Kenya was established by the Lancaster Constitution in 1962 so as to protect minority groups, protect the independence of the regions as well as the interests of the people of the different regions, legislate, hold the government accountable and safeguard the 1962 Constitution (Kirui and Murkomen, 2011). However, there were Constitutional weaknesses that exposed the Senate to a myriad of challenges that made it ineffective in representing and protecting the region (Wafula, 2015). The Senate and the House of Representatives was merged into one in 1966 through the seventh Constitution of Kenya (Amendment) (No 4) Act No. 19 of 1966, and this led to the disbandment of the Senate (Kirui and Murkomen, 2011).

Kenya got its second Senate 44 years later when the Constitution of Kenya (CoK) 2010 was promulgated which provided for a bicameral Parliament as provided in Article 93. According to Article 96 of the Constitution, the Senate is mandated to represent and protect the interests

of the counties and their governments, participate in the law making function of Parliament, determine the allocation of national revenue among counties and participate in the oversight of state officers by considering and determining any resolution to remove the President or his deputy. To play these roles effectively, the Senate must consider the opinion of the public through the process of public participation.

2.3 Public

It is difficult for one to talk about public participation without addressing what the public is. Oxford dictionary defines the word public as that which is of or concerning the people as a whole. Merriam-Webster dictionary defines it as something of, relating to, or affecting all the people or the whole area of a nation or state. It is, therefore, important to note that when we talk about something as being public then it has to involve the majority of the population if not all of them. One needs to ask themselves who are the 'public' who attend the public hearings.

The word public does not just refer to people who live in a certain geographical area but it also includes the CSO's and professional associations. This definition of the word 'public' comes with its own challenges hence the reason as to why Bledstein argues that the spread of professionalisation to virtually all areas of cultural activity tends to deny the right of the ordinary 'lay' person to be involved in these areas of planning (White et al, 1994). In a country like South Africa, Chapter 9 of their Constitution establishes independent institutions which are expected to make submissions on proposed legislations. However, the leadership of these institutions are appointed by the president thus it becomes difficult to know whether to consider their views as those of the government or the public. In the United Kingdom (UK), they have set up what they call the standing consultative panel which consists of 5,000

members who are randomly drawn from the public and they can be called upon at any time to give their opinions about and issue. They are supposed to track the changes with time (Petts and Leach 2000). This group suffices as a public in a scenario where they opt to use them. It is then very clear that the definition of the word public varies in different scenarios.

However, we should not forget that we have different interests within the public itself. This can range from culture, religion, economic status, professionalism and many more which even makes the definition of the word public to be more complex. The definition of the word public remains a perennial problem for policymakers because with each new set of actors the definition of what is the common, 'neutral', public area must change and this has widely contributed to the challenges that we have with public participation (White et al, 1994).

2.4 Public Participation

Public participation is the involvement of the public in addressing problems that affect the entire community and it is an essential element of democracy. It creates a platform for people, civil society organizations (CSOs) and any other person or institution to impact the development of policies and laws that affect them (Skopje, 2010). (Ghai, 2003), described public participation as signifying the ability of minorities to bring their views to decision makers, explain their point of view before decision-makers, propose improvement, be co-decision makers, embargo legislative or administrative proposals and establish and manage their own institutions in specified areas. In his explanation, he relates public participation to social inclusiveness.

Arnstein, on the other hand equates public participation with citizen power, and she presents a systematic ladder that determines as to whether public participation was effective or not

(Dorcey and McDaniels, 2001). (White et al, 1994) refer to participation as kaleidoscopic because it is a complex and dynamic phenomenon, seen from the 'eye of the beholder,' and shaped by the 'hand of the powerholder' in that there is no specific method of handling public participation. However, we cannot contest the fact that public participation is an important feature of democracy thus it is important to ask ourselves whether the public participation undertaken in the Senate is pseudo-participation or genuine participation (White et al, 1994). Arnstein's ladder looks at participation from the lower level where a problem is perceived to be a need for greater education amongst the public, hence measures are taken to inform the citizens about an issue which starts with the communication method used.

(Sihanya, 2013) observes that public participation is one of the national values and principles of governance given by Article 10(2)(a) of the Constitution. He says that the principle should be followed by all state organs, state officers, public officers and everybody else when applying or interpreting the Constitution; enact, apply or interpret any law; or make or implement public policy decisions. All public sectors are, therefore, expected to engage the citizens in the process of public participation because it is entrenched in the CoK. Public participation is not only entrenched in the Kenyan Constitution, it is also recognised by the international human rights law. Article 21 of the Universal Declaration of Human Rights (UDHR) that was adopted by the United Nations (UN) General Assembly opines that everybody has the right to take part in the government of his country, directly or through freely chosen representatives. Article 25 of the International Covenant on Civil and Political Rights (ICCPR) on the other hand states that every citizen shall have the right to participate in the public affairs, either directly or through electing their representatives.

Despite its importance, not all citizens in democratic systems engage in public participation even in its basic form (Lijphart, 1997); let alone more demanding forms of political engagement and collective action (Shah and Scheufele, 2006). As we talk about public participation we should not forget what Bordenave states as its distortion where we have cases of manipulated participation. This happens in cases where it is done as a ritual with little or no meaning. We also have cases of participatory planning where participation is like a concession granted in order to make official action more palatable and less or expensive or where public participation becomes more of assemblies and meetings such that everything has to be checked by everybody (White et al, 1994).

2.5 Communication and Public Participation

Communication plays the role of reinforcing the purposes of liberation, freedom, justice and egalitarian ideologies in participatory development (White et al, 1994) and media is considered to play a critical role in governance and reform not forgetting that it contributes to access to information and freedom of expression (UNESCO, Communication for Development, 2008). Freire opines that an effective communication must be participatory, dialogic, and reciprocal (White et al, 1994). It is, therefore, important for us to ask ourselves if the communication strategies that have been adopted by the Senate encourage dialogue or participation. Schramm argued that mass media had the potential to widen horizons, to focus attention, to raise aspirations and to create climate for development (White et al, 1994) and this is the kind of communication that one should strive to achieve.

To foster public participation, a communication method that encourages attitude change and free speech should be applied. Participatory communication theorists like Freire have always argued that other than having a free press, it is important to have education of a special kind for political

awareness which requires intensive communicative interaction. Jacobson T. L opines that there should be exchange of information among people who view themselves as equals other than having a case where information is broadcasted from the experts to the receivers and this can be done in many settings like meetings, media planning procedures, radio talk shows, folk art setting and many more (White et al, 1994). Therefore, communication aimed at inviting people for public participation should not be taken as a public relations exercise.

There is no clear guideline of achieving 100 per cent participation of the public neither do we have a particular method that can work for all organisations. Many institutions have different approaches of public participation. Some institutions will use the traditional method while others will use the innovative method (Petts and Leach, 2000). When engaging the public, one might want to elicit the views of the public, empower them or even generate options and this will determine the method to be used thus the communication model. Site visits, distribution of leaflets or newsletters, advertising in local and national newspaper, public meetings, exhibitions, teleconferencing, public meetings, workshops, internet, deliberative polls and questionnaires are just some of ways of engaging the public. Some of these methods are what will be referred to as traditional method. For purposes of this study, we will focus more on the innovative method involving the public.

2.6 Use of the New Media and Public Participation

Parliaments were previously some of the most inaccessible institutions apart from the very few but with the new media, especially internet, they are now one of the most accessible institutions though still criticised by members of the public. That is the reason as to why (Dalton 2004; Stoker 2006; Hay 2007) advice that when political disconnection exists between the members of the public and the legislature, it is important for the institution to

have the right communication tools. In Kenya, the democracy established with the re-introduction of multi-party has made the activities of the legislature open through the updates on its website (Kanyinga, 2014).

There has been a discussion on what eDemocracy is, its goals and how it can be implemented in different political environments. EDemocracy has largely contributed to citizen participation in democratic societies through the use of Internet and it is believed that the emergence of the World Wide Web in the 1990's greatly contributed to the kind of democracy that we have at the moment (Postnote, 2009). A number of communication channels can be used in eDemocracy such as the mobile phones and the Interactive Digital Television. (Trechsel et al, 2003) opine that electronic communication empowers citizens in their efforts to hold the politicians accountable for their actions in the public realm. In the United Kingdom, there are a number of websites that the citizens can use to channel their views to the legislature such as the http://www.parliamentlive.tv (top-down, one-way), http://www.writetothem.com (bottom-up) http://forums.parliament.uk (top-down, two-way) and the http://petitions.number10.gov.uk (bottom-up, two-way).

In the earlier years, internet was mainly used to send information but this changed later on and it is now used for information sharing such as the http://lordsoftheblog.wordpress.com of the House of Lords which allows them to communicate with the public. We also have other platforms such as Facebook, Twitter, Whatsapp, and YouTube which the public can use to communicate with the legislatures.

Many studies have shown that the advancement of digital instruments of engagement and communication with the citizens has become important for Parliaments everywhere (Global Centre for ICT 2012; Griffith & Leston-Bandeira 2012; Inter-Parliamentary Union 2012;

Joshi & Rosenfield, 2013). According to the Inter-Parliamentary Union (IPU), the main reasons for the technology experiments that most parliaments around the world are undertaking it to increase the public's understanding about legislatures and to invoke the publics' engagement in the legislative process (IPU 2012, p.21).

Public participation gives legitimacy to parliaments and its activities and the entire political systems as verified in the ground breaking works of (Packenham, 1970), (Easton, 1975) and (Mezey, 1979). (Mezey, 1979) exposed that people meet their anticipations with their perception of legislative actions which means that the support that will be given to the legislatures or parliaments will be determined by the knowledge and information that people have about them and this can either be high or low. More recently, this has been established by the assessments of political engagement by the Hansard Society 2004-2014 that has shown that people will be more interested in parliament if they have the knowledge of what goes in there. It is important to pass information to the people but we also need to acknowledge that internet plays a big role in ensuring access of information. In fact, the Connecting with Citizens report shows that a third of the citizens in the United Kingdom get political information from the web (Hansard Society, 2011), which means that it is an important source of legislative information.

Many people have realised that social media can be used to share ideas and this includes a number of institutions such as the legislatures. (Skoric et al, 2015) opine that the regularity of using Facebook does regulate the connection between trust, transparency and confidence in the institution and (Leston-Bandeira, 2007) is of the view that the internet can help the legislatures to improve on communication, broadcasting and handling information, which are all related to the public's opinion. Social media can also transform all the citizens to

stakeholders in the participation process (Chuangying Li, 2016). However, political dependence is not fully related to the fact that people end up having sensible assessments or depending on figurative representations formed with illogical and affective responses motivated by the members of the public to the political organizations (Pitkin 1967; Leston-Bandeira 2012; Van der Meer 2010), and a political relation cannot be maintained by giving information to the public. It has to go beyond that by encouraging activities that involve the public so as to realise democratic participation.

We have had studies going back to the 90's that have talked of the potential of the new media as a tool that can be used for social engagements (Coleman et al., 1999; Trechsel et al., 2003; Dai 2007; Lilleker & Jackson 2009) which will then reduce the problem of low confidence and negative perception of parliamentary institutions. Nonetheless, a number of political institutions have not used the new media effectively yet it is believed that internet does reinforce activism in people who already participate in politics (Dai & Norton 2007; Gibson et al., 2008; Norris 2001).

(Gibson, Lusoli & Ward, 2008), also opine that new media can create an "easier path towards political engagement among those less active or not involved in conventional politics", and even encourage those who are already involved in the social and political issues. Therefore, internet's ability to enhance democracy cannot be disputed. Recent research has shown that the "digital divide among parliaments is still very strong" (Griffith & Leston-Bandeira 2012), even if 95.3 per cent of parliaments already have websites (Joshi & Rosenfield 2013), with only 19 per cent of legislatures having most representatives also using websites as a way to communicate with citizens (Global Centre for ICT 2012). This is not to say that the platforms used at the moment are bad. On the contrary, giving information and data about public

services or what the representatives do is a requirement of political institutions and this is actually improving all over the world. Institutions around the world have developed different strategies of publicising what they do which is a constitutional requirement in many jurisdictions.

There are institutions that use the social media that allows two way communications because not everybody can afford to attend the public hearings due to time, distance, transport and many other reasons. In the United States of America, the internet offers a platform for the local governments to call for the contribution from citizens about upcoming policy decisions (Clark, 2014).

In general, local public participation has to be considered as a continuous process and not a one-off occurrence though we have to appreciate the fact that local public participation is not equally distributed in certain regions (Verba, Schlozman, & Brady, 1995) or across societies (Verba, Nie, & Kim, 1978). More so, we have different citizens participating in different public hearings and the trends recorded show that people in the higher socioeconomic levels tend to participate more (Rosenstone & Hansen, 1993). While these acts of participation have been categorised in different ways (Bennett, 1986), the present study focuses on one form of participation "non-traditional" ways of participating in local political processes, such as attending a public meetings on issues that interests them and making themselves heard in those meetings. Public hearings at the local level have become popular driving force of democracy. Most of them vary significantly in theme and presentation but majority of them share some features: they have patronage and obtain promotions by local media under the guise of civic or community journalism; they offer the chance for regular citizens to meet and interrogate public officers and to share and discuss their ideas with others; their aim is to look

at issues affecting the locals then work out a way forward and the proceedings are aired on local media. The organisation of forums is dissimilar from established institutional structures because they are to each appeal to diverse set of participants.

These days, many Parliaments use social media to notify the public of the activities and ideals of the legislature with the aim of firming public confidence and interest in the activities of Parliament (Clarke. A, 2010). The Senate uses social media to inform the public of its activities (Kanyinga, 2014) and this has helped open it to the public though it would be good to examine the success rate of the same. It is also important to note that social media has been used by the Senate to inform the public of the activities that have already taken place and it has not used the same forum to inform the public of the upcoming activities.

Generally, social media is an important platform for public participation for it does set the platform for continued participation, it helps the organisers of public participation to collect actual data, it does invite a wider range of opinions and generates more well-versed participation as well as having more people participate in the process.

2.7 Public Participation in other Parliaments

The time allocated for plenary sessions are not able to bring the sort of thorough discussions and enquiry of legislation and policy that modern governments require, thus making committees focal points of departure. They inspire the growth of separate and collective specialisation in various policy fields; they provide a point of entry to the public. In South Africa (De Villiers, 2003), showed that committees have become the critical structures where parliaments and the members of the public can interact hence creating a good environment for public participation. In Germany, the House of Representatives (Bundestag) has the

discretion to exclude the public. In the Namibian system, chairperson of the committee and its members decide on whether to allow public access to its proceedings or not.

In contrast the Danish Parliament and Constitution place no obligation on the legislature and its elected members to facilitate public involvement or to consider and canvass public inputs and views of interested parties. Parliament may appoint committees from amongst its members to investigate matters of general importance; such committees are entitled to demand written or oral information from both private citizens and public authorities. In contrast Committees in Namibia are mandated to conduct hearings when they feel there is need to solicit public inputs, they have powers to summon ministers and leaders of public institutions to appear before them. During these consultative meetings members of the public as well as the media are invited.

In Uganda, citizen participation is guaranteed in the Constitution, but limited to programmes which have a direct effect on their livelihoods. Committee meetings in Germany were never opened to the public and they could only allow the public in their meetings when they were discussing particular issues but this has changed. In 1995, the German Government through the process of reforming its procedures, introduced the so called 'extended' public committee meetings. These are held only in connection with the final debate, after which, the committee makes recommendations.

In Namibia motions referred to a particular committee are first tabled in Parliament and briefly debated before referral to a relevant committee that is to report back within a period of 90 days. Public hearings in Germany are held when the issue is important, difficult or politically controversial in nature. Hearings are composed of experts and representatives of different interest groups. In Namibia hearings are conducted by parliamentary portfolio

committees and its members only, it is only hoped civic organisations attend the hearings, or if they request an audience with the committee.

Based on the arguments provided and experience in other countries, it is clear that strategies to achieve and deepen parliamentary democracy differ from country to country. The goal, however still remains the same which is; nurturing democratic values and principles. Namibia's strategies are fairly similar to those of neighbouring South Africa, the country's former coloniser.

2.8 Media Coverage of Parliamentary Committees

The House of Representatives of the Republic of Cyprus does allow journalists to attend committee meetings 'with very few exceptions'. The National Assembly of Cote d'Ivoire, which would only allow summaries of its committee meetings to be printed changed this stand in 2001 and now allows the press to attend and report on all committee activities. In South Africa, committee meetings are open to the public and the media, and can only be closed after open discussion and with the approval of the Speaker. The Australian House of Representatives assigns a media advisor to help committees develop communication and media strategies for their public enquiries, so as to maximise media coverage of committee activities.

Many parliaments do not allow such kind of access to media officers and the general public when it comes to committee meetings. However, when the Members of Parliament are trained, especially the chairpersons of the committees, in media relations and the need for public attendance, it could readily equip more parliaments in taking similar initiatives. Namibia still has a hill to climb in order to accord media freedom and public attendance in

committee meetings and activities. The practice is that the media is only called in if the chairperson of the committee decides that their presence is relevant.

In most cases media presence is mostly sought if a committee is hosting foreign delegates or when conducting public hearings. This trend of doing business deprives the public of taking part in the process of making resolutions, as the media is the most powerful tool for the dissemination of information. Public attendance in committees can be properly utilised to promote lobbying between the general public and the Members of Parliament on issues of national interest. Freedom of information is necessary to encourage citizen participation in the legislature.

We do have some jurisdiction where access to information about Parliament is regulated by Acts. The Polish Senate, for example, according to (Beetham,2006), has a regulation which states that in the determination to fulfil the citizen's constitutional right to information, the Senate has to apprise the public on the upcoming Senate sittings, the citizens right to participate in the Senate committee meetings, the citizen's access to Senate documents, minutes and reports.

2.9 Theoretical Framework

2.9.1 Participatory Communication Theory

The theory was first proposed by Paulo Freire in 1970. Freire's idea of participatory communication is one that facilitates the participation of people in policymaking about issues that impact their lives. According to him, everybody has the ability to reflect, the capacity for intellectual reasoning, for conceptualising, taking decisions, choosing alternatives, and planning community transformation (White et al, 1994). Participatory theories are necessary

for redefining development communication. In the context of this study, the theory can be applied in analysing public participation as an effective technique of increasing people's participation in the Senate proceeding in Kenya. Public participation allows for creating and inspiring understanding as the foundation for Senate representation other than information broadcast to the public from the Senate (Agunga, 1997). Freire offered the notion of redeeming education that considered communication as an interchange and participation. The aim of communication should be conscientisation that leads to a freeing that results to actual liberation when people engage in dialogue and search together (White et al, 1994). The school of thought has been called "dialogical pedagogy" which defined fairness in dissemination and strong grassroots involvement as key principles. Communication should result to a sense of ownership to those who are participating by sharing and recreating experiences. Participatory communication acknowledged encouraging involvement, inspiring analytical thinking, and emphasising process other than precise results related with modernisation and advancement, as the main responsibilities of development communication (Altafin, 1991).

Sarvaes states that the problem with Freire is that his theory of dialogic communication and action is based on group dialogue rather than amplifying media as radio, print and television. He also gives little attention to the language or form of communication, devoting most of his discussion to the intentions of communication actions.

2.9.2 Gate Keeping Theory

Gate keeping refers roughly to the practice of regulating information as it goes through a gateway or sieve (Barzilai-Nahon, 2008) and it is linked with exercising certain types of power such as imposing the status quo in parliamentary committees. The works on gate

keeping is disjointed in terms of epistemologies, theories and models, vocabularies, heuristics, and research challenges both within and between disciplines and fields. This happens because discourse on the topic of gate keeping is conducted within each discipline, in relative isolation.

(Shoemaker, 1991) defined gate keeping as the method by which the number of information that is accessible in the world gets reduced and converted into the hundreds of messages that reach a given person on a given day. Ten years later, Shoemaker acknowledged a wider notion of gate keeping. However, the gate keeping process is also believed to contain more than just variety. In fact, gate keeping in mass communication can be seen as the overall process through which social reality transmitted by the news media is constructed, and is not just a series of 'in and out' decisions (Shoemaker, Eichholz, Kim, & Wrigley, 2001). With the coming of digital generation, (Shoemaker and Vos, 2009) proposed that internet is different from the other forms of media for it allows people to interact by sharing their views as well as get feedback. This means that they allow the audience to interact freely with the institutions thus they are able to share their views.

(White, 1950) suggested an easier method to elucidate the selection process in newspapers and reasoned that news items were disallowed because of the emotional state of the gatekeeper, inadequate space, and whether the story had been previously published. The primary effect of gate keeping is that it modifies the media's initial message in a way. This theory states that what people read in the newspapers is rarely a true reflection of reality (White, 1950). However, this is changing with time because the audience have not only redefined gatekeeping theory by becoming active participants in the gatekeeping process, they have also redefined the very nature of the audience making it more difficult to measure

and predict target audiences because of the global influence of the internet (Shoemaker and Bos, 2009). This has led to the question of who is the greatest influencer. A good case is what happened during the scandal in the ministry of health where the Senate committee on health called a sitting based on what was in the public domain.

The gatekeeper decides the information that will move to the next level and what will not such that he is the one to decide on what will be published and what will not be published. Gatekeepers are able to control and shape the public's knowledge of the actual events by permitting some stories to go through the system but restricting others (Baas, 1969). Gatekeeping provides an opportunity for inclusive analysis of prevailing issues by the participatory process in the Senate churning out the less important matters and only prioritising issues that are of great essence to the public at any one given time.

2.10 Conceptual Framework

Independent Variables

| Platform for communication |

| Effectiveness of communication techniques used |

| Public confidence in public participation process |

Dependent Variables

| Public participation in the Senate |

Intervening variables
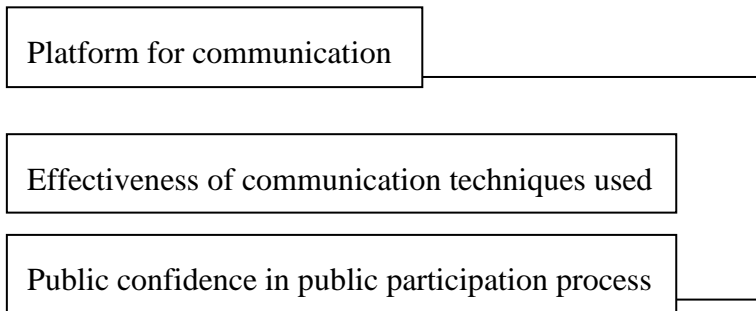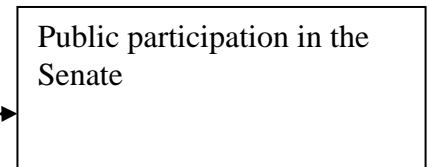
- Interest in specific matter
- Geographical distance between the public and the Senate Committee
- Bureaucratic issues
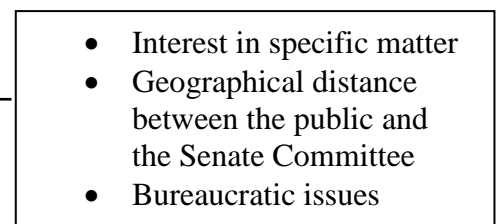
CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Overview

This chapter looks at research design, study site, research approach, population and sampling procedure, data collection, conceptual framework and the ethical considerations.

3.2 Descriptive Research Design

Research designs are types of inquiry within qualitative, quantitative, and mixed methods approaches that provide specific direction for procedures in a research design (Creswell 2014). A research design describes how and where the research is going to be conducted. It also goes ahead to describe how the data will be analysed.

This study used the mixed approach methodology. (Plano Clark, 2005) defines mixed methods research as one that combines qualitative and quantitative data collection and data analysis in a single study. This method is good because it incorporates elements of both quantitative and qualitative method (Creswell, 2014). (Mugenda and Mugenda, 2003), opine that quantitative research includes designs, techniques and measures that produce discreet numerical or quantifiable data. This method helps one to benefit from the advantages of both methods while minimising their weaknesses (Johnson & Onwuegbuzie). It also helps one to have a complete understanding of the research problem instead of using one approach. Mixed methods design was the best approach for this study because the researcher needed to analyse the relationship between the dependent and independent variables which could only be provided by the mixed method approach.

In this research, a survey was conducted using a questionnaire that had closed-ended questions to collect the quantitative data from the members of the public. The questionnaires were used to collect quantitative data because it is an easy and cheaper way to get information from a larger group as compared to interviews. The questionnaire also helped the researcher to analyse the data without bias.

Open-ended questions were used in the interview to collect the qualitative data from the Senators and the staff of the Senate so as to explain the outcomes from quantitative data. The interviewer used structured and unstructured questions to get the views of the participants and they were allowed to elaborate their views. This method was appropriate for it allowed the researcher to seek for more clarification which helped in the interpretation and analysis of the data. It also helped the researcher to get the opinions of the participants in the natural environment.

3.3 Study Area

The study was carried out in Nairobi County which is a cosmopolitan county thus it is easy to get members of different communities who are a representative of the country's population. The choice of the study site was purely purposive and informed by the fact that the Senate sittings are in Nairobi. Other considerations were proximity, accessibility and saving on travel time and cost on the part of the researcher.

3.4 Population and Sampling

Population refers to an entire group of individuals, events or objects having a common observable characteristic (Mugenda and Mugenda, 2003). The population in this study are the citizens of Kenya but since this research could not access all the citizens, a population sample

was taken. In this study, the population included the residents of Nairobi City County who totals 3,138,369 (KNBS, 2009). (Mugo, 2002) says that we sample to draw conclusions on the population.

Careful and systematic selection of a representative subset of the target population allows the researcher to draw specific inferences about the general population. Accordingly, this study drew its target population from the members of the public in the Central Business District that included the business people and those who work in the offices in town. The respondents were selected using purposive random sampling.

Purposive random sampling technique was used in the distribution of the questionnaires to the members of the public. This was to give each unit in the population an equal chance of being selected (Mugo, 2002 and Creswell 2014). To select the sample size for the qualitative data, the researcher was guided by the formula suggested for a social science research by Mugenda and Mugenda which is:-

$$n = \frac{Z^2pq}{d^2}$$

The total population of the research area was above 10,000, and following Fisher et al, the desired sample size is 384. A total of 400 questionnaires were distributed but 380 questionnaires were returned. Out of the 380 questionnaires, 35 were blank leaving a total of 345 answered questionnaires. This represented a response rate of 86 per cent.

To distribute the research questionnaires, the researcher subdivided the target population into four different categories. One research assistant distributed the questionnaires to the shop attendants in the CBD, the other research assistant distributed the questionnaires in the offices

in town while the other one targeted the members of the 'bunge la wananchi' members in the CBD. The last research assistant distributed the questionnaires to the University of Nairobi students.

Criterion purposeful sampling was used to sample the senators and the staff of the Senate because it is very strong in quality assurance (Mugo, 2002). This technique was used because the senators and the staff of the Senate were more likely to generate useful data for the phenomenon that was being examined because they are the ones who facilitate public participation. Five senators were identified and interviewed. The researcher booked an appointment with their personal assistants who scheduled the interview time. All the interviews were conducted in the offices of the senators. Five members of staff, who served in the committees in the 11th Parliament, were interviewed. They included three committee clerks, one legal counsel and a media officer. They were also interviewed in their offices.

3.5 Data Collection

3.5.1 Data Collection Procedure

The researcher engaged four research assistants to help collect the quantitative data. The researcher took the research assistants through the purpose of the study so as to have them have a general understanding of the survey. They were taken through the standard operating procedures of field work. For the interviews, the researcher booked appointments with the senators through their personal assistants. She also booked appointments with the staff of the Senate. She later held the interviews on the appointed date and took notes during the interview.

3.5.2 Research Instruments

The qualitative data was collected by interviewing the key informants who were the senators and the staff of the Senate. Primary data was collected using the questionnaires and by interviewing the key informants. The questionnaires had closed-ended questions which were easier to administer, economical and easy to analyse (Mugenda and Mugenda, 2003).

The questionnaires were administered to the members of the public and it had three parts namely Part "A" which asked for personal data of the respondent. Part "B" had information about the knowledge of the respondents on the communication platforms used by the Senate to promote mandatory public participation and its effects on the public. Part "C" elicited information on the public's confidence level in the public participation process conducted by the Senate.

Ten interviews were conducted to senators and the staff members of the Senate who serve in the Committees. The information sought included; the communication platforms used by the Senate to promote mandatory public participation, the role they played in ensuring that the public got to know of the upcoming public hearings, the factors that hampered attendance during public hearings, ways used to provide feedback to the public after public hearings and the solutions to problems that impeded attendance during public hearings.

3.6 Pilot Testing

Pilot testing was conducted before administering the research tools to check whether they achieved the required objective. (Monette et al., 2002), suggests that for surveys, one should contact a few people who can then respond to the questionnaire and the interview questions. In this case, the researcher administered the questionnaires to University of Nairobi students.

3.7 Reliability of the Instruments

(Mugenda and Mugenda, 2003) defines reliability as a measure of the degree to which a research instrument yields consistent results or data after repeated trials. In this study, the researcher sought the opinion of the expert in the area of study, the supervisor, to establish the reliability of the research instruments. The response during the pilot study also helped the researcher improve on the research instruments so as to ascertain their reliability.

3.8 Data Analysis

This is the method used by the researcher to produce and authenticate interpretations, formulate inferences, and draw conclusions. Data collected was checked for errors before actual data analysis. The data was analysed through the use of descriptive and inferential statistics. Quantitative data was analysed using descriptive statistics and it was presented in tables and pie chart format.

The qualitative data analysis involved such processes as coding, categorising and making sense of the essential meanings of the phenomenon. The codes were then used to generate themes and categories which were used to analyse the usefulness, consistency and credibility of the data. Data was analysed in terms of counts, frequencies and percentages.

3.9 Data Presentation

The quantitative data that was collected was presented using a pie chart so as to easily show proportions and the bar charts were also used to show the scales and categories. The data was also presented using descriptive statistics so as to give meaning to the data that was collected.

The quantitative data was presented using narratives and they were based on the thematic areas of the study.

3.10 Ethical Considerations

The proposal for this study was presented before a panel of the School of Journalism and Mass Communication for approval then the researcher got the consent from the University of Nairobi to collect data, by being issued Certificate of Field Work (see appendix III). Informed consent was sought from the respondents, confidentiality was guaranteed and the respondents were told that numbers and initials will be used instead of names.

The researcher works in the Hansard Department of the Senate. The Hansard officers do not sit in the committee secretariat hence the findings of this study have not been affected by the fact that the researcher works for the institution of study.

The researcher defended the findings of the study before a panel of the School of Journalism and Mass Communication and was given a Certificate of Corrections (see appendix IV).

CHAPTER FOUR

DATA PRESENTATION, ANALYSIS AND INTERPRETATION

4.1 Overview

This chapter contains the findings of the research and the discussion.

4.2 Response Rate

The study had anticipated having 400 respondents for the quantitative data but out of the 380 that were returned, 35 were blank and 345 were answered. Ten key informers were interviewed out of which five were the staff of the Senate and the other five were senators.

4.3 Findings and Discussion of Results

The information gained in the field was analysed and the findings have been contrasted with the existing research. The analysis and the findings of this research have not been presented separately; instead, the findings have been constructed around the main themes of the study, based on the research questions presented earlier.

4.4 Socio-demographic data and responses

4.4.1 Attendance by gender to the public hearing sessions organised by the Senate of Kenya
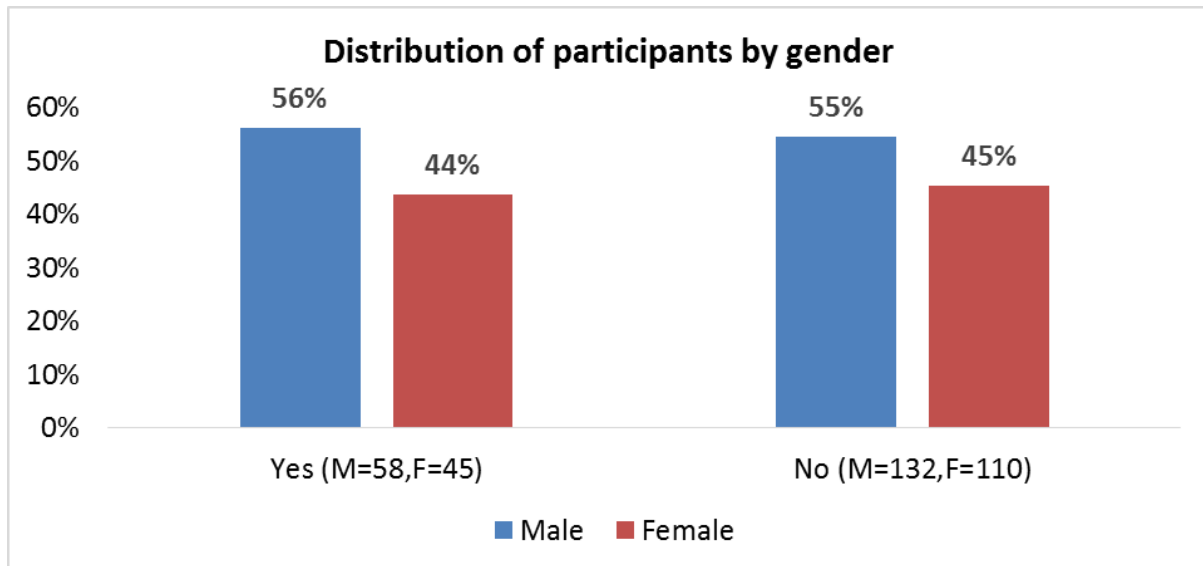
Figure 1: Attendance by gender to the public hearing sessions organised by the Senate of Kenya

Of those who participated in the Senate discussions, there is a very slight variation when comparing men with women. This is evidenced by the information in Figure 1 where 56 per cent of the surveyed male respondents have been involved in public participation in the Senate while 44 per cent of their female counterparts have participated. This shows that an almost equal number of men and women took part in the study hence there was no risk of gender bias.

4.5 Platforms used by the Senate to Engage the Public

4.5.1 Members of the public who saw advertisements in the daily newspapers
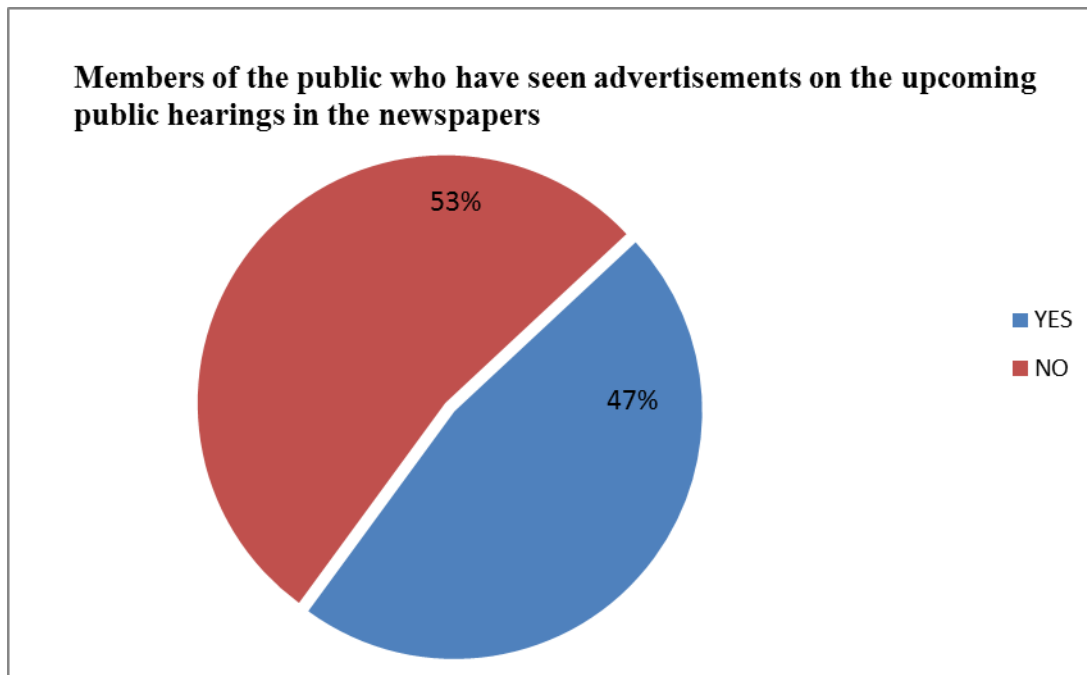
Figure 2: Members of the public who saw advertisements in the daily newspapers

This study focused on the platforms used by the Senate as from 2013 to 2017. According to the research findings, 47 per cent of the respondents read the advertisements of the upcoming public hearings placed by the Senate in the daily newspapers during the 11th Parliament and seven out of every ten interviewed respondents, representing 70 per cent, have never been involved in public participation exercise in the Senate as shown in Figure 3. As evidenced in Figure 3, only 30 per cent have ever participated. This finding is in line that of (Rono, 2017) who states that not many people have attended the public hearings organised by the county governments and county assemblies.

4.5.2 The participation rate in the public hearings sessions organised by the Senate of Kenya
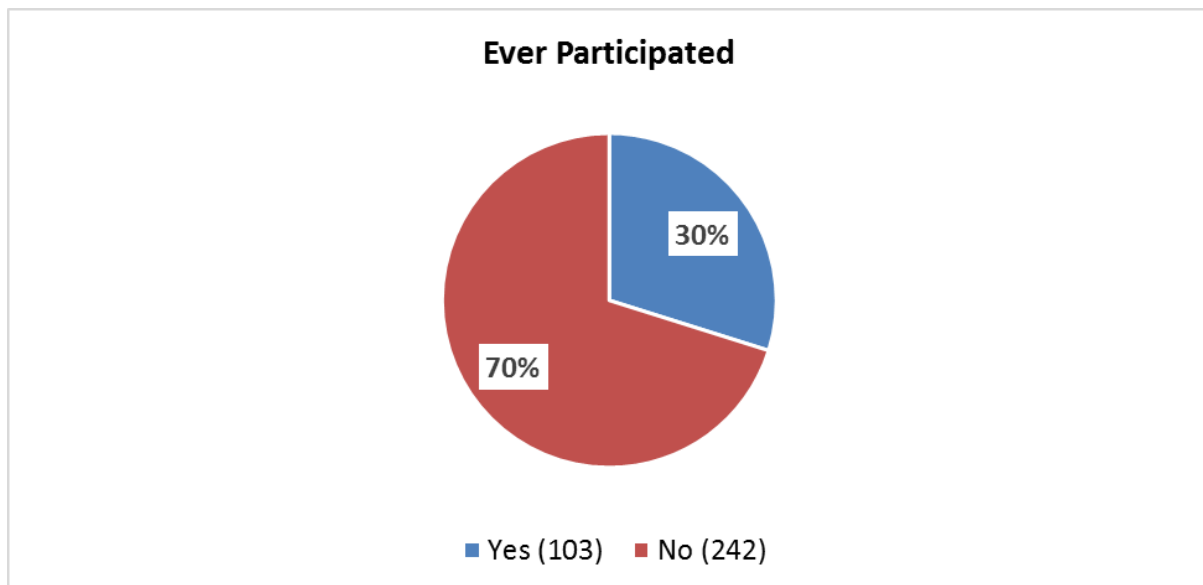
Figure 3: The participation rate in the public hearings sessions organised by the Senate of Kenya

The study established that out of the 103 respondents who had participated in the public hearing sessions, 48 per cent of them attended the hearings regularly or very regularly as shown in Figure 4. Of the 30 per cent of the surveyed respondents who have ever been involved in public participation in the Senate, 30 per cent rarely participate, only 29 per cent regularly participate, another 21 per cent do participate, but occasionally, while only 19 per cent do participate very regularly. This could mean that the respondents' attendance to the public hearing could have been influenced by the interest on the subject matter.

4.5.3 Frequency of Attendance to the Public Hearing Sessions Organised by the Senate of Kenya
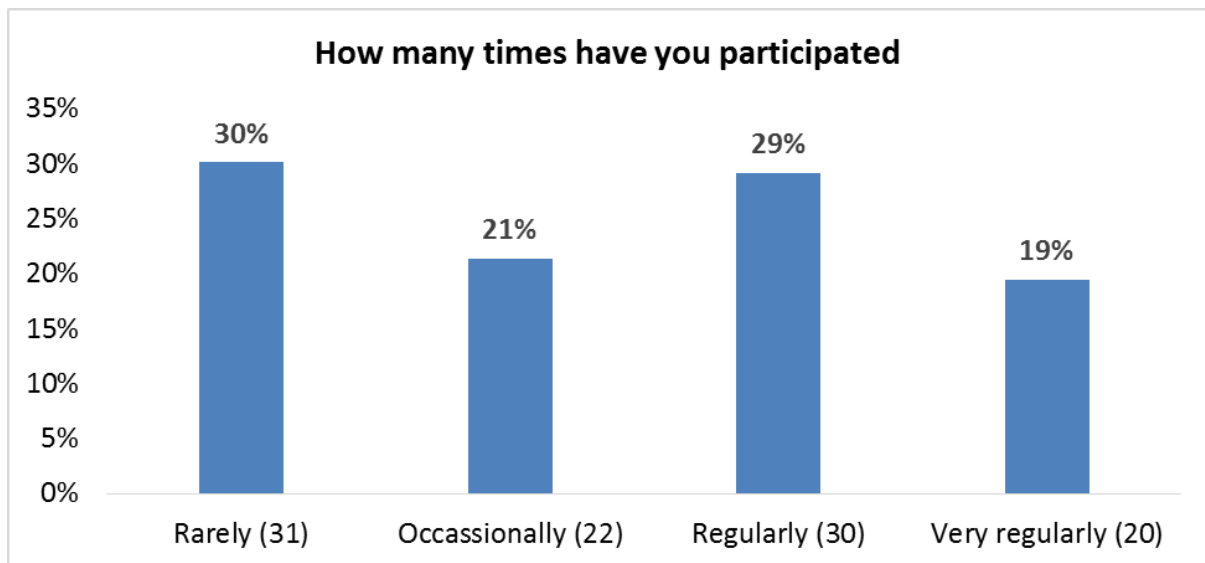
Figure 4: Frequency of attendance to the public hearing sessions organised by the Senate of Kenya.

The poor attendance to the public hearing sessions would mean that few people had seen the advertisements. The secretariat staff and the Senators who were interviewed said that the Senate advertised upcoming public hearings in three daily newspapers namely; the *Daily Nation*, *The Standard* and *The Star* and the advertisements targeted all the members of the public. In it, they informed the public of the date, venue and gave a short synopsis of what the Bill was about. The advertisement went further to ask them to access the Bill in the Parliament website for more details. However, it is important to note that 80 per cent of those who attended the public hearing sessions comprised of people who had at least a tertiary level of education and these are the people who are most likely to have access to newspapers as shown in Figure 5.

4.5.4 Level of Education and Attendance to the Public Hearings Sessions Organised by the Senate of Kenya
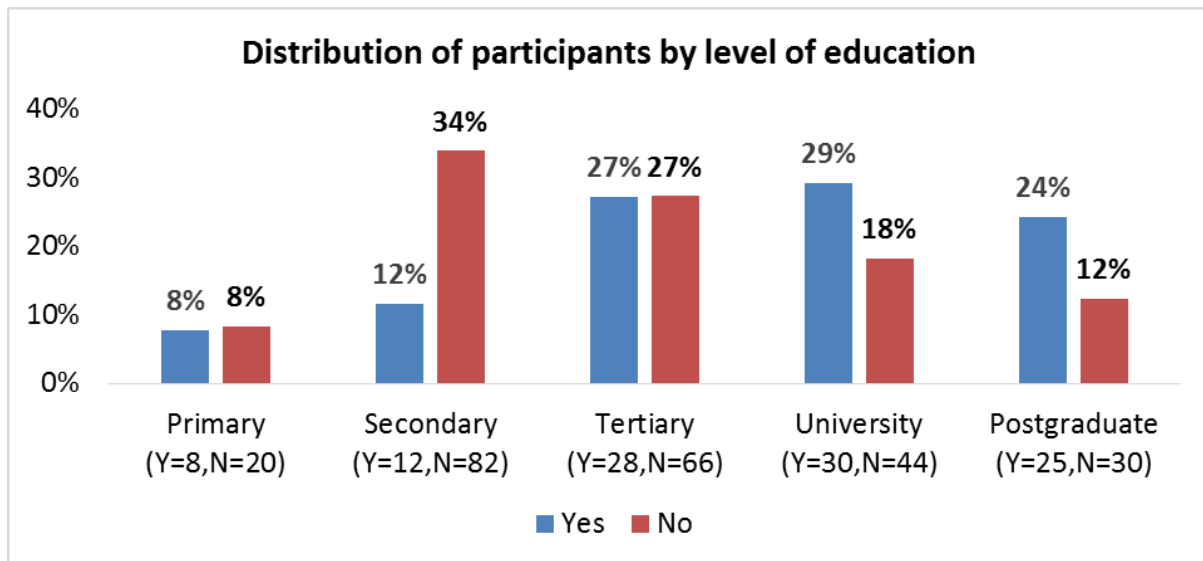
Figure 5: Distribution of participants by level of education

Of those who have ever participated in public discussions in the Senate, 29 per cent had university level of education, 27 per cent had tertiary level of education and 24 per cent had postgraduate level of education. As indicated in the Figure 5, only 20 per cent had attained primary and secondary level of education. It is important to note that Kenya still has a large number of its population who are illiterate hence they cannot read the newspapers. According to (UNESCO, 2014), 6,925,669 people are illiterate in Kenya and this data is supported by the (Kenya National Bureau of Statistics, 2009) which states that the Kenya national adult literacy survey report of 2007 indicates that 38.5 per cent adults aged 15 years and above were illiterate. This means that education affects public participation in the Senate and this could be attributed to the channels used by the Senate to inform the public of the upcoming public hearings.

The low attendance could be attributed to poor communication strategies or platforms adopted by the Senate as observed by one of the senators who was interviewed.

> The communication platforms used by the Senate are not effective for they do not reach a big population of the members of the public. The Senate relies on the advertisements in the daily newspapers but how many people have access to those newspapers? (S4)

These sentiments were corroborated by the findings of this study which established that respondents who had attained postgraduate degree at the time of the study formed the majority of those who saw the advertisements very regularly as represented by the 44 per cent shown in Figure 6. On the other hand, 61 per cent of the respondents who never saw advertisements in dailies had primary education. This is an indication that education level influences the frequency of seeing the advertisements in the daily newspapers.

4.5.5 Frequency of reading the Advertisements in the Daily Newspapers across Education Level
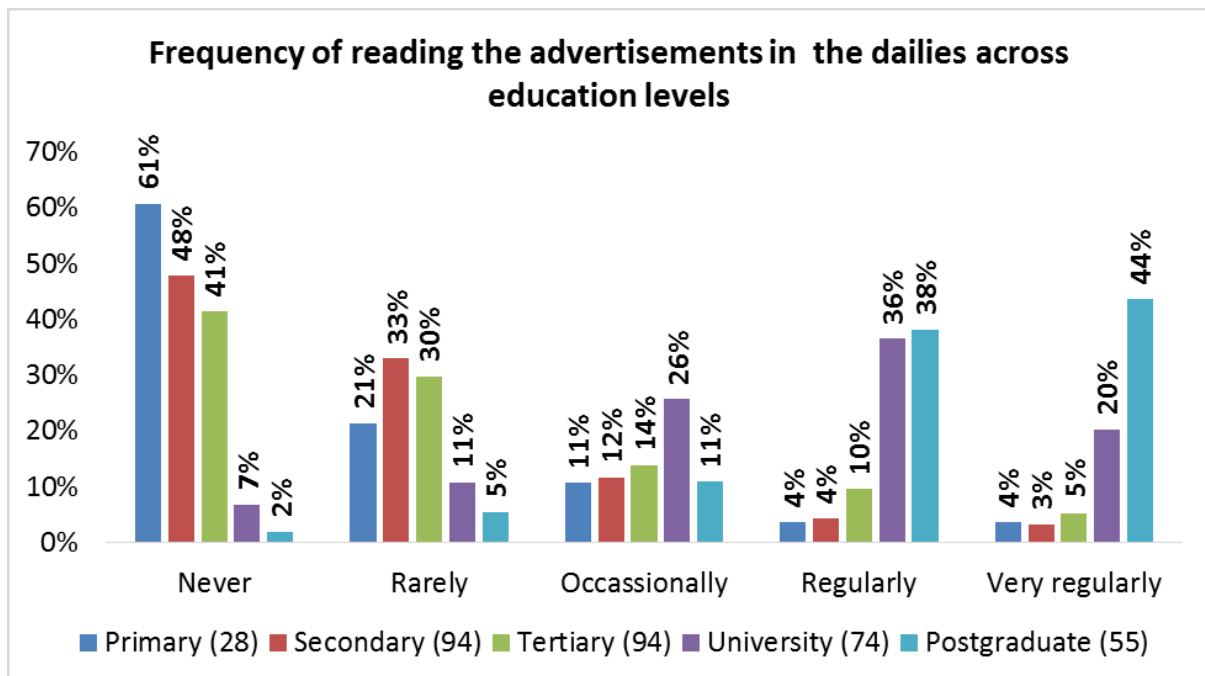
Figure 6: Frequency of reading advertisements in the daily newspapers across education level

This means that the Senate has to look for other ways of communicating to the public and that it has to take other initiatives so as to ensure improved participation.

One of the clerks to the Committee said that:-

> The number of the participants have been very low and a good number of those who attend the public hearings are the stakeholders who we specifically send letters to asking them to attend the public hearings.(CL2)

This method of communication goes against (Ginsburg et al, 2008) desire of having such processes being more consultative other than highly dependent on the elites. The poor attendance during the public hearings can be due to what (Freire, 1983) refers to as lack of identifying the culture of the local communities, democratisation and participation at all levels. The UNESCO language about self-management, access and participation from the 1977 meeting in Belgrade, the former Yugoslavia, also opines that participation implies a higher level of public involvement in communication systems. Freire on the other hand insists that subjugated peoples must be treated as fully human subjects in any political process which implies dialogical communication. The public has to be involved in the production process, and in the management and planning of communication systems unlike the method used by the Senate where the management decides on the communication channels to be used. Freire opines that a successful public participation should not merely be inclusive of, but largely emanating from, the traditional 'receivers' and this is what he refers to as the right of all people to individually and collectively speak their word. His perception of participatory

communication is very different from what happens in the Senate as stated by the staff members of the Senate who were interviewed.

> The Senate placed the advertisements in the newspapers to invite the members of the public for the public hearings. The advertisements were placed on three major daily newspapers namely, *The Standard*, *The Star* and the *Daily Nation*.(CL3)

This finding is similar to that of (Rono, 2017) who established that few people attend the public hearings organised by the county assemblies that also advertise public hearings in the newspapers even though they at times place the adverts in the local radio stations as well as posters, which the Senate does not do. To increase the number of participants during the public hearings, the Senate needs to use a media that allows more dialogue, such as community-based media (Tufte and Mefalopulos, 2009) so as to reach a wider audience.

Other than the advertisements published in the daily newspapers, one of the clerks said that:-

> We would write letters to stakeholders such as the County Assemblies, Council of Governors, Intergovernmental Relations Technical Committee, Ministries, Parastatals and Intergovernmental Budget Economic Council. The letters are to specifically invite them for the public hearings. We also encourage them to send memorandum on the issues to be addressed during the public hearings.(CL1)

The letters, just like the advertisements, were prepared by the Clerks of the Committees who would then send them to the Clerk for approval through the Director of Committee Services. The advertisement to the media houses had to be taken to the Director of Finance and Accounts for approval after it had been approved by the Clerk who would then send it to the Chief Procurement Officer before it was released to the media houses.

> The approval process took such a long time that we ended up having advertisements running in the daily newspapers a few days to the public hearing. We had many cases where the advertisements had to run in the newspapers three days to the public hearing sessions. We have also had cases where the stakeholders have received the invitation letters on the same day the public hearing is to take place.(CL3)

The delay to publish advertisements is contrary to (Skopje, 2010) recommendation when he states that a public meeting should be advertised at least 10 days prior to the planned meeting. He recommends that this should be done in the website of the institution and the other public media but this study has established that the Senate mainly advertises in the daily newspapers and that it does not take advantage of the other media platforms.

However, it is important to note that other studies have shown that such strict control is exercised over employees in order to avoid chaos and failure (Tampere). Organisations that do this believe that communication is for the organisation and not individual hence the secretariat of the committee do not own the information that goes out to the public but it is rather an institutional communication. This study established that decentralisation of the approval bureaucracy would have shortened the lines of communication which would then enable the information to reach the audience at the right time hence improved attendance. The proponents of participatory communication hold the view that self-management is the most advanced form of participation. In this case, the public exercises the power of decision making within communication enterprises and is also fully involved in the formulation of communication policies and plans which would then reduce or remove such kind of bureaucracy.

One of the Senators who was interviewed said that:-

> The members of the public were allowed to send in their memorandum or they could petition the Senate on an issue that was of concern to them. They could send the petition to the Clerk or they would request a Senator to present the petition on their behalf.(S2)

This strategy is in harmony with the participatory communication theory which is based on dialogue and it allows sharing of information, perceptions and opinions among the various stakeholders (Tufte and Mefalopulos, 2009).

4.6 Use of the Alternative Media Platforms

4.6.1 Frequency of Viewing Advertisements on Public Hearings on Other Media Platforms
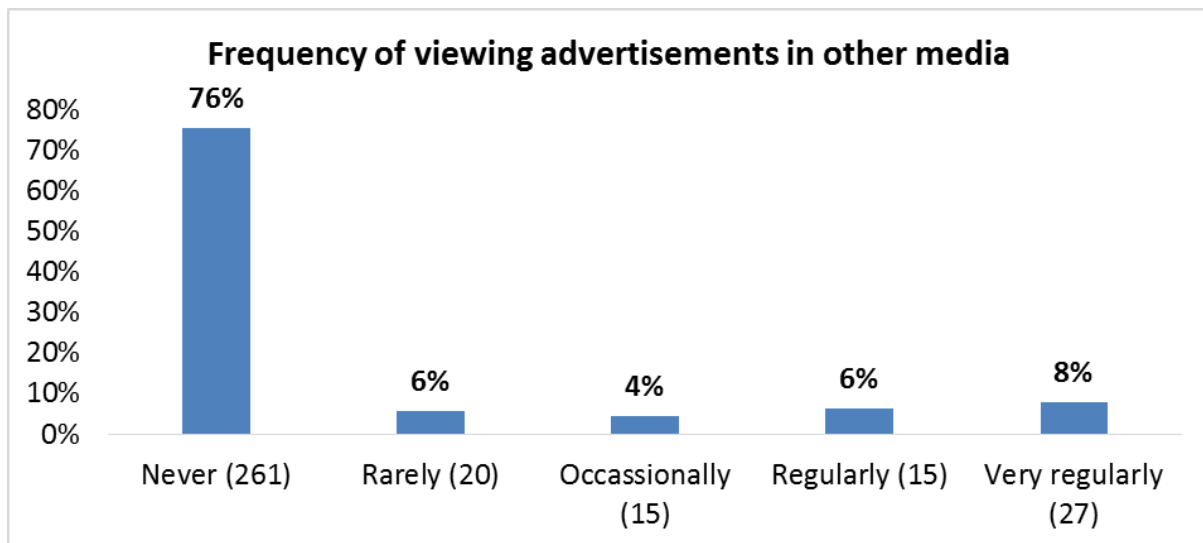
Figure 7: Frequency of viewing advertisements in other media

On frequency of reading the advertisements in other communication media other than newspapers, majority of the surveyed respondents, 76 per cent, have never read the advertisements on other channels, while only 8 per cent of the same respondents see the advertisements very regularly. Those who regularly, rarely and occasionally view the advertisements were represented by 6 per cent, 6 per cent and 4 per cent respectively.

One of the clerks of the committee and a media officer said that:

> We experience difficulties in using the other communication methods such as social
> media because we have very few media officers who are supposed to facilitate all the

44

> 17 committees of the Senate. (CL1)

> We were never involved in the drafting of the advertisement that was to be published.
> It was the responsibility of the CLS to draft the advertisement to be placed in
> the newspapers and send the letters to the stakeholders. (MO)

The limited media staff in the Senate hinders effective use of social media platforms for communication with the public which is similar to the finding of (Clark, 2014) who states that most organisations have inadequate staff time to dedicate to selecting and applying public engagement.

When the clerks of the committee took the responsibility of drafting the advertisements and followed up to make sure that it was published, the MO was then left with the responsibility of facilitating the committee by informing the journalists of the upcoming activities and by doing so, they proved (Kenterelidou, 2005) right when he says that government sometimes influences the subsequent media agenda and sometimes follows earlier media and public agendas where important news sources influence on the media agenda is the corps of government public information officers and other public relations practitioners. They subsidise the efforts of news organisations to cover the news by providing substantial amounts of information. In this case, the MOS offered the journalists the information to provide to the public regarding the matter to be addressed in the forthcoming public hearings. By doing so, they were setting the agenda. However, not all the agenda that they set on behalf of the committees or Senate got published because of the gatekeepers in the media houses. The media houses chose to either publish the events of the Senate or not and this is the reason as to why S4 said that;-

> The Senate has to form a linkage with the media houses and the journalists and when this
> is done, the media will inform the public of the upcoming public hearings. It is for this
> reason that we have the media centre and the journalists around because they need to
> sell the agenda of the Senate to the masses.(S4)

The limited number of the media officers hindered their performance. There is a possibility that Senate's overreliance of limited communication methods could have been a hindering factor to the number of people who attended the public hearings. (Rono, 2017) notes that the county assemblies, which are even closer to the communities in terms of distance, use different communication channels to inform the members of the public of the upcoming hearings. They use channels such as Facebook, radio, posters and newspapers hence their communication approach is broader than that of the Senate. The Senate's approach also differs from what happens in the United Kingdom where they have a website specifically dedicated for online consultation (Skopje, 2010).

This study established that the Senate posts the reports that have been Tabled on the Floor of the House on their website as a way of providing feedback to the society. This is similar to what is done in other jurisdictions such as the United Kingdom though the United Kingdom has a site that is dedicated to consultation (Skopje, 2010) unlike what the Senate of Kenya has. Other than the official website of the legislature, the United Kingdom has websites such as http://www.parliamentlive.tv (top-down, one-way), http://www.writetothem.com (bottom-up), http://forums.parliament.uk (top-down, two-way) which can be used by the public to communicate to the legislature. Unlike the Senate of Kenya where internet is mostly used to provide information to the public, in the United States of America, internet is used as a platform for the government institutions to call for contribution from citizens about upcoming policy decisions (Clark, 2014) thus it offers a platform for a two-way communication.

4.7 Role of a Senator in Informing the Public of the Upcoming Public Hearings?

Most of the Senators who were interviewed said that communication to the public regarding the upcoming public hearings in the 11th Parliament is the responsibility of the institution of the Senate.

> It is the role of the institution of the Senate to inform the public of the upcoming public hearings. It is actually a constitutional requirement that the Senate informs the members of the public on this.(S1)

The Senate is a political environment and it is difficult to control the politicians. (Bozeman's, 2013) highlights how political constraints can result in frequent changes of policy and the imposition of short time frames for delivery of change outcomes and this is in agreement with the view of the senator who said that:-

> It was good to have the Senate advertise and inform the public of the upcoming public hearings and this was the best approach for it helped achieve the central management of information.(S3)

The approach taken by the Senate where the institution takes charge of the communication to the public is also guided by the fact that diverse communications physiognomies can impact the perception of a message (Blach-Orsten and Burkal, 2014).

Two senators who were interviewed said that:-

> When a Senator had interest in a particular matter that was to go through a public hearing process, they deliberately made an effort to raise awareness of the upcoming hearings through their private Twitter accounts and Facebook accounts (S3).

> We also had cases where a Senator would discuss the matter in the radio stations or television stations when they got the opportunity to attend the talk shows which would later translate to the public interest on the matter.(S1)

They further gave an example of the Election Laws (Amendment) (No.3) Bill (National Assembly Bills No.63 of 2015) that got a lot of interest from the public which translated to a big audience and a number of memorandum during the public hearings. They were of the view that the big numbers of the members of the public was as a result of the Senators talking about the Bill in different communication medium.

> When a public hearing was to be conducted in my county, I would send information through word of mouth to the opinion leaders, churches and public barazas so as to encourage the members of the public to attend the meetings. (S5)

The approach used by the Senators could explain the reason as to why more than 50 per cent of the respondents who had attended the public hearings indicated that they had not been influenced by the advertisements in the daily newspapers as shown in figure 8 below.

4.7.1 Influence of the Advertisements on Participation in the Senate Public Hearings
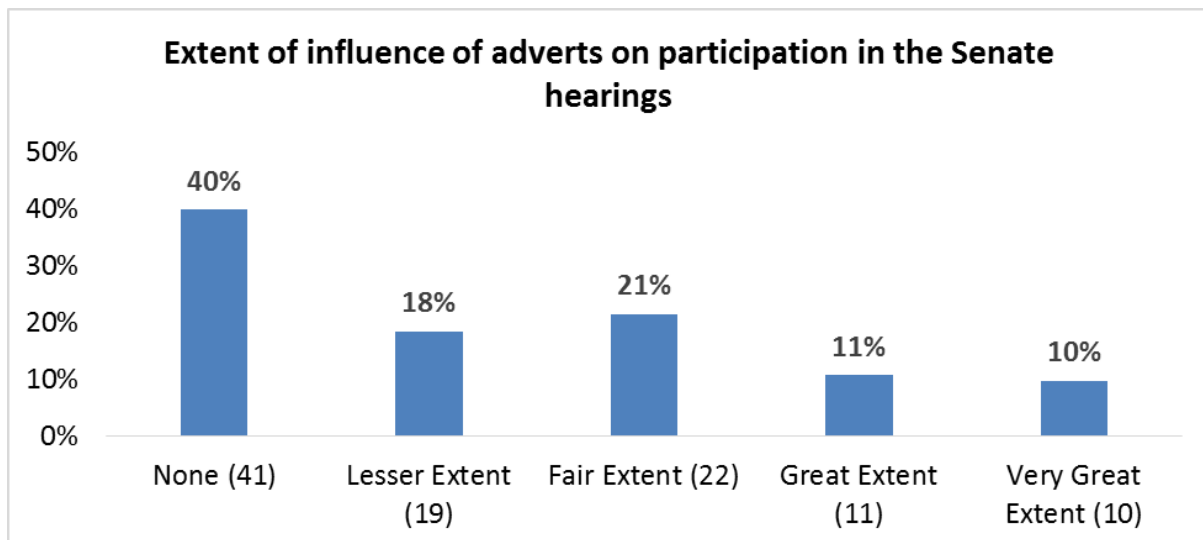

Figure 8: Extent of influence of advertisement on participation in the Senate hearings

Four out of every ten surveyed respondents indicated that advertisements did not influence participation in the Senate hearing while only one of every ten surveyed respondents indicated that advertisements very greatly influenced participation in the Senate. About one

fifth of the respondents also mentioned that advertisements influenced the participation to a fair extent.

The communication methods used by the senators were effective because a study commissioned by the Media Council of Kenya and conducted by IPSOS in March, 2018 indicates that 53 per cent of Kenyans got their news from radio, 35 per cent got it from television, 2 per cent from newspapers, 2 per cent from friends, family and colleagues, 1 per cent from social media and 1 per cent from the internet by May 2017. By using different modes of communication, the Senators were applying (Tufte and Mefalopulos', 2009) advice when they state that an effective participatory communication considers the way communities and stakeholders communicate among themselves and their preferred channels of information. They mostly used the monologic approach and they also appreciated the fact that it is not only important to identify formal and institutional channels but also the informal ones.

4.8 Public Confidence in the Public Participation Process in the Senate

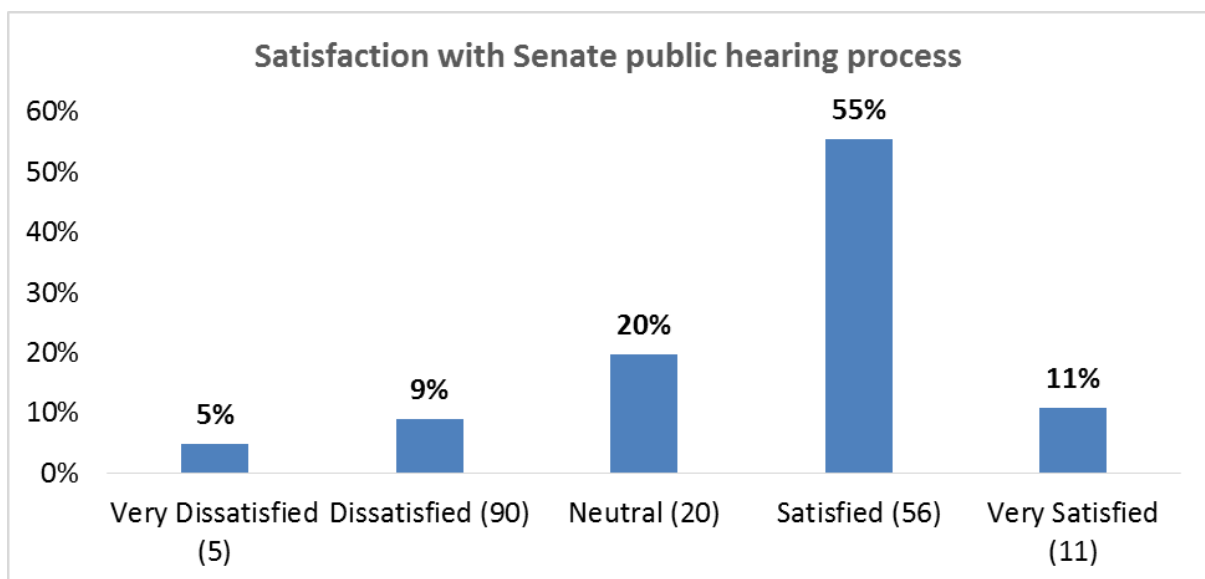Satisfaction with Senate public hearing process

Figure 9: Public Confidence in the Public Participation Process in the Senate

Majority, 55 per cent, of the surveyed respondents who had participated in the Senate public hearings indicated satisfaction in the Senate public hearing process while only 5 per cent were very dissatisfied with the process. One fifth, 20 per cent, of the respondents were neither satisfied nor dissatisfied.

(Wang and Wan Wart, 2007) postulates that government reform efforts emphasising more on democratic and citizen centered transformation have promoted public trust in government and this has been corroborated by this study where 66 per cent of the people who have attended the public hearings organised by the Senate said that they had confidence in the public participation process conducted by the Senate. This could be attributed to the fact that the participants were allowed to share their views and that chance to contribute was given on a first come first served basis. The interview respondents said that:-

> All the participants who attended the public hearings were given chance to air their views. In most cases, we followed the attendance register which then gave everybody an equal chance. (CL3)

> The Chairperson of the Committee gave all the participants a chance to air their views and we would then go through when working on the document so as to make sure that no view has been left unconsidered(S4)

> I captured all the views of the participants in a matrix which will then be shared with the Senators during the deliberation stage. I do not leave any view out however irrelevant it may sound. (LC)

The secretariat staff said that they purposed to make the process inclusive and all the views of the participants were captured and later shared with the Committee. This, according to (Tufte and Mefalopulos, 2009), portrays a genuine participatory process because it ensures that all participants have similar opportunities to influence the outcome.

The Senators who were interviewed said that they weighed on all the views of the members of the public collected during the public hearings during their deliberations. They also allowed the members of the public to freely share their views and this is the kind of scenario that Freire refers to as the encounter between men in order to 'name the world' which is a core principal of participatory communication. This kind of open dialogue could have contributed to the high level of confidence with the public hearing process hence the reason as to why Carreira et al state that if individuals feel positive about their contribution to public policy, the level of public participation increases and so does their confidence in the institution.

The CLS and the Senators said that the Senate uploads the reports of the committees on the website as a way of giving feedback to the members of the public. This is an important tool of feedback which is highly recommended by proponents of participatory communication.

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CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Overview

This section contains overview of the research, conclusion and recommendations.

5.2 Summary of Research

Public participation is generally new in the democracy of most developing countries yet it is widely considered as the true definition of democracy. This study examined communication and its effect in public participation in the Senate of Kenya. Its purpose was to investigate if the communication platforms that have been used by the Senate are effective and if not, give recommendations of the alternative communication channels that can be used. From the research findings in Chapter 4, it is important to note that a number of people see the advertisements in the daily newspapers though the Senate can use other communication methods to reach a bigger population. This inference is drawn from the analysis of the feedback from the interview and the questionnaires.

The study has established that communication has a direct influence on the number of people who will attend a public hearing. Communication also has influence on people's perception of an institution. When the Senate informs people of its functioning, the public tends to have a positive attitude and confidence towards it.

This study was guided by two theories; participatory communication theory which states that communication should be conscientisation, which leads to a freeing that results to actual liberation when people engage in dialogue and search together (White et al, 1994).

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(Shoemaker, 1991) defined gate keeping as the process by which the billions of messages that are available in the world get cut down and transformed into the hundreds of messages that reach a given person on a given day. (Franklin, 2004) says that media has a direct and significant effect on the knowledge, attitude and behaviour of audiences.

This study used the mixed method design. The target population was the residents of Nairobi City County. The study used a formula suggested by (Mugenda and Mugenda, 2003) to get the sample size. Purposive random sampling was used to select the respondents to the survey questionnaires while criterion purposeful sampling was used to sample the senators and the staff of the Senate.

Questionnaires were administered to the respondents with the help of four research assistants who were trained to assist in data collection. The researcher sought prior appointments with the key informants through their personal assistants for the in-depth interviews. Respondents were informed that they may choose not to answer a question or withdraw from the interview at any time without penalty. There was 86 per cent completion rate. Out of the 400 questionnaires that were distributed, 380 were returned, 35 were blank and 345 were answered and returned and all the ten interviews were conducted and analysed. The data was analysed using descriptive and inferential statistics. The findings of the quantitative data were summarised and presented using percentages, bar charts and pie charts. For the qualitative data, ten in-depth interviews were conducted using a detailed interview guide and thematically analysed.

This study established that the advertisements run by the Senate did inform people about the upcoming public hearings though it was also established there is need for the Senate to use other communication methods to reach a larger audience.

5.3 Summary of Findings

The study concludes that the Senate tends to communicate to the public of the upcoming public hearings by sending advertisements in the daily newspapers such as the *Daily Nation*, *The Standard* and *The Star* but they have failed to use alternative media such as the radio and new media which have a higher number of audiences. This could as a result of the Senate not having more resources or enough resources to spread the information on other channels or they do not want to invest more. The study also established that the Senators will go out of their way to inform the public of the upcoming public hearings in different platforms if they have interest on the Bill or the subject matter to be discussed. This study also established that the Senate sends letters to stakeholders to invite them to the upcoming public hearings.

The study also concludes that the Senate has limited ways of giving feedback to the public though the people who had attended the public hearings were satisfied with the way the Senate holds its public hearing sessions. The limited mechanisms of relaying feedback could be as a result of the Senate not exploring other communication methods or they are yet to see the need of involving more members of the public in the public hearings. The study concludes that communication of the upcoming public hearings is left to the institution of the Senate. The study concludes that one of the things that has led to delayed communication or placement of the advertisements in the newspapers is the bureaucracy in the institution and the cost. The Senate has done very little to inform the public of the upcoming public hearings. The Senate has not invested in the human resource who could then use the social media to inform the public of the upcoming public hearings. This study concludes that the Senate has not used all the available communication channels to inform the public of upcoming hearings.

5.4 Recommendations

Public participation is now a legal requirement in the country after the promulgation of the new Constitution. All Government organs are expected to involve the members of the public in its decision making processes and the best way to do so is through public hearings. However, being a new concept in the country, most organisations are still grappling on how to conduct an effective public hearing session that will involve most members of the public. We have had some organisations conduct public hearings as a matter of formality so as to be seen to be following the Constitution. The Senate has attempted to communicate to the members of the public regarding their public hearing session but there is more that needs to be done by the institution so as to have more people contribute in the decisions being made by this institution. The members of the public who have attended the public hearings organised by the Senate are confident that the institution is doing the right thing. This means that more people can have confidence in the institution of the Senate is they get involved in its activities which can only be achieved through the public participation process. Therefore, it is imperative for the Senate improve its communications platforms so as to have more people attend the public hearing sessions

The study recommends that: the Senate should use the new media to communicate to the public of the upcoming public hearings. New media is widely used by a majority of people, especially the youths; hence it will be a good platform of getting a bigger audience. They should employ more staff to handle communication matters. The additional staff can have interactive sessions with the members of the public in their websites, Facebook and Twitter. This will be an easy way of informing the public of the upcoming public hearings, it will also

be a good channel for getting the views of the public on a certain issue as well as being a good platform of giving the public feedback on issues discussed.

The Senate should reduce the bureaucracy of the approval of the invitation letters to be sent to the stakeholders as well as the bureaucracy of getting funds for the advertisement on the daily newspapers for the adverts to be placed in good time. This is because the members of the public have to get the information regarding the public hearings early so as to plan to attend. The Senate should explore other methods of creating awareness regarding the upcoming hearings such as having road shows. This platform reaches a bigger population of people from different social and economic background including those who do not have access to the newspapers and the new media. The Senate can also send text messages to members of the public having in mind that a big number of the populace have mobile phones. They can also organise regional workshops and collaborate with the county assemblies by having the assemblies collect the views of the public on their behalf. The Senate can also advertise the upcoming public hearings on radio, especially the local radio stations that have a bigger audience. They can also have radio and television programs where the Senators can talk of the upcoming public participation so as to create awareness amongst the public.

5.5 Way Forward

The study evaluated the communication strategies adopted by the Senate to promote mandatory public participation in Kenya. Communication in a political institution like the Senate is a very fluid matter; therefore, further research could be conducted on the following area:

 (i) Role of politics on effectiveness of communication techniques used in the Senate.

(ii) The role of social media in promoting mandatory public participation in the Senate.

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Appendix 1: Introduction Letter

School of Journalism and Mass Communication,

University of Nairobi,

Dear respondent,

 I am a student at the University of Nairobi, pursuing Master of Arts Degree in Communication In partial fulfillment of this course, I am undertaking a research project entitled Examining Communication Strategies Adopted by the Senate to Promote Mandatory Public Participation in Kenya.

I am kindly requesting you to respond to this questionnaire. The information provided will be used for the purpose of this study only and will be treated with the confidentiality that it deserves. Your opinion is highly appreciated.

Strict confidentiality will be observed.

Your cooperation will be highly appreciated.

Thank you,

Adhiambo L. Concepta.

Appendix II: Research Questionnaire

Instructions

Please fill in the blanks or tick (√) where appropriate to provide the information requested.

SECTION A: PERSONAL INFORMATION

1.1 Respondent's gender?

Male [ ] Female [ ]

1.2 How old are you?

1. 20 to 30 years [ ]   2. 31 to 40 years [ ]   3. 41 to 50 years [ ]   4. Above 50 years [ ]

1.3. What is the level of your education?

1. Primary [ ]   2. Secondary Level [ ]   3.Tertiary level [ ]

        4. University Graduate [ ]   5. Postgraduate [ ]

1.4 Which organization do you work for?

5. Private [ ]   4. Non-Governmental [ ]   3. Government [ ]   2. Faith Based [ ]   1. None [ ]

SECTION B: KNOWLEDGE

2.1 Have you ever participated in Public Participation in the Senate?

Yes [ ]   No [ ]

2.2 How frequently do you see the advertisements in the daily newspapers informing the public of the upcoming public hearings?

5. Very Regularly [ ]   4. Regularly [ ]   3. Occasionally [ ]   2. Rarely [ ]   1.

Never [ ]

2.3 How often do you see or hear of these advertisements in other communication medium other than the newspapers?

5. Very Regularly [ ]   4. Regularly [ ]   3. Occasionally [ ]   2. Rarely [ ]   1.

Never [ ]

2.4 How many times have you participated in public hearings in the Senate?

5. Very Regularly [ ]   4. Regularly [ ]   3. Occasionally [ ]   2. Rarely [ ]   1.

Never [ ]

2.5 To what extent has the advertisements influenced your participation in the public participation hearings organized by the Senate?

5. Very great extent [ ]   4. Great extent [ ]   3. Fair extent [ ]   2. Lesser extent [ ]   1. None at

all [ ]

2.4 On a scale of 1 – 5, indicate your confidence in the public hearings in the Senate?

5. Very great extent [ ] 4. Great extent [ ] 3. Fair extent [ ] 2. Lesser extent [ ] 1. None at all [ ]

2.5 On a scale of 1 – 5 indicate the overall influence that the advertisements by the Senate on the public hearings have had on your participation.

5. Extremely high [ ]   4. High [ ]   3. Average [ ]   2. Low [ ]   1. Extremely low [ ]

SECTION C: ATTITUDE AND PERCEPTION

3.1 From the public hearings that you have attended, do you think that your opinion was considered?

5. Very considered [ ] 4. Considered 3. Fairly considered [ ] 2. Not very considered [ ] 1. Not considered at all [ ]

3.2 From the public hearings that you have attended, how satisfied are you that the Senate is implementing the constitutional requirement on public participation?

5. Very Satisfied [ ]   4. Satisfied [ ]   3. Neutral [ ]   2. Dissatisfied [ ]   1. Very Dissatisfied [ ]

3.3 How has public hearings affected your perception about the Senate?

5. Extremely appreciate [ ] 4. Appreciate [ ] 3. Neutral [ ] 2. Dislike [ ] 1. Extremely dislike [ ]

3.5 Overall, how would you rate the performance of the Senate?

5. Excellent [ ] 4. Good [ ] 3. Average [ ] 2. Poor [ ] 1. Very poor [ ]

Thank you for your time and participation in this survey

Appendix III: Certificate of Field Work

UNIVERSITY OF NAIROBI
COLLEGE OF HUMANITIES & SOCIAL SCIENCES
SCHOOL OF JOURNALISM & MASS COMMUNICATION

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Email: director-soj@uonbi.ac.ke

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Nairobi, GPO
Kenya

REF: **CERTIFICATE OF FIELDWORK**

This is to certify that all corrections proposed at the Board of Examiners meeting held on ___16/02/2018___ in respect of M.A/PhD. Project/Thesis Proposal defence have been effected to my/our satisfaction and the project can be allowed to proceed for fieldwork.

Reg. No: _K50/81032/2012_

Name: _Adhiambo L. Concepta_

Title: _Examining Communication framework adopted by the Senate to promote Mandatory public participation in Kenya_

Dr. Peter Onyango

SUPERVISOR   SIGNATURE   23rd Feb. 2018 DATE

Dr Samuel Siringi

ASSOCIATE DIRECTOR   SIGNATURE   23/02/2018 DATE

Dr. Ndeti Ndati

DIRECTOR   SIGNATURE/STAMP   DATE   26 FEB 2018

Appendix IV: Certificate of Correction

UNIVERSITY OF NAIROBI
COLLEGE OF HUMANITIES & SOCIAL SCIENCES
SCHOOL OF JOURNALISM & MASS COMMUNICATION

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P.O. Box 30197-00100
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Kenya

REF: CERTIFICATE OF CORRECTIONS

This is to certify that all corrections proposed at the Board of Examiners meeting held on 26/10/2018 in respect of M.A/PhD. Project/Thesis defence have been effected to my/our satisfaction and the project/thesis can be allowed to proceed for binding.

Reg. No: K50/81032/2012

Name: ADHIAMBO L. CONCEPTA

Title: EXAMINING COMMUNICATION FRAMEWORK ADOPTED BY THE SENATE TO PROMOTE MANDATORY PUBLIC PARTICIPATION IN KENYA

Dr. Peter Onyango   (sign)   06/4/2018
SUPERVISOR   SIGNATURE   DATE

Dr Samuel Siringi   (sign)   21/11/2018
ASSOCIATE DIRECTOR   SIGNATURE   DATE

Dr. Ndeti Ndati   (sign)   22.11.2018
DIRECTOR   SIGNATURE/STAMP   DATE

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Appendix V: Declaration of Originality

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