COMMUNITY PARTICIPATION IN CONSTITUENCY DEVELOPMENT FUND (CDF) PROJECTS IN KANGEMI WARD, WESTLANDS CONSTITUENCY
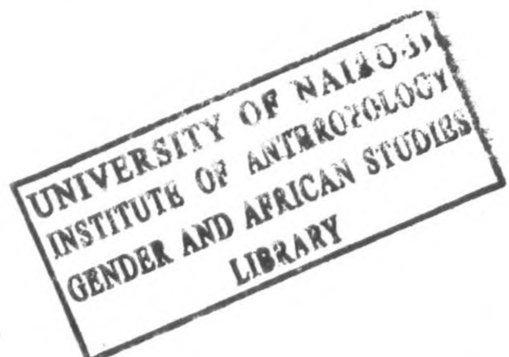
BY

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A THESIS SUBMITTED TO THE INSTITUTE OF ANTHROPOLOGY, GENDER AND AFRICAN STUDIES IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE OF MASTER OF ARTS IN ANTHROPOLOGY OF THE UNIVERSITY OF NAIROBI.

2011

DECLARATION

I, the undersigned, do hereby declare that this thesis is my original work and has not been presented for any academic degree in any other university.
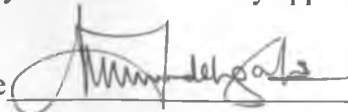
Signature _____ Date 20th Oct. 2011

Dalmas Ochieng Omia

I confirm that the candidate, under my supervision, carried out the work reported in this thesis and has been submitted for examination for the degree of Masters of Arts in Anthropology of the University of Nairobi with my approval as the university supervisor.

Signature _____ Date 6th Nov 2011

Dr. Charles Owuor Olungah

DEDICATION

To my late father Andrew Bora Omia, God rest your soul in peace, for my mother Margaret Omia with indefatigable spirit for success and all my siblings; be blessed.

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ABSTRACT

This is a cross-sectional exploratory study of community participation in Constituency Development Fund (CDF) projects in Kangemi ward, Westlands constituency. In specific, the study set out to: examine the extent of awareness and knowledge of CDF operations and policies by community members, determine the mode of participation in CDF projects by community members and examine the views of community members on constraints to active participation in CDF projects. This is because, effective participation of the Kenyan people in the implementation of decentralized funds remains an elusive mirage owing to: inadequate information on devolved funds, exclusion of citizenry in decision making process regarding the funds and the culture of political patronage in appointment of fund managers.

This study was guided by Rights Based and Social Accountability Approach to development as the theoretical framework. Simple random sampling was used to select100 respondents from Kangemi Ward for survey questionnaires, FGD participants were purposively selected based on their locations in the ward for three separate discussions, six key informants were purposively sampled on the basis of their knowledge and positions within the ward. Quantitative data from survey questionnaires was analysed through SPSS while qualitative was were analysed thematically.

The results reveal a general high awareness of CDF among community members but particular knowledge of CDF details with regard to costs and amounts disbursed for specific projects is generally low among the community. This has an effect in constraining the voices of the people,

limiting people's rights to demand for accountability, inclusion and participation in the CDF projects. Moreover, community participation in monitoring and evaluation of the CDF projects has been established to be hindered by low knowledge and awareness on the CDF regulations/operations. On the other hand, unaccountability to the public in terms of fund usage is fuelled by low awareness on the rights/opportunities to participate in decision-making regarding the management of the projects implemented. This has resulted into prioritization of community non-needs driven projects, inequitable spread of the projects across the ward and observed abuse of power by the CDF management committees.

Political appointment of the management committee denies the community fair representation at the fund's decision-making level. Furthermore, lack of clear planning, non-existence of strategic and transitional plans, lack of community training on social audits and obscure redress mechanisms are some of the key barriers to active participation.

This study recommends advocacy and sensitization of the public to comprehend the specific provisions of the CDF Act on participation, redress and accountability. Constructive advocacy and/or sensitization can be achieved through designing tailored information materials to be used at the chiefs' barazas, the use of more concrete and detailed advertisements on the newspapers besides other identified local communication networks.

This study further recommends training of the CDF management committees on effective management skills, accountability issues to the public and transparency in the fund activities. The training should also focus on community mobilization skills to enhance more participation from the public in CDF projects.

LIST OF ABBREVIATIONS AND ACRONYMS

CDF   Constituency Development Fund

CDG   Centre for Governance and Development

CDFC   Constituency Development Fund Committee

CDFNMS Constituency Development Fund Management Secretariat

CFC   Constituency Fund Committee

DC   District Commissioner

DDO   District Development Officer

DFID   Department for International Development

DO   District Officer

DPC   District Projects Committee

IEA   Institute of Economic Affairs

IIEC   Interim Independent Electoral Commission

KNBS   Kenya National Bureau of Statistics

MP   Member of Parliament

MPND   Ministry of Planning and National Development

NGO   Non-Governmental Organization

NMC   National Management Committee

NORAD Norwegian Agency for International Development

NTA   National Taxpayers Association

OHCHR Office of the High Commissioner for Human Rights

OSIEA   Open Society Initiative for Eastern Africa

PMCs   Project Management Committees

RBA   Rights Based Approach

SPSS   Statistical Package for Social Sciences

1.0 CHAPTER ONE: BACKGROUND TO THE STUDY

1.1 Introduction

In Kenya, the centralization of authority and management of resources has led to the inadequate distribution of resources across regions, resulting in a growing inequality in services, infrastructure and development across the country (Court and Kinyanjui, 1980; Mapesa and Kibua, 2006). To overcome the distortion in the allocation of public expenditure in Kenya, a number of decentralization programmes were put into place during the 1960s and 1970s, but without much success as these programmes became politicized and the misallocation of resources persisted (Court and Kinyanjui, 1980).

The main benefit associated with a devolved funds structure is economic efficiency, which rests on two assumptions. First, it assumes that a group of individuals who reside in a community or region possess tastes and preference patterns that are homogenous and that these tastes and preferences differ from those of individuals who live in other communities or regions. And second, it assumes that individuals within a region have a better knowledge of the costs and benefits of public services of their region (Burkhead & Miner, 1971). Thus, resources devoted for public purposes should be left to the local people to enhance their preferences for public expenditure that optimizes costs which is usually not the case (Boadway & Wildasin, 1984).

From the aforementioned benefits, the Kenyan government has formulated an array of decentralization programs since its independence in 1963, among them: the District Development Grant Program (1966), the Special Rural Development Program (1969/1970), District Development Planning (1971), the District Focus for Rural Development (1983 -84) and the Rural Trade and Production Center (198-89). Though ingenious, these programs suffered the

same fate – a lack of funding and excessive bureaucratic capture by the central government (Ogutu, 1989; Khadiagala & Mitullah, 2004). It is from this background that in the year 2003, the Constituency Development Fund (CDF) was created.

The Constituency Development Fund (CDF) was established through the CDF Act, 2003, as published in the Kenya Gazette supplement no. 107 (Act no.11) of January 2004 (Kituo Cha Sheria, 2008). The fund was introduced in Kenya as a home grown initiative to address all inequalities in development around the country (OSIEA, 2008). The key objectives of the fund are to fund projects with immediate social and economic impact with a view to improving lives, alleviating poverty and helping general development purposes (IEA, 2006). The Act has since been replaced by the CDF Amendment Act of 2007 and the CDF regulations of 2004 (Kenya, 2003, 2004, 2007).

The CDF is a decentralized fund conceived in response to the general failure of previous approaches to development planning in Kenya (Mwalulu and Irungu, 2004). It arose out of the concern that previous development funds lacked an appropriate institutional framework and were allocated irregularly, inequitably, were misused and did not achieve their intended objectives (Mapesa and Kibua, 2006). The CDF was also established to relieve Members of Parliament and other leaders from undue *harambee* obligations (Kenya, 2005); this was because Members of Parliament had abused *harambee* as a means of mobilizing resources to attain development objectives.

The fund aims at alleviating poverty in constituencies (CBS, 2005; Kenya, 2005). The fund is allocated to community projects to ensure that many people benefit from project activities. According to Section 23(3) of the CDF Act, projects to be funded are identified at the locational level through community meetings. Identification of projects

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at the grassroots is aimed at promoting project ownership and enhancing sustainability of projects by using local information (Kenya, 2005). The CDF targets community-based development projects as a criteria and whose benefits are enjoyed by the community members besides the fund being used in setting up and equipping the constituency offices (IEA, 2006). In this way, the fund seeks to eliminate regional imbalances, improve pro-poor targeting, expand coverage and improve development outcomes by eliciting local people's participation in decision making.

The CDF Board administers the CDF at the national level while the District Project Committees (DPCs) and the Constituencies Development Fund Committee (CDFC) manage the fund in constituencies (Kenya, 2007). The CDF Board consists of a chief executive officer approved by parliament, permanent secretaries of finance and planning ministries, the Attorney General, the Clerk of the National Assembly and other professionals appointed by the minister for planning. The CDF board examines and approves project proposals, disburses funds to constituencies, evaluates and takes action on complaints and disputes emanating from the operations of the CDF (Kenya, 2007).

The CDFC is made up of the elected MP, two councilors, one district officer, two religious organization representatives, an NGO representative, and a Constituency Fund Account Manager. The CDFC receives priority projects from locations and decides those to be funded, allocates funds to these projects, communicates information about CDF projects in constituencies, and monitors and evaluates projects that are funded (CDFMS, 2007; Kenya, 2003, 2007). The CDF account managers are the custodians of all assets and liabilities of the CDF in the constituencies. The managers countersign all payment vouchers, prepare and maintain accounting documents and keep all records relating to the

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fund at the constituency. In addition, they co-ordinate the implementation, monitoring and evaluation of CDF projects, prepare community action plans, budgets and strategic plans, and collaborate with the development partners in the district to avoid duplication and overlaps in project planning and implementation (Kenya, 2007).

The CDFC works with the District Project Management Committee (DPC) which is composed of MPs, mayors/chairs of local authorities, the District Commissioner (DC), District Development Officer (DDO), a community representative, District Accountant and District Heads of relevant departments. The role of the DPC is to countercheck project proposals put forward by the CDFC in the district in order to avoid duplication and coordinate the implementation of funded projects together with the CDF account managers.

An elected MP constitutes and convenes the CDFC according to the provisions in the CDF Act (Kenya, 2003, 2007). The MP also renews or replaces members of the CDFC after three years, the stipulated time or whenever a vacancy arises. According to the CDF Act, MPs should convene consultative meetings at each location of the constituency at least once every two years to generate development projects priority list for funding, chair the CDFC, and represent the constituency in the DPC (Kenya, 2007). The MPs also submit approved projects in their constituencies to the CDF Board (Mwalulu and Irungu, 2004).

The CDF is seen to provide opportunities for corruption so that in some cases, courts have frozen bank accounts of certain constituencies due to lack of financial probity or poor planning resulting into resource misuse. This has led to conflicts between leaders and

community members over the planning and the implementation of projects. Hence, the public has developed negative sentiments concerning CDF project planning and implementation (Mapesa and Kibua, 2006).

In 2005, the Constituency Fund Committee (CFC) conducted a review of the CDF and suggested changes that would improve its planning and implementation. In its report, the CFC proposed, among other things, to formalize a system of receiving and dealing with complaints in project planning, to increase the amount of fund to 7.5% of the total government ordinary revenue, and to precisely define a system and authority to allocate funds (CFC, 2005). However, the CFC report does not address questions of how to achieve mobilization and participation of the people and neither does it iron out constrains that community members face in the process of participation in the CDF. Moreover, although the CDF Act (2003), amended in 2007, provides a framework for solving complaints, and conflicts arising from CDF project planning and implementation, even after guidelines of the amended Act are implemented, problems to do with mobilization and participation of people remain. This may continue to undermine the planning and implementation of the projects under the Constituency Development Fund.

Further, a study by Mapesa and Kibua (2006) found that at the low level of the fund; institutions for decision-making are weak and community participation in project selection, execution, selection of committees, and monitoring and evaluation is inadequate. They also argue that implementation of projects under the CDF has the potential of introducing the politics of reward and punishment at the local level. Particularly, areas that oppose a particular MP may be excluded from the CDFC, due to the power that MPs have to appoint committee members. The study does not, however, examine the mobilization of

the community members and their participation in CDF projects. Although the study recognizes the influence of 'powerful local notables' in project planning, the authors do not assess the social power relations entangled in project planning and how such relations induce or constraint people's participation in CDF projects.

Another concern is that the CDF Act of 2003, CDF regulations, the CDF Act (amended in 2007) and other policy documents do not specify how local stakeholders are to be mobilized to participate in development projects. The use of the concept 'community' in CDF policy document does not recognize differences in people's socio-economic and demographic characteristics, how they are mobilized and how they participate in development projects.

CDF is a participatory fund and collected as a percentage of ordinary government revenue which is generated from taxation (OSIEA, 2008). In this way, every Kenyan contributes towards CDF and therefore, for it to succeed, members of the public and community member groups including the poor must be involved in all its stages through: being informed about CDF, participating in CDF meetings in their locations, supporting, monitoring and reporting abuse cases on CDF.

This particular study explored community participation in the Constituency Development Fund projects in Kangemi Ward, Westlands Constituency with key focus on the knowledge and level of awareness on CDF policies, modes of participation and barriers to community participation in CDF projects.

1.2 Statement of the Problem

While the philosophy underlying devolved funds including CDF is the participation of the people towards a priority and needs-responsive development, effective participation of the Kenyan people in the implementation of decentralized funds remains an elusive mirage owing to a number of factors: inadequate information on devolved funds, exclusion of citizenry in decision making process regarding the funds, poor coordination between fund activities' managers resulting in project duplication, the culture of political patronage, apathy among citizenry, weak legislative regimes and unresponsive government structures (Kituo cha sheria, 2008). Several concerns have been raised since the CDF was established. For example, it has been pointed out that local politicians, especially MPs, may dominate or unfairly influence project planning and implementation because they are the ones who appoint the CDFC members (Nduva, 2005). Due to this provision under the CDF Act, there is a possibility that development projects could be skewed in favour of individual interests or in favour of certain areas/clans in a constituency considered to be the strongholds of particular MPs. It is also possible that MPs could exclude areas or clans with divergent views from representation in the CDFC (Mapesa and Kibua, 2006).

Particular studies in the devolved funds regime in Kenya by KIPPRA (2008), IEA (2006), and OSIEA (2008) have not explicitly looked into how the community members of diverse socio-economic backgrounds are engaged in the development process in terms of planning, with their realities and needs as priorities for CDF projects implementation. There is therefore the need to find out factors that prevent genuine and active involvement of people in CDF projects and, in local development projects in general. The overarching objective of this study was therefore, to explore the level and nature of participation of the community in Kangemi ward, the

participatory avenues available for the community and the constraints that hinder the realization of active participation of the community in CDF projects. For the study to realize the foregoing objective, the following research questions were adopted to guide the process of inquiry:

i.   What is the level of knowledge and awareness of CDF policies/operations and projects among the community in Kangemi ward?

ii.   What is the degree of participation in project selection, prioritization and implementation by the community members in Kangemi ward?

iii. What are the constraints that hinder active participation of community members in the CDF projects in Kangemi ward?

1.3 Objectives of the study

1.3.1 Overall objective

The overall objective was to explore the level of community participation in CDF funded projects in Kangemi ward, Westlands constituency.

1.3.2 Specific objectives

i.   To examine the extent of awareness and knowledge of CDF operations/policies and projects by community members

ii.   To determine the modes of participation in CDF projects by community members

iii. To examine views of community members on constraints to active participation in CDF projects

1.4 Justification of the study

Studies on public participation in CDF projects by Mapesa and Kibua (2006), and Kituo Cha Sheria (2007), have identified low level of public participation in project planning due to weaker institutions without examining the mobilization of the community to participate in development projects leading to an information gap. The findings of this study therefore, are important in adding to the knowledge on poverty alleviation strategies based on the priorities of the communities by eliciting hindrances to the people's participation and recommending effective mobilization strategies for active participation of the community in project planning and implementation besides monitoring and evaluation. The study results will add to the academic bank available to scholars with interest specifically on the community participation in decentralized funds, how the participation empowers the communities and common constraints faced by communities in the participation process.

The study looked into the socio-economic diversities of the Kangemi ward community, their differential capacities to participate and impact on development and suggested ways of advocating for policies and regulations about CDF that enhances community members' participation in development. In essence, besides the basic information generated, the research will go a long way to inform policy and if the recommendations are included in the next CDF amendment, we will realize a truly people driven development process that will have an inbuilt mechanisms for sustainability.

1.5 Scope and Limitations of the study

This study was carried out in Kangemi ward, Westlands constituency, in Nairobi Province of Kenya. It mainly focused on community members in Kangemi ward in regard to their participation in CDF projects. This is because, the potential to use information to improve people's input in development is largely possible when their multiple realities are captured in their immediate setting. Thus, the study delved into the knowledge and awareness of the community about CDF policies and operations, modes of their participation in CDF projects and the constraints they face in a bid to constructively participate in CDF projects in their ward.

This study, given its rights based and accountability approach does not explicitly bring into focus the political economy of CDF vis-à-vis the citizenry in respect to control and management of the fund, and how this power relation affects project prioritization and planning at the local levels which would have been adequately addressed by social power approach to development.

While the study had key interest in community participation in the CDF projects, the qualitative impact of the CDF projects in the people's lives could not be captured by the study since this was beyond its scope. Limited financial resources confined the geographical scope of the study to ward level and a small sample, thus, the results of this study cannot be generalized given the small sample size used and unique experiences of community members with CDF projects across different sections of the country.

1.6 Definition of key terms

Community: people residing and registered as voters in Kangemi ward of Westlands constituency

Constituency: an electoral zone represented at the national assembly by a Member of Parliament

CDF: government allocation based on the 2.5 per cent of the ordinary revenue and redistributed to the constituency level.

Development: improvement in the livelihoods of the people as a result of being part of identifying, prioritizing and managing to success the agreed socio-economic agenda.

Fund: the financial provision under constituency development Act.

Participation: community's informed involvement in decision-making processes in implementing programmes, their sharing in benefits and evaluation of the programmes under CDF.

Projects: socio-economic activities funded by the constituency development fund.

2.0 CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

In this chapter, literature pertaining to the study topic is reviewed guided by the objective of the study in order to have an overall understanding of community participation in CDF projects. Historical and current perspectives on decentralization in Kenya, awareness and knowledge on CDF policies/regulations, modes of participation in CDF projects and constraints to participation in CDF projects have been reviewed. The chapter finally presents the theoretical framework and assumptions that guided the study.

2.2 Historical and Current Perspectives on Decentralization in Kenya

The history of decentralization in Kenya dates back to independence in 1963. At independence, the government started a form of devolution commonly known as *majimbo*, which granted significant recognition and responsibility to the regions (Ogutu, 1989). The system granted power to the Local Authorities to collect taxes and gave them responsibility for the maintenance of schools, health facilities and minor roads. With the merger of the then opposition party (Kenya African Democratic Union – KADU), who were the proponents of *majimbo* in 1964 with Kenya African National Union (KANU) which was the ruling party, the centralized system of government was entrenched. Development committees were established at provincial and district levels to facilitate coordination of development activities and provide assistance in terms of decision making (Kenya, 1965).

The government through *Sessional Paper No. 10 of 1965 on African Socialism and its Application in Planning* established the principle of a State directed development process and

decentralization of planning based on local inputs as a means of improving socio-economic well being of the rural community (Kenya, 1965). In 1971, Kenya initiated integrated decentralized planning under Special Rural Development Programme (SRDP) that was managed by the Ministry of Finance and coordinated by the National Rural Development Committee (NRDC). The programme was implemented in areas chosen to cover a cross section of the nation. SRDP was focused at the sub-district level (that is, the division), covering six rural administrative divisions as an experiment on decentralization with the primary objective of increasing rural incomes, employment and welfare (IDS, 1973). Organizational and sectoral coordination were given attention in both planning and implementation. As with many pilot programmes, a major problem proved to be the conflict between the desire for establishing viable programmes, which could be replicated through the country, and the pressure to create individually successful programmes which were not transferable because of high costs (IDS, 1973).

The Government reiterated its commitment to rural development in *Sessional Paper No. 4 of 1975 on Economic Prospects and Policies* when it stated that 'there would be more emphasis on rural development'. Some of the initiatives started in the SRDP were amplified in this Sessional Paper. For instance, the Sessional Paper stated that in order to support the expanded agriculture programme, emphasis on road building would be shifted from expensive major roads to access and feeder roads in rural areas.

In addition, since the late 1970s and early 1980s, six Regional Development Authorities (RDAs) have been established with a common mandate to plan and coordinate the implementation of regional development activities, ensure mobilization of resources and promote regional socio-economic development through integrated planning and management. They are meant to ensure

equitable development based on natural resource endowment of each of the six regions. However, because of the integrated and multi-disciplinary nature of their activities, they are characterized by duplication of functions with other development players. At the district level, they often lack adequate funding and this affects their operations. For a long time, they operated without a concise National Regional Development Policy and framework for community participation in project identification, prioritization, implementation, monitoring and evaluation. As an outgrowth of the SRDP experiment, the government, in July 1983, attempted to extend de-centralized development to all districts in Kenya through the adoption of a District Focus for Rural Development Strategy (DFRDS). Opon (2007) notes that DFRD had five broad objectives:

- Broaden the base of development by moving most decisions on planning and management of district specific projects close to the point of implementation;

- Encourage local participation so as to improve problem identification;

- Effectively mobilize and utilize resources;

- Remove delays in decision-making and speed up project implementation; and

- Increase coordination and sharing of development resources between various partners and enhance utilization of local resources.

The financing mechanism of decentralized development in Kenya has been evolving over the years. It dates back to independence when the then form of devolution commonly known as *majimbo* was operative. Since independence in 1963, the Kenyan government has formulated an array of decentralization programs. Among them are the establishments of District Development Grant Program (1966), the Rural Works Programmes Grants in 1974 to provide discretionary funds outside ministries' budgets for small labour-intensive locally defined projects (Bagaka,

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2008). These two financing mechanism latter combined to form *Rural Development Fund* (RDF).

It is from the above background that in 2003 the Constituency Development Fund (CDF) was created. The CDF was established through an act of parliament with the aim of ironing out regional imbalances brought about by patronage politics by providing funds to parliamentary jurisdictions (constituencies). However, there are other decentralized funds targeting to address regional disparities. These include: Local Authorities Transfer Fund (LATF) and Roads Maintenance Levy Fund (RMLF), among others. All these funds started over the last decade are based on various legal frameworks and managed by various government agencies (Bogaka, 2008).

From the foregoing literature, decentralization can be a very effective tool in reducing regional inequalities through better coordination, popular public participation, accountable and responsive governance. As a result, there are many lessons Kenya can learn from those countries. In Britain for instance, the success of RDA is attributed to affirmative actions that include concerted efforts to monitor the success of the implemented projects; in addition to adequate funding. Moreover, there is need for political commitment, anchoring decentralization in the constitution as well the need for identification of champion sectors to drive the decentralization process.

2.2.1 Awareness and knowledge of CDF operations and policies by the community

Low awareness by community members and fund managers of their roles and responsibilities in the governance of funds has contributed to poor performance and, in some cases, a complete failure of the funds (KIPPRA, 2008). Low participation, particularly for marginalized groups, results in poor prioritization of projects and exclusion. The criteria for allocating secondary education bursary fund, for example, has been found to be unfair to orphans, whose multiple roles undermine their academic performance (IEA, 2006). Moreover, no mechanisms exist to deal with projects such as roads, water systems, and schools that may cut across constituencies entailing shared benefits and responsibilities. There are also reported instances of a single project claiming support from different funds, with no checks to prevent 'double' accounting resulting in embezzlement of the public funds (KIPPRA, 2008).

Finally, there are challenges to ensuring that all decentralized funds reach all parts of the district or constituency in adequate quantities, and that all funds allocated are actually utilized instead of being returned to the source while there exists development needs. Generally, community awareness and participation in devolved funds has been low, and the funds are seen to have had little impact on the quality of life of the population, partly due to inadequate allocations (Kituo cha sheria, 2008). Communities have questioned the various processes in identification and implementation of projects, as well as the monitoring and evaluation of projects and funds, and have expressed concerns about accountability and transparency.

There is a great deal of work to be done to educate communities on their roles in development through devolved funds and of the various funds decentralized to ease access for local planning by the local people (KIPPRA, 2008). The study by KIPPRA (2008) further points at little education and information about the funds, the procedures for application and use of the allocated funds, and inadequate training for the managers and community organizations on the procedures for utilization of the funds.

A study by Mapesa and Kibua (2006) points to participation in the institutions for decision-making in the community, thus, participation in project selection, execution, selection of committees, and monitoring and evaluation is inadequate. This is a product of insufficient information on CDF policies and operation guidelines hindering participation of targeted beneficiaries in the community in project phases. Moreover, Nduva (2005) postulates that local politicians may dominate or unfairly influence project planning and implementation because they are the ones who appoint the CDFC members taking advantage of inadequate information on CDF policies by majority community members. This has led to a scenario where the funds do not meet the needs of the targeted beneficiaries due to misplaced priorities originating from non-consultative planning process by single-handedly appointed committees.

From the above review, it can be deduced that the resulting misallocation of funds and misprioritization of projects points to lack of proper legal institutional framework that can ensure efficient administration of the decentralized funds. In addition, there are no proper mechanisms to mitigate barriers to effective implementation of projects, such as the interruptions that may occur with changes in political leadership of a constituency.

2.2.1 Guidelines on CDF allocation

CDF aims to promote equity in distribution of national resources and, therefore, each of Kenya's 210 constituencies receives CDF (Kituo cha sheria, 2008). Seventy-five per cent of the money allocated to CDF in a single year is divided equally between the 210 constituencies; the other twenty-five per cent is allocated to constituencies based on their poverty ranking using a formula which ensures that poorer constituencies get more money (OSIEA, 2008). The latter criterion considers factors such as the total number of people living below the poverty line in a constituency, the total population, and so forth. More funds are therefore, allocated to those constituencies that have the highest number of people living in poverty.

The CDF fund was first distributed equally among the 210 constituencies but since 2004, the central government has committed to use an allocation formula to distribute the development funds to the 210 constituencies such that the government may not renege on its obligation as happened in previous decentralization programmes. This formula also aims at providing a fairly uniform fund to each constituency, but some allowance is made for poverty levels, such that the poorest constituencies receive slightly more resources.

The weighting factor applied to the constituency contribution to poverty is the ratio of urban-rural poor population derived from the 1999 population and housing census. This weight favours rural areas by a weight factor of 0.23 to urban areas. The net available CDF fund is the total CDF allocation after netting out three per cent for an administrative budget and five per cent for the so-called constituency emergency budget. (0.25*CDF* weighted contribution to poverty).

CDF Allocated $= \dfrac{[0.75 * CDF + eq.(1)]}{210}$

The reason why the CDF Board decided to bias allocations against urban areas was the fact that the majorities of the poor population live and derive their livelihoods from rural areas. According to CBS (1999) census, the share of urban poor to rural poor population was 19 and 81 per cent, respectively (CBS, 1999). So, improving the rural socio-economic outlook is perceived as a priority. Another aspect considered to bias the CDF allocation against urban areas was to deter migration from rural to urban areas. The CDF Board considered that the concentration of people in slum settlements in urban areas could be an indication that the living conditions and economic opportunities in settlers' respective rural areas of origin were probably worse. So the logic of the CDF Board was that if rural areas are better developed and more capable of absorbing a growing population, then fewer people might be attracted to migrate into urban slums (Kenya, 2003).

Whether or not allocations biased against urban areas will actually deter migration toward urban areas is out of the scope of this study. Nonetheless it is clear that the given weighted allocations have resulted in allocations biased towards major towns. Over the years, the total CDF allocation has been a percentage of the ordinary government revenue as shown in table 2.1 below:

Table 2.1: CDF allocations 2003-8 as percentage of ordinary government revenue

Financial Year	Total annual allocations	% of ordinary revenues
2003/4	1.26 billion	(2.5%)
2004/5	5.6 billion	(2.5%)
2005/6	7.2 billion	(2.5%)
2006/7	10.1 billion	(3.5%)
2007/8	10.1 billion	(2.7%)

Source: OSIEA, 2008

Several institutions managing the CDF have been created through the CDF Acts of 2003 and 2007 (Kenya, 2003; 2007). The CDF Board administers the CDF at the national level while the District Project Committees (DPC) and the Constituencies Development Fund Committee (CDFC) manage the fund in constituencies (Kenya, 2007).

The CDF board consists of a chief executive officer approved by parliament, permanent secretaries of finance and planning, the attorney general, the clerk of the national assembly and other professionals appointed by the minister for planning. The board examines and approves project proposals, disburses funds to constituencies, evaluates and takes action on complaints and disputes emanating from the operations of the CDF (Kenya, 2007).
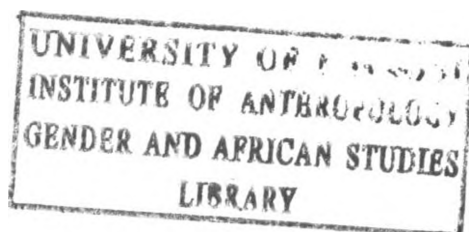
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The CDF account managers are the custodians of all assets and liabilities in the constituencies. The managers countersign all payment vouchers, prepare and maintain accounting documents and keep all records relating to the fund at the constituency. In addition, the account manager co-ordinate the implementation, monitoring and evaluation of CDF projects; prepare community action plans, budgets, strategic plans and collaborate with the development partners in the district to avoid duplication and overlaps in project planning and implementation (Kenya, 2007).

The CDFC works with the District Project management committee (DPC) which is composed of MPs, mayors/chairs of local authorities, the District Commissioner (DC), District Development Officer (DDO), a community representative, District Accountant and District Heads of relevant departments. The role of the DPC is to countercheck project proposals put forward by the CDFC in the district in order to avoid duplication and coordinate the implementation of funded projects together with the CDF account managers.

An elected MP constitutes and convenes the CDFC according to the provisions in the CDF Act (2003, 2007). The MP also renews or replaces members of the CDFC after three years, the stipulated time or whenever a vacancy arises. According to the CDF Act, MPs should convene consultative meetings at each location of the constituency at least once every two years to generate development projects priority list for funding, chair the CDFC, and represent the constituency in the DPC (Kenya, 2007). The MPs also submit approved projects in their constituencies to the CDF Board (Mwalulu and Irungu, 2004). Figure 2.1 below summarizes institutions created under the CDF Acts of 2003 and 2007.

Figure 2.1: Institutions created under CDF Act 2003 and Revised CDF Act 2007

The constituency Fund Committee (CFC)
The CDF parliamentary committee oversees implementation of CDF

⇕

The Board of Management of CDF responsible for national coordination of CDF

⇕

The District Projects Committee (DPC)
District Coordination and harmonization committee

⇕

The Constituency Development Fund Committee (CDFC) Appointed by the MP to manage CDF in the constituency

⇕

Project management committee (PMC)
Committee comprising members of the public who manage and oversee an individual CDF project

Source: OSIEA, 2008

2.2.2 Projects Funded by CDF and Project Selection

The CDF according to the Act (2003, 2007), is supposed to fund projects that benefit the community at large, such as construction of schools and health centre buildings, water projects, roads, chiefs' offices, and police posts (Kenya, 2003; 2007). The training of CDF committee members can also be supported by CDF (OSIEA, 2008). After the 2007 Amendments, the Constituency Development Fund Committee (CDFC) can now acquire land and buildings, although all assets remain the property of the CDF Board (Kenya, 2007). CDF does not fund private enterprises, merry-go-rounds, religious and political organizations activities, and recurrent costs. Of the funds given in a single year, CDF now sets aside money for the following: Constituency Development Fund Committee administration, including rent, salaries of full time staff; Constituency Development Fund Committee allowances, office expenses, etc.

There is 3% for Constituency Development Fund Committee vehicles and equipment; and up to 2% for sports activities (does not include cash awards but includes recurrent expenses). Up to 2% on Monitoring and Evaluation expenses up to 2% on environmental activities, 5% Emergency (this money remains unallocated in the constituency account and is only to be used for emergencies such as building or repairing bridges after floods, repairing school buildings that have collapsed due to extreme weather, buying food during times of drought, etc.). Up to 15% may be allocated to bursary (including fees for mocks and continuous assessment exams) (Kenya, 2007).

All CDF allocations must be reflected on the Second Schedule, and detailed in the Third Schedule. The total number of projects in any given year must be more than 10 but must not exceed 25. The CDF project selection process is described in figure 2.2 below:

Figure 2.2: Stages of the CDF project selection

7. MPs or CDF submits project list; second and third schedule to CDF board for approval

⇑

6. DPC meets to scrutinize project lists to avoid duplication

⇑

5. CDFC prepares project list and description list (second schedule and third schedule)

⇑

4. CDFC prioritizes projects

⇑

2. CDFC receives proposals ⟺ 3. CDFC liaises with government departments to confirm costs and viability

⇑

1. Sub location/ward/location identifies priority projects and submits to CDFC

Source: OSIEA, 2008

2.3 Modes of Participation in CDF by community members

In development projects, participation is considered as both a means and an end in itself. As a means, participation involves consulting people at different phases of a project cycle to take account of people's unique local context, during planning as well as implementing projects (Hayward et al., 2004). In this case, participation aims at strengthening the relevance, quality and sustainability of projects (Cornwall, 2000). The results of the participation in the shape of the predetermined targets are more important than the act of participation. Those results may indeed lead to a welcome improvement in the physical environment and may well coincide with local needs as perceived by those people.

Government and development agencies responsible for providing services and with the power to control resources see participation as a means of improving the efficiency of their service delivery systems. Participation as a means is essentially a static, passive and ultimately controllable form of participation. It is the form of participation more commonly found in rural development programmes and projects. It is seen, however, as a temporary feature, an input required if objectives are to be achieved. It is only rarely that a longer-term view is taken. It is rightly argued that rural development projects would benefit from more direct participation by the local people, but it is also important to ensure that such participation is not merely a way of facilitating attainment of the project's objectives (Oakley, 1989).

The mobilization of people in this form of participation is to get things done based on a fixed quantifiable development goal (Moser, 1989) which can be state-directed or externally–directed activities, the 'top-bottom' (or directive) approach to community development. In such

phenomena, participation turns into passive and static events which can then be induced or even coerced participation (United Nation, 1981) or a compulsory participation (Oakley 1989), or manipulative participation (Midgley, 1986) by the government or other external bodies. On the other hand, as an end, participation is a process of enhancing people's capabilities by strengthening their knowledge and skills to control their own development (Nelson and Wright, 1995).

Asnarulkhadi (1996) has mentioned that participation as an end in itself focuses on participation as a process in which people are directly involved in shaping, deciding, and taking part in the development process from the bottom-up perspective. Here, the development goal is of secondary importance, but the process whose outcome is an increasingly meaningful participation in the development process (Moser, 1989), direct participation (Richardson, 1983), or active participation from people emerges where their confidence and competence are built up. In this situation, participation becomes a process of achieving greater individual fulfillment, personal development, self-awareness and some immediate satisfaction (Richardson, 1983). From this second perspective, participation is the goal of development, with the potential to develop the strength and capabilities of individuals or groups to address their development challenges. Notably, the extent of participation is more limited when participation is conceived as a means.

Development literature has also paid attention to political participation. Political participation involves interaction of individuals or organized groups with the state. This school of political participation conceives participation as a means to facilitate political change in

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favour of the dispossessed (Blackburn and Holland, 1998). In development projects and programmes, it has been observed that agencies, individuals, or groups interpret participation to mean different activities or processes. These activities and processes are usually referred to as typologies of participation.

2.3.1 Typologies of Participation

Typologies of participation refer to different ways in which participation is conceived and is seen to take place in a particular context. The typologies are seen in terms of levels, types or forms of participation. These levels and forms are distinguished based on the distribution of decision-making authority between interventionist and beneficiaries in the key functions of development planning (Leeuwis, 2000).

People apply forms of participation differently, which in turn shapes the scope and effectiveness of development projects (Cornwall, 2000). Levels of participation discussed in this section are information transfer, consultative participation, material motivation, functional participation, interactive participation and self-mobilization. These levels are significant in terms of how they enable people to participate in development projects, and whether they are able to reach the poor.

Information Transfer involves a process in which a development agency simply informs intended beneficiaries about project to be implemented. Decision about projects and their implementation are usually made by a development agency without involving the people concerned. Thus, in this form of participation, people are involved by merely listening to a development agency regarding what has already been decided on, or what has happened

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(Pretty, 1995). Since information flow and control are both in a downward direction, the information being shared belong to external agencies (Lane, 1995). Evidently, since decision-making and control are located elsewhere, this form of participation does not offer the people concerned (the rights bearers in CDF) the power to prioritize their needs in project matters affecting them.

Optimum participation which indicates the need to focus closer attention on different contexts and purposes in order to determine what type of participation makes sense. Paying closer attention to who actually participates in participatory initiatives and who does not, either through exclusion or self-exclusion (Mikkelsen, 2005). It may also help determine strategies to optimize the difference externally initiated participation can make to the lives of the poor and socially excluded (Cornwall, 2000). This kind of participation should be debated between the CDF committee groups and the community members in order to have a common understanding on the best way of engagement.

Manipulation occurs in the form of pretence of participation, but no real power, e.g. to people's representative on a board or a committee, who are outnumbered by the external agents. In this case, participation is a new and more subtle form of manipulation (Rahnena, 1992). This kind of participation does not give the citizens any chance to voice their needs, concerns and priorities in CDF management.

Consultative Participation occurs where efforts are made to understand a community's opinions, feelings, beliefs, and perspective. People participate by answering questions while experts define problems through information gathering (Pretty, 1995). Although information flows are more equal with the agency often making use of local knowledge, control is still from the top down (Lane, 1995). Moreover, an external development agency is not obliged to modify projects or programmes in the light of people's concerns. Thus, the positioning of control at the top may constrain the opinions of the poor and generally the community from influencing decisions in CDF management.

Material Motivation occurs where people are involved in a project in exchange for money or payment of some sort. Under this approach, people at times participate by contributing resources, but they are not involved in any other way (Pretty, 1995).

Seeking participation through material motivation can negatively affect long-term sustainability of a project. This is because it tends to create dependency on outside resources, and people may not support projects when incentives end. Furthermore, this approach does not address the multidimensional nature of poverty. This form of participation is often evident in some development programmes where the government provide subsidies in an attempt to cushion the poor. However, the target groups are largely limited to those who can afford to contribute, leaving out the various segments of the community members with diverse socio-economic capacities.

Functional Participation occurs where beneficiaries play an active role in a particular activity only. Participation is seen as a means to achieve project goals and people may actively engage here in some of the decision-making, but only after the major decision have already been made (Pretty, 1995). Beneficiaries are not, however, given any real power to make actual changes to plans already prepared by development agencies. Instead, they simply work in the implementation process with only minor changes to detail, if any.

This approach resembles some *harambee* projects where local community members were required to participate by contributing money, labour, and time to implement community projects. Such projects based on cost-sharing arrangement may actually increase inequality among community members, because the contributions required do not take into account the varied capabilities of community members to contribute to development processes. In particular, this form of participation does not recognize different categories of poor people and socio-economic dynamics of the community members to contribute to CDF projects in different ways.

Interactive Participation is where the beneficiaries play an active and direct role in project planning. It occurs where a group is involved in decision-making, from the assessment phase through monitoring to evaluation. People participate in joint analysis, development of action plans, and formation or strengthening of local institution (Pretty, 1995). Under this approach, the people affected by a development project also determine how the available resources are used. It enjoys two-way goodwill and cooperation processes,

which allow people to take control of development process through a high stake in maintaining projects.

People's needs are considered first and participation is not seen as a way to improve projects, but as an empowering process. This type of participation has the potential of according opportunities to the powerless people to make decisions that improve their livelihoods.

Under *Self Mobilization*, people initiate their own projects. Usually, a community controls decision-making and rallies on its own resources and members for support. In some cases, external development agencies facilitate and support people's effort to carry out their projects. People may contact external institutions for guidance and resources, but they decide how these resources are utilized (Pretty, 1995). Both information and control flows are primarily upward from a community to an agency (Lane, 1995). This form of participation has the potential to empower the community to have a voice in development projects specifically those funded by the CDF.

Pretty (1995) argues that low levels of participation like awareness raising, information sharing and consultation are superficial and have no lasting impact on people's lives, while higher levels of participation like functional, interactive and self-mobilization approaches have the potential to make a difference in people's lives through the empowerment of its participants. It is therefore, important to specify the type of participation used in relation to project planning in order to clarify intentions and avoid confusion about the form of participation used in a given development context. For this

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study, the crucial question was how participation in CDF projects takes place, whether it gives voice to the community, and whether it takes into account the people's multiple realities.

2.3.2 Participation and Empowerment

The concept of community participation is viewed as a basis for project success. The World Bank (2004) defines participation as a process through which stakeholders' influence and share control over development initiatives, and the decisions and resources which affect them. The objectives of community participation are: empowerment; building beneficiary capacity; increasing project effectiveness; improving project efficiency; and project cost sharing.

The framework identifies four levels of intensity of participation, namely: information sharing; consultation; decision making; and initiating action (Thwala, 2001). Furthermore, it is argued that community participation generally is more successful when the community takes over much of the responsibility than when higher level public agencies attempt to assess consumer preferences through surveys or meetings (Thwala, 2001).

In order for community participation to work, projects must include special components like villagers being recruited to help in all phases of designing, implementing, maintaining, supervising, and evaluating new water supply and sanitation systems, but only if the time, effort and money is spent to do it right. Special attention must also be paid to the development of local committees and governance structures that can adequately oversee local participation (Boehm and Staples, 2004).

Empowerment is operative at various levels: personal or individual, interpersonal, organizational, community, and collective. Boehm and Staples (2004) emphasized personal and collective dimensions, while Dodd and Gutierrez (1990), Lee (1994), and Gutierrez (1990) examined personal, interpersonal, and institutional or political dimensions. It can be said that the interpersonal dimension is included in the collective dimension because the term interpersonal has a connotation of collectiveness. The institutional or political dimensions can be represented as part of the collective dimension. Therefore, the components of empowerment can be examined in the context of both personal and collective aspects.

Personal empowerment relates to the way people think about themselves, as well as the knowledge, capacities, skills, and mastery they actually possess (Staples, 1990:32). Meanwhile, collective empowerment refers to processes by which individuals join together to break their solitude and silence, help one another, learn together, and develop skills for collective action (Boehm and Staples, 2004; Fetterson, 2002). In a way, empowerment develops from individual and social conscientization or a critical consciousness to collective action (Boehm and Staples, 2004). In addition, the processes of the components leading to empowerment include both individual and social factors. Strengthening intellectual capabilities and the power within can be seen as individual factors in the process, whereas mobilizing collective action and maximizing power can be referred to as social factors (Parpart et al., 2003).

Personal empowerment sometimes conflicts with the development of collective empowerment, when empowerment is not effectively operating. Although individuals can become more empowered personally through the process of personal development, they cannot always become

effective in helping to build their group's collective empowerment. Personal empowerment should be consistent with collective empowerment to improve the value of social and economic justice (Staples, 1999).

Contemporary development scholars have been advocating the inclusion of people's participation in development projects as they believe that unless people participate in a development project, it is not likely to achieve anything of benefit to them. In line with this view, Stone (1989) argues that people's participation in development projects may help bring effective social change rather than impose an external culture on a society. Similarly, Shrimpton (1989), referring to the experience of rural development programmes, states that community participation in the design and management of a programme greatly enhances the likelihood of programme success due to improved goodness of fit and increased sustainability.

The main reason behind people's participation in their development is that real development must be people-centred (Finsterbusch and Wicklin III, 1989). In this vein, Korten and Carner (1984) argue that the development process should not ignore the creative initiatives of people as they are the primary development resource. Finsterbusch and Wicklin III (1989) assert that participation can lead to initiatives on the people's part and allow them to assume ownership of the development process, while, both Aubel (1991) and Stone (1989) stress that people's participation helps individuals resolve their problems by themselves.

Korten (1984) criticizes the conventional method of expert-dominated decision making processes in people's development and further argues that there should be no more non-consultative modes

of central decision-making and decision making must truly be returned to the people. In a general term, many scholars argue that participation is a means of the empowerment of people (cf. Gran, 1983; Oakley, 1987; Oakley and Marsden, 1984 cited in Ghai, 1988) that involves, among other things, transformation of attitude and values (Uddin, 1990), possibility that people can more actively control their own lives (Rappaport, 1981; Barimah and Nelson, 1994) and people help themselves make decisions that are right for them (Merzel, 1991) and speak up themselves for each person's perspective and voice (Stuart and Bery, 1996).

Although the overall definition of participation in many ways seems to be strongly related to empowerment involving people in the process of their own development, this definition, however, is nebulous in the sense that it can be easily directed and manipulated to one's convenience and thinking. A case study of nutrition projects in Nepal has clearly indicated such nebulosity suggesting a need for a comprehensive and shared definition as it has highlighted conflicting notions between development authorities (development planners, policy makers and implementors) and villagers (development beneficiaries) about people's participation in development.

From the foregoing, participation is such instrumental in building the knowledge, capacity of the people, taking on board the needs and skills of the people as well as acting as a learning platform. In these aspects, participation becomes an imperative element of empowerment for people even in the context of CDF projects.
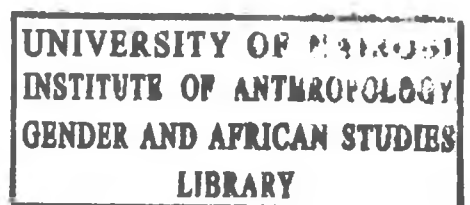
2.3.3 Participation in development as a right

Sen (1999) has called for an understanding of development as a process of expanding the real freedoms that people enjoy and in which both substantive freedoms like food, life and health and instrumental freedoms like free speech, transparency and protective security are equally important. The United Nations Development Programme has articulated a vision of sustainable human development defined as expanding the choices for all people in society and including the principles of empowerment, co-operation, equity, sustainability and security.

DFID defines this approach as empowering people to take their own decisions, rather than being the passive objects of choices made on their behalf (DFID, 2000). The Office of the High Commissioner for Human Rights (OHCHR) understands it as an approach that links poverty reduction to questions of obligation, rather than welfare or charity (OHCHR, 2004). Furthermore, OHCHR (2006) reviewing human rights approach to development highlighted the following principles as of essence: building the capacity of civil society organizations to engage with duty-bearers, increasing transparency, policy and process of planning development, creating new channels and mechanisms for participation of marginalized groups, civic education and human rights awareness raising and advocacy for and capacity building of networks.

Citizen participation in holding government to account breaks with the superficiality of much of civic participation discourse and practice. It is one thing to take into account the opinions of the poor or the citizenry in general when planning public policy. It is quite another to allow the people to watch and evaluate the actions of government as they unfold. The latter is far more

effective in stimulating good governance and much more empowering for the citizens who participate.

Creating the conditions for the attainment of human rights is a central and irreducible goal of development by placing the dignity of every human being, especially the poorest at the very foundation of development (World Bank, 1998). A rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development (UNHCR, 2002). In recent years, the World Bank has begun to support a diversity of social accountability initiatives (World Bank, 2004; Ackerman, 2005). Such initiatives range from citizen report cards in the Philippines, Albania and Uganda and community scorecards in the Gambia and Malawi, to access to justice programmes in Indonesia and the development of a system of social accountability in Peru. These projects can be seen as building the basic lessons of a rights based approach into the World Bank's lending practices. In essence, the principles imply:

First, the poor or the citizenry should be placed at the center of the design, control, oversight and evaluation of the development projects, programmes or policies that affect them. Empowerment and active participation of the citizens is one of the backbones of RBA. Indeed, according to Ferguson (1999) and Hausermann (1998), the right to participation should be seen as the foundational base of the rights approach since it is the prerequisite to claiming all of the rest of the human rights. The very act of demanding the fulfillment of one's rights requires an active

subject who is in control of his or her life, a participant in his or her own process of development.

Second, the institutions responsible for implementing development programmes or policies should be fully accountable for their actions. As duty bearers, they are obliged to behave responsibly, look out for the larger public interest and be open to public scrutiny. From this perspective, corruption, inefficiency and secrecy are more than just unfortunate practices. They are morally wrong and constitute an aggression against humanity.

Third, non-discrimination, equality and inclusiveness should underlie the practice of development. Development should be understood as a public good, similar to public parks or national defense, from which no one can be excluded and the benefits are shared among all. If development is seen to be the privilege of a few or projects are managed in an exclusive fashion favouring only those with good connections or from the right ethnic group, then this represents a departure from the RBA approach. This also means that participation should not be limited to professional, well behaved" NGOs but people at the grassroots and political organizations should also be included.

Fourth, citizen participation and voices should be scaled up and linked with national and international policy processes and international rights frameworks. All too often participation occurs at the local community or neighbourhood level with regard to programme implementation, but citizens are not involved in the broader decisions that have an impact on the structure of national public policy. A human rights and social accountability approaches oblige

development programmes to constantly be on the lookout for the links between the local, the national and the global, between service delivery, public policy and international relations.

Fifth, RBA encourages the active linkage between development and law where the citizen participation, accountability and inclusiveness which ground the RBA approach should be institutionalized in law, not left to the good will of public servants or the presence of specific civil society leaders. At the same time, development projects should use the language of rights explicitly and encourage citizens to pursue the legal defense of their rights at the local, national and international levels.

2.4 Constraints to participation in CDF projects

The citizen-state interface has been significantly altered over the past two decades through decentralization and public service reforms. While the greater role played by citizens could be a positive factor, thinly spread resources, expensive administrative structures, proliferation of roles and responsibilities and distorted incentives like electoral populism versus development planning undermine the efficiency and accountability of public spending (Kituo cha sheria, 2008). Particularly with respect to CDF and the Local Authority Transfer Fund (LATF), government's monies are used to boost political power rather than in accordance with strategic development agendas. These issues are systemic, and need to be addressed at a constitutional level (NTA, 2008).

Decentralization has created a new managerial layer in which citizen participation has been fore-grounded. This is expressed principally through representative committees, where citizens,

government representatives and other stakeholders jointly engage in the management of public monies and development planning (NTA, 2008).

Given the centrality of committees for citizen participation, much more investment is needed to build the capacity of committee members and streamline management structures in electoral processes, constitutions, reporting channels among other institutional frameworks. This applies not only to committees, but also to barazas, suggestion boxes, accessibility of government offices, and so forth (CGD/NTA, 2008).

Linkages need to be developed between committees and local sites of power and representation especially religious, women's groups and youth groups. Otherwise, committees will tend to support individual rather than collective interests, and be subject to malpractice. Alongside managerial and systemic factors, behavioural dynamics also undermine the effectiveness of the governance system and create barriers to citizen participation. These include intimidation, exclusion and theft, which feed off ignorance and lack of empowerment (NTA, 2008). In order to address the problem of ignorance, massive civic education is needed on the nature of government provisions of funds and services, the channels of reporting, monitoring and management. Education and awareness will also help to address lack of empowerment or fear.

In the Kenyan context, decentralization processes suffer from a number of more widespread factors that have accompanied contemporary governance reforms: Decentralization reforms are implemented in a top down fashion rather than being instigated from the bottom up by citizens actively claiming a greater role in governance systems, thereby undermining ownership and the

extent of genuine citizen participation (NTA, 2008). Decentralization processes are under-resourced and under-capacitated undermining their effectiveness to deliver good governance. These tend to support normative power structures, even while shifting the locus of power from national to local levels.

Although the CDF in principle takes into account the grassroots, local knowledge, needs and preferences, several academics and the media have suggested that the CDF is at risk of failing just like previous government attempts at decentralization. Specifically, three think-tanks at the Kenya Institute of Policy Analysis and Research (IPAR, 2006), Kenya Institute for Public Policy Research and Analysis (KIPPRA, 2006) and the Institute of Economic Affairs (IEA, 2006), have raised several concerns with regard to the accountability of the fund, citizen participation and financial management putting into doubt the effectiveness of the CDF.

For instance, a survey conducted by KIPPRA (2006) on the CDF in 35 constituencies in 2006 found that half of the survey respondents believe that the CDF monies have been widely mismanaged. In fact, according to KIPPRA's survey the CDF is viewed as the worst managed fund among all the ongoing government funds (Rural Electrification Programme Levy, Local Authority Transfer Fund, Roads Maintenance Fund, Secondary School Education Bursary Fund, HIV/AIDS Fund and the Free Primary Education Fund). KIPPRA respondents stated that the main reason for the CDF mismanagement is the power given to the local MPs to appoint and replace members of the CDF committees. Another main reason given was that political loyalties have led to the unfair sharing of the resources across the constituencies and wards. In addition, it reported there was lack of transparency and accountability due to the blending of supervisory and implementing roles.

A study conducted by IPAR (2006) in five constituencies (Limuru, Kajiado, Machakos, Kangundo and Makadara) also highlights other problems of the CDF (Mapesa and Kibua, 2006). Using both primary and secondary data sources, the study found that the CDF lacks direction and transparency, and has flawed legal foundations. IPAR's (2006) study found overwhelming evidence and acceptance that the CDF has been used to advance the political agenda of the MPs. Evidence was found of a "tug-of-war" between MPs and councilors that believe there are enough loopholes that can be exploited for individual financial and political advantage. This is aided by the fact that in four out of five of the constituencies analyzed, members of the CDF committees were cronies, supporters and friends of the MPs not elected by the local community members.

With a few exceptions, the members of the CDF committees were found to be technically incompetent, lacked an understanding of how the CDF operates, and had a limited capacity in project identification, planning, monitoring and evaluation. Committees do not have their own offices and use the premises of the MP's political party, and lack a proper mechanism for tracking the funds released to the approved projects. Perhaps these potential sources of mismanagement could be prevented or penalized if there was a proper auditing system of the fund. However, the IPAR (2006) study finds that although the Controller General is expected to audit constituencies' expenditures, there is no provision for the committees at constituency level to answer any queries on resources spent.

A third study on CDF was conducted by the IEA (2006). The IEA conducted a survey in 25 constituencies in 2005 interviewing 1,231 citizens and 577 members of CDF management

committees. The study found extremely low participation among residents in CDF activities, and weak mechanisms in place for the grassroots to have a say in the projects to be implemented. IEA's survey respondents claimed that the biggest challenge facing the CDF was how to be well managed. Other studies and media have suggested that the framework of the CDF puts it at risk of failing like previous government attempts at decentralization. Specifically, the Hanns Seidel Foundation (2006) argues that the current Kenyan decentralization policy is characterized by an umbrella of funds with overlaps of areas and responsibilities. For instance, education funds are given under the Local Authority Transfer Fund, Education Funds and CDF creating overlaps. In addition to this lack of coordination among funds, there is lack of clarity on the total amount of resources being allocated to each Local Authority and constituency.

2.5 Theoretical framework

2.5.1 Rights Based and Social Accountability Approach to development

Rights based approach to development is a conceptual framework that is based on international human rights standards and directed to promoting and protecting human rights (Sen, 1999; DFID, 2000; UNIFEM, 2007).

RBA therefore gives a very different taste to development; Cornwall (2000, 2002) has argued that, instead of talking about beneficiaries with needs or consumers with choices the human rights approach speaks of citizens with rights. Citizens are active subjects in the political sphere, not objects of intervention by government programmes or passive choosers in the marketplace. In the end, RBA can be envisioned as the application of the basic principles of the Universal

Declaration of Human Rights in the area of development. For instance, Norwegian Agency for International Development (NORAD, 2002, as cited in Interaction 2004) has defined RBA as a concept that integrates all human rights norms, standards and principles of international human rights systems, including the right to development, into the plans, policies and processes of development.

Social accountability is a right which is grounded in a new manifestation of citizenship based on the right to hold governments accountable by expanding people's responsibility (World Bank, 2004), while a rights-based approach to development includes: express linkage to rights, accountability, empowerment, participation, and non-discrimination and attention to vulnerable groups.

In social accountability per se, an accountable government is one that pro-actively informs about and justifies its plans of action, behaviour and results and is sanctioned positively and negatively accordingly (Ackerman, 2005). The core elements of accountability are therefore information, justification and sanction. A fully accountable government would approach these tasks in a pro-active manner and do so along all three temporal dimensions (past, present and future). Accountability is one of the most effective ways to combat corruption, clientelism and capture and thereby assure good governance and service delivery. Social accountability is therefore a relatively new strategy which is distinct from Weberian reform, independent agencies and marketization (Ackerman, 2005). It can be defined as an approach towards building accountability that relies on civic engagement, i.e. in which it is ordinary citizens and/or civil society organizations who participate directly or indirectly in exacting accountability (Malena et

al., 2004). Initiatives as different as participatory budgeting, administrative procedures acts, social audits and citizen report cards all involve citizens in the oversight and control of government and can therefore can be considered social accountability initiatives.

RBA and social accountability initiatives are natural partners; RBA requires citizen participation and government accountability, which are precisely the central concerns of social accountability. Equality, non-discrimination and inclusion also should find a comfortable home in social accountability initiatives since these initiatives stimulate the participation of common people in the supervision and control of governments.

Social accountability also scales up participation. Instead of seeing citizens as simple users whose participation should be limited to deciding when and where a project or service should be implemented, social accountability envisions them as citizens who can engage in and evaluate the entire planning and evaluation process from beginning to end. Citizen auditing strikes at the heart of practices that preserve the powers of bureaucrats and politicians: the secrecy in public accounts that can mask the use of public funds for personal advantage (Goetz and Jenkins, 2001). Social accountability also easily supports the legal defense of human rights. Once citizens are mobilized in supervising the government, it is a small step for them to start demanding and designing new laws as well as using the existing laws to back up their claims against the state; there is great potential for setting up positive feed-back loops between social accountability and the law. In addition, the respect for human rights, in particular basic civil liberties are a pre-condition for effective social accountability initiatives.

2.5.2 Relevance of Rights Based and Social Accountability Approach to this study

Rights-based approach and social accountability consider the full range of indivisible, interdependent and interrelated rights: civil, cultural, economic, political and social. In this regard, the CDF projects should expand the reach of community members across health, education, and improved livelihoods of the community which are internationally agreed human rights which can be guaranteed through their participation in the projects.

Rights-based approaches focus on raising levels of accountability in the development process by identifying claim-holders (and their entitlements) and corresponding duty-holders (and their obligations). The two approaches consider both the positive obligations of duty-holders to protect, promote and provide and at their negative obligations to abstain from violations. They take into account the duties of the full range of relevant actors, including individuals, States, local organizations and authorities, private companies, aid donors and international institutions. In this respect, the success and sustainability of CDF projects can only be achieved under transparent and accountable fund management teams who are the duty-holders at the location and constituency levels.

These rights based approaches provide adequate laws, policies, institutions, administrative procedures and practices, and mechanisms of redress and accountability that can deliver on entitlements, respond to denial and violations, and ensure accountability. They call for the translation of universal standards into locally determined benchmarks for measuring progress and enhancing accountability. Proper policies and institutionalization in the management of CDF

are necessary requisites in achieving transparency, accountability and avoiding project overlaps as well as clearing participation barriers by clearly stating roles of different stakeholders.

Rights-based approaches give preference to strategies for empowerment over charitable responses. They focus on beneficiaries as the owners of rights and the directors of development, and emphasize the human person as the centre of the development process (directly, through their advocates, and through organizations of civil society). The goal is to give people the power, capacities, capabilities and access needed to change their own lives, improve their own communities and influence their own destinies. The existence of properly defined and accessible redress mechanisms for CDF projects are requisites for enhancing management teams accountability to the public through offering avenues for the community members to file complaints about abuses observed in the projects implemented and the fund misuse.

Rights-based approaches and accountability require a high degree of participation, including from communities, civil society, minorities, indigenous peoples, women and others. Such participation must be active, free and meaningful as mere formal or ceremonial contacts with beneficiaries are not sufficient. The very essence of establishment of CDF is to ensure bottom-up approach in development that consumes the locally available skills, resources besides allowing people to take charge of their destiny through a development process they can identify with.

Rights-based approaches and social accountability give due attention to issues of accessibility, including access to development processes, institutions, information and redress or complaints mechanisms. They employ process-based development methodologies and techniques, rather than externally conceived "quick fixes" and imported technical models. All CDF development decisions, policies and initiatives, while seeking to empower local participants, are also expressly required to guard against simply reinforcing existing power imbalances between, for example, women and men, rich and poor in the community, and workers and employers. Moreover, community members require functional participation beyond the information level in order to be active stakeholders in the CDF projects.

2.5 Assumptions of the study

From the objectives formulated for this study, critical literature reviewed and theoretical framework adopted, this study was therefore guided by the following assumptions:

i.   Community members in Kangemi ward have little knowledge and awareness on the operations and policies regarding CDF and its projects thus low participation.

ii.   Modes of participation available do not fully incorporate the multiple realities and priorities of the community members in CDF development projects in Kangemi Ward.

iii. There exists a number of constraints to active and constructive participation of the community in CDF projects in Kangemi ward.

3.0 CHAPTER THREE: METHODOLOGY

3.1 Introduction

This chapter situates the context within which the study was conducted. It gives a description of the research site, the study design, study population, sampling size and procedure, data collection methods, data analysis, interpretation and presentation. The chapter finally presents ethical considerations, the problems encountered in the field and their solutions.

3.2 Research Site

Kangemi ward is located in Westlands constituency which is an electoral constituency in Nairobi County. The constituency has an area of 98 km² (IIEC, 2010). The ward is 13 kilometres to the North-West of Nairobi Central Business District, and constitutes a division headed by a District Officer (DO). It is divided into two locations: Kitusuru and Kangemi both headed by a chief. Kitusuru location has three sub-locations, i.e., Kiptagat, Ndumbu-ini and Kambagare. Kangemi location also has three sub-locations, i.e., Mountain-View, Kangemi Central and Waruku.

This study was carried out in Kitusuru, Kangemi central and Waruku sub-locations. Kangemi ward has a total population of 80, 699 (KNBS, 2009); and has 64, 449 registered voters (IIEC, 2010). The ward was chosen given its socio-economic diversity that captures the composition of WestLands constituency whereby Kitusuru represents the upper class, Kangemi central location has both middle and low class community members. On the hand, Waruku location represents a low-income group in the ward. In essence, the choice of the ward is based on its social and

economic organisation, differences in income levels which in turn influence their differential capacities to participate in the constituency development fund projects.

3.2.1 Population structure of Kangemi Ward

The ward has a larger male population than female, however, in certain age groups there are more females than males e.g. between the age of zero to 19 years (DDP, 2008). This situation reverses in the age of 20 years to 79 years where the male population is much more than the female population; probably due to the high in-migration of men seeking employment opportunities in Nairobi city (DDP, 2008). The youth group between (15-29) years represents 43% of the total population. This form the most active age in the population as it is the age where human capital is being developed through education, training and skills' development.

3. 2.2 Poverty levels in Kangemi ward

People living below poverty line in the ward are estimated to be 21.3 per cent of the ward population (KNBS, 2009; DDP, 2008). The most affected categories include vulnerable groups like unemployed youth, women, persons with disabilities, female headed households, slum dwellers and the aged (DDP, 2008).

The main causes of poverty can be attributed to economic, social and environmental factors. Economic factors causing poverty are mainly lack of employment and opportunities for labour force. The cost of living has also gone up with the rise in the cost of basic commodities going up against constant nominal income with the most affected people living in informal settlements.

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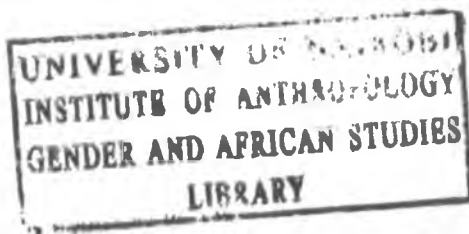
There has been poor coordination of the development activities in the ward leading to project duplications and resource wastage thus poverty is not alleviated as much (DDP, 2008). The poor state of infrastructure and the poor investment environment in the district has discouraged investors, thus limiting employment creation. Figure 3.1 below shows the location of Kangemi Ward:

Figure 3.1 Map of Westlands Constituency
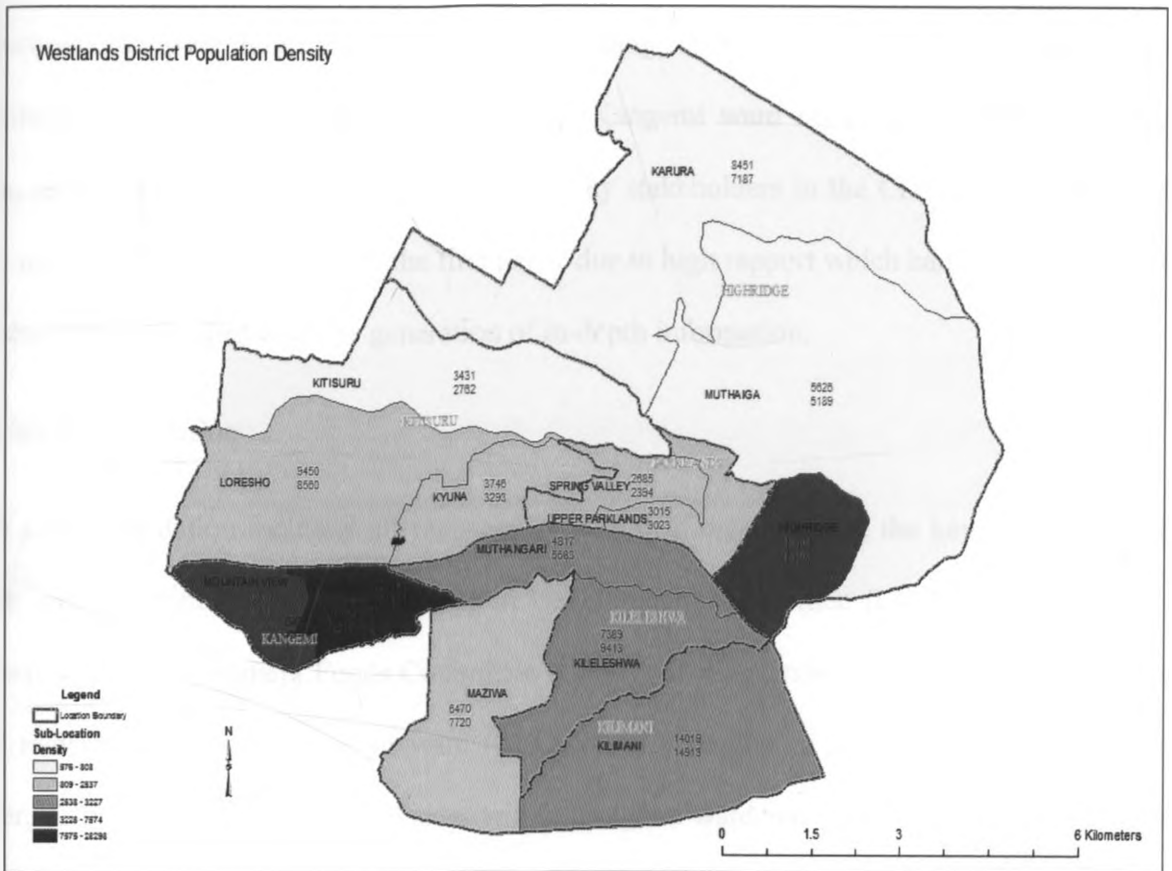
Source: District Development plan (2008).

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3.3 Research Design

This study utilized a cross-sectional descriptive research design combining both quantitative and qualitative methods that guided the exploration of community participation in CDF funded projects in Kangemi ward. It was conducted in two phases, all complimenting each other to ensure high quality data collection.

The first phase involved a survey to collect quantitative data. In this phase, 100 structured questionnaires were administered to sampled Kangemi ward residents. The second phase involved holding focus group discussions with Kangemi ward residents to obtain qualitative data, as well as key informant interviews with key stakeholders in the CDF management. This was undertaken mid-way through the first phase due to high rapport which had been created with the community by then to allow generation of in-depth information.

3.4 Study Population

The study population included all registered voters in Kangemi ward, the key stakeholders in CDF and committee members of Location Development Committee (LDC), and members of Constituency Development Funds Committee (CDFC) of Westlands constituency. There are 64, 449 registered voters in Kangemi ward (IIEC, 2010). The unit of analysis was the individual voter, defined as any person who resides within Kangemi ward and is registered as a voter in the ward.

3.5 Sample size and sampling procedures

A sample of 100 respondents was conveniently selected for the survey questionnaires. This sample size was found appropriate to represent the 64, 449 registered voters in Kangemi ward given that the study intended to explore community participation in CDF projects in Kangemi ward for the purpose of understanding the dynamics rather than use the findings for generalization. Moreover, there was adequate triangulation through other data collection methods to complement the survey findings.

Respondents were drawn across the three locations in proportion to the number in the voters' register per location within Kangemi ward. To ensure that the inclusion criterion was met, the sampled respondent was cross-checked against the name on the register before any interviews were carried out. To this end, 50 respondents were drawn from Kangemi central location with a population of 30, 200 registered voters, 40 respondents drawn from Waruku location with 18, 800 registered voters, and a sample of 10 was drawn from Kitusuru with 12, 499 registered voters.

The selection process ensured a balance across the rich and poor groups across Kangemi ward as well as a balance between the youths and the elderly persons.

Purposive sampling was adopted to select the FGD participants across Waruku, Kangemi central and Kitusuru locations of Kangemi ward for three (3) separate discussions; and a further six (6)

key informants drawn from the local District CDF management institutions and the member of parliament for Westlands Constituency were purposively selected given their professionalism and daily indulgence in the operations of CDF in the ward and constituency at large.

3.6 Methods of data collection

3.6.1 Survey

Survey questionnaires were filled by the respondents drawn from the voters' registration lists across the three locations in Kangemi ward. The questions in the questionnaires were both open and closed ended to allow for both quantification and qualification of the data collected (Ritchie and Spencer, 1994). A total of 100 structured interviews were conducted using this tool (Appendix 1). The survey questionnaires were important in yielding the demographic characteristics of the respondents, their knowledge and awareness of CDF policies, and the implementation and redress procedures in CDF operations.

3.6.2 Focus Group Discussions

A focus group discussion is a discussion where participants discuss ideas, issues and information among themselves under general supervisor or moderator (Rudquvist, 2001). The discussions were comprised of between 6 and 12 people. Three (3) separate Focus Group Discussions were held with participants as follows: twelve (12) participants at Kangemi social hall, nine (9) participants at Kibagari Kenya Assemblies of God (KAG) church in Kitusuru and eleven (11) participants at chief's camp in Waruku location.

The discussions provided rich qualitative data on perceptions and opinions on community knowledge of CDF policies, participation modes available to community members and the constraints faced by the community members in participating in CDF projects in the ward. FGDs stimulated new perspectives and ideas among the participants, and elicited complementary views and opinions (Rudquvist, 2001). An interview guide for focus group discussion with set of instructions was used (Appendix 2). The results of the FGDs assisted in the verification of information obtained from the survey questionnaires.

3.6.3 Key informant interviews

Key informants are people believed to be knowledgeable on the topic under investigation (Nkwi et al., 2001). In-depth interview were carried out with key informants who included: the MP as the CDF chair, the chairperson of the LDC, one chairperson of project management committee, the District Planning Officer (DPO), the District Officer (DO) and NGO representative in CDFC from Shangilia Children's Home.

These key informants were purposively chosen on the basis of their positions and knowledge in the community. The key informants were important in giving insights into the roles of the main actors in CDF project planning, the role of the community in CDF project planning and implementation, sources of information on CDF policies for the community, and the constraints faced by the communities in realizing meaningful participation in CDF projects. A key informant interview guide was used (Appendix, 3).

3.6.4 Secondary data sources

The study has also utilized secondary data sources. Documentary materials such as journals, books, articles and the internet have been explored for information with regard to devolved funds in Kenya, their objectives and provisions for community participation with particular focus on the CDF.

3.7 Data Processing and Analysis

Data were analyzed using both qualitative and quantitative methods. Qualitative data that were obtained from key informant interviews and focus group discussions were analyzed thematically. For each of the data set, a separate code sheet was created in an attempt to establish and interpret the patterns and relationships of the observations. A descriptive approach was also involved where direct quotations and selected comments from informants were used to explain the trends exhaustively.

All the recorded (mp4 taped) work were transcribed and translated into English if spoken in a different language but any terms mentioned in English were directly picked and used as they were. Some Kiswahili terms giving emphasis used were written in bold and italicized in the analysis. Quantitative data was coded and analyzed using the SPSS computer software (version 18.0). The quantitative data has been presented in frequency tables and bar charts.

3.8 Ethical Considerations

The research received the required approvals from the relevant bodies before the field work began. A research permit was granted by the Ministry of Higher Education through the National Council for Science and Technology (NCST). The provincial administration granted the permission in their areas of jurisdiction while the Institute of Anthropology, Gender and African Studies also approved the research proposal before the fieldwork process commenced.

During fieldwork, the respondents, participants and informants were enlightened on the purpose, duration and potential use of the research results beyond academic purposes; and any other research related information as might be of interest to the respondents was duly clarified before any data was collected. Respondents were also informed of their right to disqualify themselves or withdraw at any stage of the study. During the FGDs, the participants' consent was sought to allow for taping of discussions that would be transcribed later; and they were also informed that no piece of information gathered in the course of the study would be used to jeopardize their welfare. The study subjects were also assured of their anonymity during publication of the research findings through the use of pseudonyms.

The community members were also assured of receiving the study outcomes through dissemination workshop to be conducted alongside CDFC sensitization week in the ward. Moreover, the study results will be availed to the scientific community for review through publication to be made in a refereed journals and gray literature at the Africana section of the University of Nairobi library.

3.9 Problems encountered in the field and their solutions

During data gathering period, participants for FGDs could not be reached with ease in the course of the week due to work obligations and other engagements. In this regard, all FGDs were conducted over the weekends so as to reach the participants at their convenient time. All the key informant interviews missed on first visit were rescheduled to fit the flexibility of the informants' work schedule.

Respondents who expressed reservations about speaking about the CDF ills in their locations were further assured of anonymity and rapport created to ease the tensions and fear. This was highly realized within Kangemi central sub-location where the incumbent Member of Parliament commands a lot of voter support. In cases where a person was so hesitant to take part even after all conditions were clarified, they were allowed to willfully disqualify themselves from the study.

4.0 CHAPTER FOUR: DATA PRESENTATION AND ANALYSIS

4.1 Introduction

This section presents the findings of the study and makes inferences from the trends observed. The presentations have been done across knowledge and awareness on CDF policies/ regulations and projects, modes of participation in CDF available to the community members and the perceived barriers to active participation in CDF projects. The demographic characteristics of the respondents are described, the data presented in tables and bar charts and a detailed analysis of the observations done.

4.2 Demographic characteristics of the respondents

Most of the respondents in this study were youthful aged between 18 and 35 years at 40%, those between 36-53 years old stood at 35% while those above 54 years of age comprised 25%. When each of age categories of the respondents is cross-tabulated with their knowledge on CDF policies/regulations, the results indicate a high knowledge of CDF policies/regulations amongst the youth at 72%, the middle-aged (36-53 years) at 59% while the aged (54 years and above) at 54%. However, on comparison about project knowledge across the ages, those aged 54 years and above had more knowledge on individual CDF projects at 78% compared to 65% and 48% for the middle-aged and the youths respectively.

On gender aggregation, males comprised of 60% of the respondents compared to females at 40%. A cross-tabulation of gender and knowledge on CDF policies/regulations revealed a high knowledge amongst males at 62% while amongst females at 38%. Analysis on marital status put singles at 30%, married respondents at 60% while those either divorced or separated at 10%.

On education level, those who had completed primary comprised 45%, those with incomplete secondary education 25%, while those who completed secondary school comprised 20% of the respondents a similar percentage shared with respondents who had obtained college and/or university education. In cross-tabulation of the education level and knowledge on CDF policies/regulations, the results indicate that education had a direct bearing on knowledge and awareness of the CDF policies. Those who had obtained college and/or university level had a higher percentage at 38%, those with incomplete and complete secondary education tied at 35% while those with primary level of education had 27%.

On income levels, 30% of the respondents earned below Kshs. 3000 a month, 40% earned between 4000 and 6000, 20% earned between 7000 and 9000 while a mere 10% of the respondents earned more than 10 000 a month. In this study, there was a negligible difference in knowledge of CDF policies/regulations based on different income levels of the community members. However, those with high income levels reported high participation in the supply of materials used in CDF projects through their businesses.

On disaggregation by place of residence, 50% of the respondents were drawn from Kangemi Central, 40% from Waruku area and 10% from Kitusuru. The demographic characteristics are summarized in table 4.1 below.

Table 4.1: Demographic characteristics of the respondents

Variable	Percentage
Age	
18-35 years	40
36-53 years	35
54 years and above	25
Gender	
Male	60
Female	40
Marital status	
Single	30
Married	60
Divorced/separated	10
Educational level	
Primary complete	45
Secondary incomplete	15
Secondary complete	20
College/University	20
Income level	
0-3 000	30
4000-6000	40
7000-9000	20
10000 and above	10
Place of residence	
Kitusuru	10
Kangemi	50
Waruku	40

4.3 Awareness and Knowledge of CDF

The study sought to know the level of awareness and knowledge of CDF among the community members. This is because; awareness determines the level of access and participation avenues, project identification and prioritization besides broadening the understanding of socio-political entitlements of the public in CDF projects.

While 87% of the respondents were aware of the CDF, knowledge of CDF projects and regulations was higher amongst males at 62% compared to their female counterparts at 38%. Seventy-five per cent of the respondents felt that the community owns the CDF projects; however, knowledge of the costs of each project and amounts disbursed for their execution was low amongst respondents at 18% and 24% respectively (Figure 4.1) below:

Figure 4.1: Level of Knowledge on and awareness of CDF
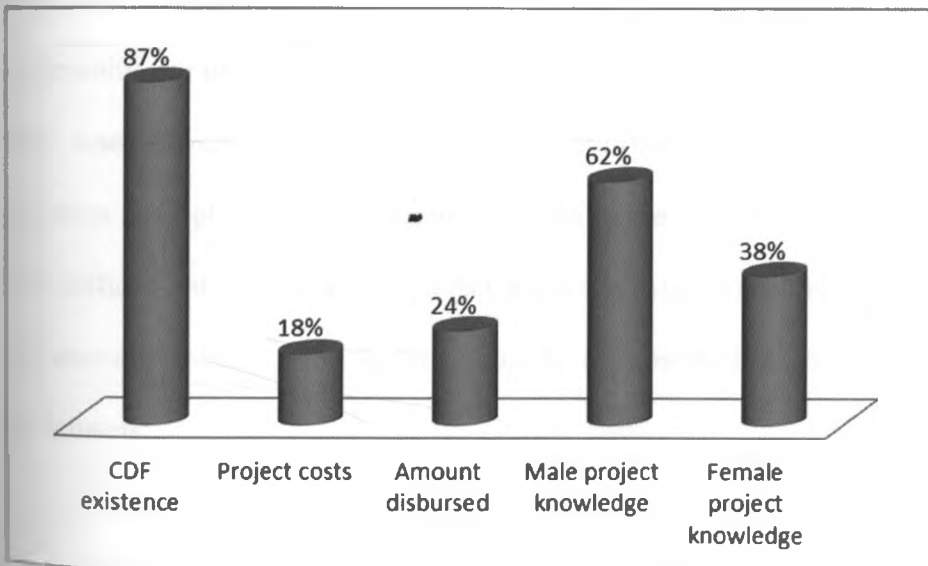
With respect to prevalent low knowledge and awareness on CDF policies and regulations among the community members and fund managers, a key informant observed the following effects:

"Low knowledge of project details has resulted into poor monitoring and evaluation of the resources resulting into misappropriation and misreporting on the status of the projects submitted to the national headquarters specifically the National Management Committee (NMC). Moreover, shifting funds to other projects has been a consequence of inadequate knowledge of CDF regulations which causes conflicts in the line ministries concerned." **(District Development Officer)**.

On being probed on the contents of CDF project details such as project progress status, amounts disbursed, intended completion dates for the on-going projects, it was observed that the community members do not know much about the specific details of the projects implemented in their ward beyond the identification and prioritization stages. In essence, the community members have played passive recipients' role in the post-project implementation hence are not well sufficed with the details of project plans, the extent of achievements on the plans as well as the amount disbursed for various projects as observed from a consensus amongst FGD participants:

"We do not have a defined role in the running of the projects after being informed of the nature of the project to be implemented in ward through the meetings normally held at chief's place,...in person, I do not know the specific amounts of money so far disbursed

for health Centre repair here in Kangemi and what is recorded as the status of the project, these details are with the project management committee who are in charge of individual projects". **(38 year old female FGD participant and a community health worker).**

Upon being probed on any limitations posed by lack of adequate knowledge on CDF regulations/ operation policies, participants in focus group discussions observed and agreed that low knowledge on CDF regulation limit the ability of community members to seek clarity on the project details and take measures to curb malpractices reported in the CDF management in the ward:

"There are very few of us with knowledge on the CDF Act whether it is on legal address mechanisms or social auditing of the funds allocated to the projects in this ward even in the entire constituency...the only way out is a massive awareness campaign to the public on the rights in CDF operations because we are only told that it is our money and we should ensure it is used properly". **(34 year old female FGD participant).**

Besides low knowledge and awareness of CDF regulations, other participants observed and lamented the technicality in the language used in the CDF Act. According to the FGD discussants, the language is legally technical beyond lay understanding thus a deterrent to proper interpretation. This increases instances of overreliance on legal expert interpretations and the political elite pronouncements on the provisions of CDF Act. Consensus arising from FGD discussants is captured below:

"The language in that CDF Act is not simple for us to understand, there are a lot of cross references to sections and schedules, it requires some patience and an interpretation from legal experts so that people in the community can have a common understanding of the Act's contents, otherwise, we as the community members will continue to hear our politicians' versions and take it as such ...to be honest, the CDF Act cannot be understood by lay people and that is the truth, we can say much about the funds and our rights but we really have no legal interpretations on the same at our disposal, we cannot pretend about such important issues." **(37 year old FGD participant and a teacher).**

Community apathy accumulated over the years has led to lack of interest in CDF Act provisions and the close association of the CDF money with the sitting MP as a channel through which CDF decisions are made have had a reverse effect on the sensitization process on CDF in the ward specifically public appeal among the community members as observed by a key informant.

"When people tell you that the money is under the control of the MP...that they are not interested in the money that does not directly put food on their table but for a few political classes in the area, then you immediately find your efforts to make these people own the knowledge a hard duty because you simply cannot force a community to accept what they have resented and they feel has less value to their daily livelihoods" **(the CDF chairman).**

Furthermore, public apathy resulting in low knowledge of CDF policies and regulations can be attributed to the past experiences with the fund and its activities in specific. These are instances where the needy children have not benefitted from the CDF bursary and lack of personal wealth creation provisions in the CDF Act especially for community members who think it should provide certain incentives for businesses. While the CDF funds projects at the local level, a lot of the projects do not have immediate bearing on the improved household incomes for the individuals thus benefits are of long term nature attracting some voices of dissent among the community members as observed by FGD participants:

"I would be interested in something that boost trade options for small scale business people like us, what we can rely on to give widows support for their children's education in fact, I wonder why the bursary for needy children was included in this secretive fund where politicians dominate with their agents....how about those of us past school going age and we need something to boost our businesses? If the fund is for grassroots development, then let the people be in charge of what projects can be funded and not the government dictating on us through policy papers". (**56 year old female FGD participant).**

The study sought to find out the reasons for differences in the level of CDF knowledge among the members of the fund management committees as had been reported by a section of the FGD participants. To this extent, the study established that knowledge about CDF Act is high among those in top management of either the CDFC or the project management committees (PMCs).

This is because seminars held for sensitization are carried with top officials who do the reporting to the District fund management committee thus discriminate in terms of who is equipped with what kind of information as observed by a key informant:

> "*People are selected into these committees managing the fund without any proper orientation on the CDF regulation...the trainings are meant for the secretaries, treasurers and the chairman who are directly involved in accounting for project progress so the rest of the team more often act on what they are told but never get trained per se on these so called regulations*" (**District Officer in Westlands District**).

4.3.1 Sources of knowledge about CDF

The study sought to know the sources of information via which the community learnt about the CDF and its operations. This is because the most accessible avenue would be important in designing future advocacy channels on clarifications about regulations on CDF and the rights of the public to participate in the fund projects.

The results show that 65% of the respondents got information from reading policies on posters/newspapers/notices, 13% through knowledge of CDF Act, 10% through the chief's baraza, 8% were members of either CDFC or the project management committee while 4% heard from other community members (Figure 4.2 below).

Figure 4.2: Sources of knowledge on CDF
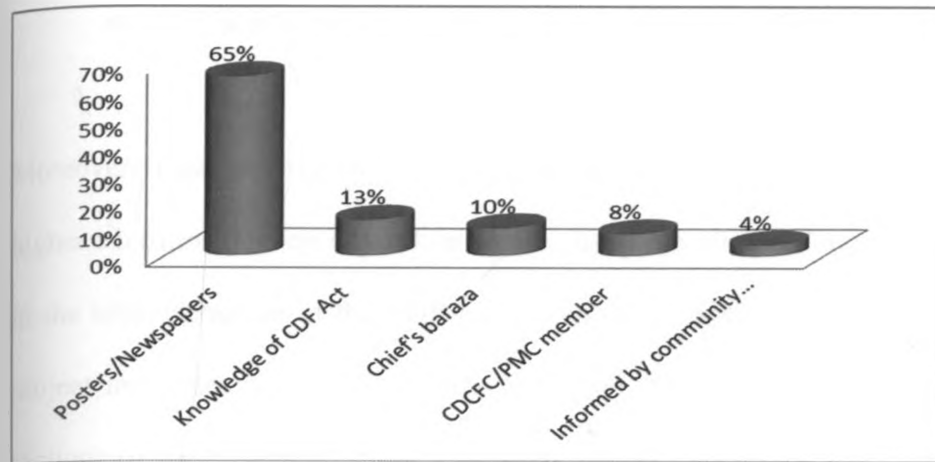
Reasons given for preferences were varied from accessibility, trustworthiness of the source and

the authoritativeness of the report or information so far contained in a source. High access and

detailed information contained in the newspapers/posters/notices were some of the reasons for

preferences to these sources of information on CDF. The community also believes that

newspapers/notices are authoritative in reporting compared to chief's baraza and/or other

community members whose information they believe can be doctored to fit personal interests as

explained by a key informant from a local NGO:

"You cannot tell the community all about the CDF regulations and policies because over

time, the failure of projects has been associated with CDFC mismanagement so they

prefer sources that they think are independent of the local committee's input. Moreover,

most people are always out at work so holding a collective sensitization programme on

CDF is not that easy...under competitive political environment, people do not want to see

the perceived opponents strengths presented like what mostly appear on the posters and

notice boards...the reasons are varied but I think people just want to identify with the

authoritative and independent sources that they feel is much in the print or electronic media". (**A male representing a local NGO in the CDFC).**

Moreover, it was observed in this study that those who report knowledge of CDF Act either have higher educational levels or work in sectors that more often collaborate with the CDFC or PMCs in the implementation of the CDF projects in the constituency or are basically members of the project management committees who have had the advantaged on being sensitized on some sections of the CDF regulation. This study further established that chiefs' *barazas* are not so popular with the youth and the highly educated in the ward since they associate such administrative centres with key interest in dispute resolution rather than as important information centres for relaying information for the public good. Opinions from FGD precipitants were captured in the following statement:

"The baraza is for the elderly always resolving household conflicts in this area, whatever they do in terms of CDF information dissemination is nothing more than posting notices on their doors...most people do not expect a transparent report by local administration on these funds since they are partakers in the management so they cannot incriminate themselves by putting up controversial reports for public consumption...let us not forget that in this country, there still persists a mistrust between citizens and government agents and what exactly their roles are...I don't believe they can break into details the CDF Act and its regulations...so let it resolve domestic squabbles". (**30 year old female FGD participant and high school teacher).**

The study also established that the community's trusted sources of information in terms of information bias, reach and independence is important in designing advocacy forums and mobilization of people to partake in the development process especially the planning and implementation of CDF projects. Sources with potential reach to mass groups with reliable information are effective in mobilizing the community for collective action; providing opportunity for voicing concerns of the community as well as giving the community the power to shape their development agenda. An observation supported by District Development Officer:

> "*My observation is that highly reliable source of information to the people becomes a constructive pillar in enhancing their rights to question the malpractices, take part in decision making at the identification levels by stating what projects will have immediate impacts in their lives to CDFC so that we can deter cases of either imposed or top-bottom projects the very antithesis of the CDF spirit... so people must be adequately and reliably informed so as to be empowered in the management of these devolved funds.*" **(DDO Westlands constituency).**

Plates of identified CDF projects at different status in Kangemi Ward

The various plates showcase identified CDF projects at the three locations in Kangemi ward at different status.

Plate 1: Completed and unutilized Kangemi Clinic centre

While the physical facility is in good condition, no effiorts have been made to equip it with medical equipment and cilinical staff necesarry for its operations to take effect. The failure to equip the facility has been associated with haphazard undertaking of projects without adequate strategic planning on their utilisation and sustainability.

Plate 2: Completed footbridgecurrently in use in Kitsuru sub-location
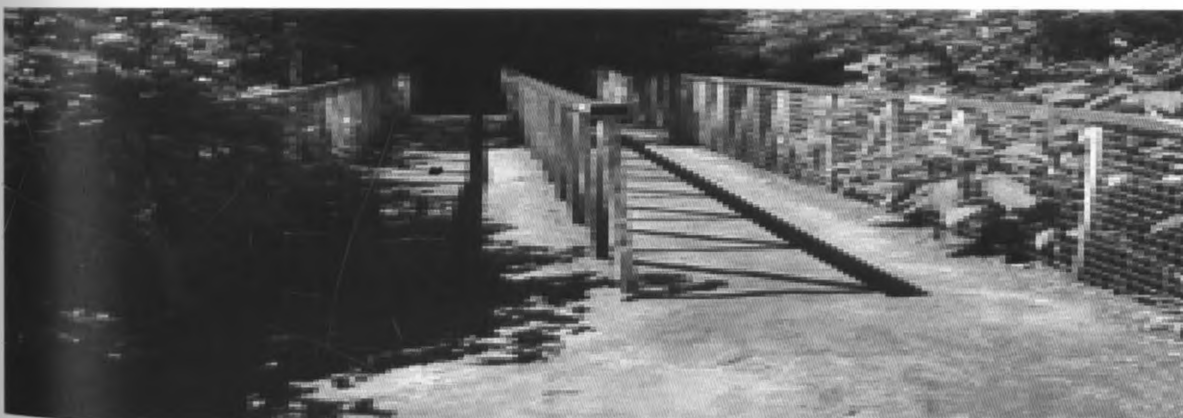
This is one of the most succeful CDF projects with respect to the workmanship and community approved projects.

Plate 3: Completed but quickly wearing out Motor Bridge in Waruku sub-location of Kangemi ward
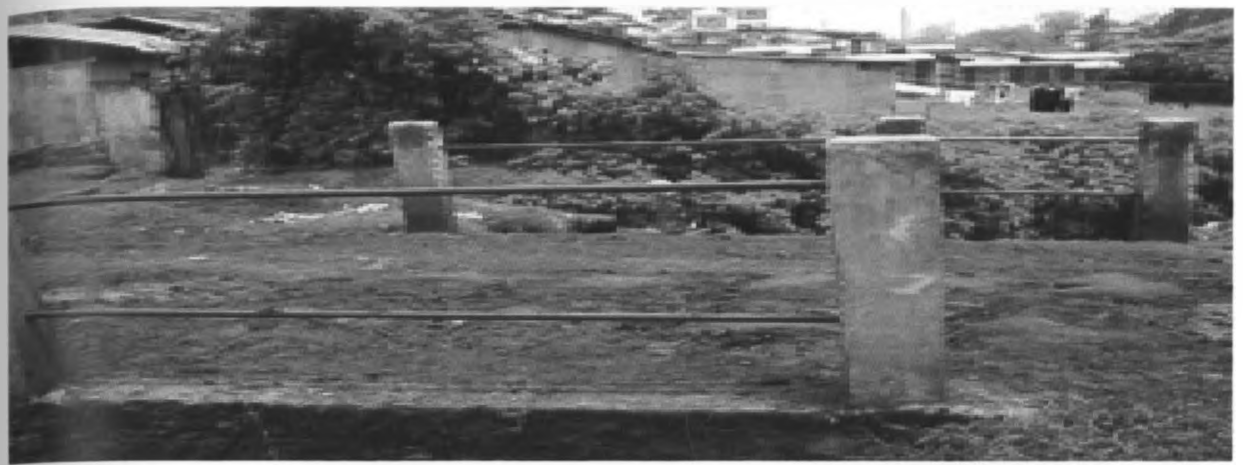
The motor bridge was poorly constructed using low quality materials evidenced by continual breakages on the side-barriers. The bridge is situated so low on the ground thus suffers the weight of siltation quickly wearing the bridge out.

In general, it can be said that community members appear aware about some aspects but not all aspects of CDF; the community is more aware of the CDF existence but very few know about project costs or even the amounts disbursed. The community appears to have no knowledge about the specific details such as progress or challenges the projects are experiencing once implemented.

4.4 Modes of participation in CDF projects

The study sought to know the modes of participation available to community members in the CDF projects. This is because the knowledge of the right and opportunity of participation affects project planning, implementation, monitoring and evaluation. The mode of participation was assessed with regard to decision making in CDF project identification and prioritization, project site determination as well as community members being part of the management team of the implemented projects. The findings indicate that 40% of the respondents had taken part in project identification, 25% had been consulted on project sites/location while 35% had been and/or were still part of location projects committees in the ward (figure 4.3).

Figure 4.3: Awareness of rights/opportunities to participate in CDF projects
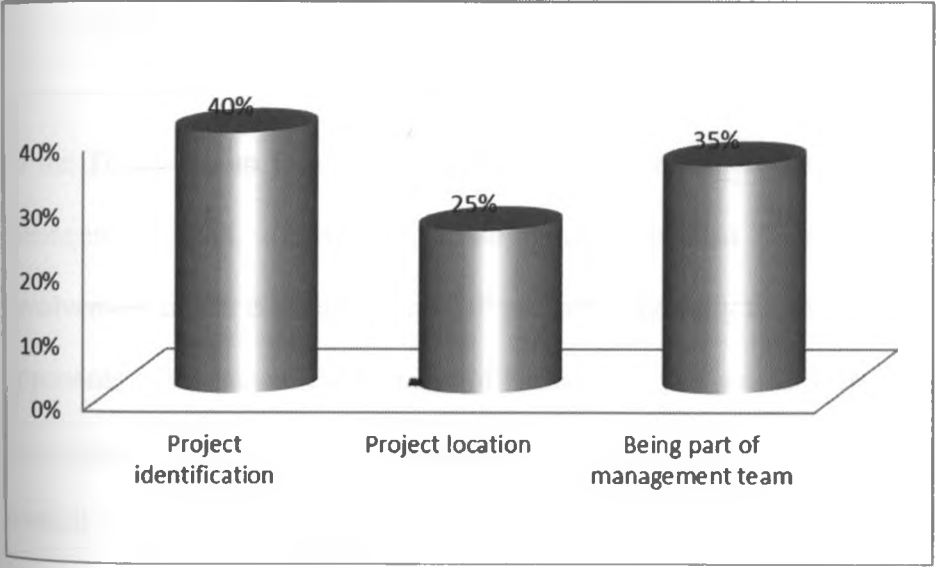
From the results in figure 4.3 above, it is observed that the rights and awareness on opportunity to participate across the assessment benchmarks is generally low and this explains the cases of unaccountability to the public by the officials charged with managing specific CDF projects and a rare design of needs driven projects, equitable spread of the project across the locations within

the ward and reported abuse of power by the management committee. Key informant interview associated the peripheral placement of the community at the management level with cases of unaccountability and unplanned use of project funds in the constituency:

> *"When majority of the community is kept at bay in the formulation stages of the projects up to the time the reports are written on their status to NMC, then there are limited chances that the transparency and accountability will be achieved in utilizing resources controlled by a minority that is usually the project management committee…of course what the public receives is what the project management committee has reported which more often contradicts the public's observation of the same."* **(Key informant interview with District Officer).**

In the Focus Group Discussion with community members on their involvement at the fund management level, a majority of the participants also lamented of the prevalent limited involvement of the community in CDF projects especially those perceived to be strong political opponents of the incumbent Member of Parliament. The general feeling amongst discussants was that people who are politically favoured by the incumbent Member of Parliament and the councilors are more often rotated to oversee the implementation of projects irrespective of their skills and capacity to do so.

> *"We are at the mercy of the political appointees, so the money and its projects (CDF) is something casually managed by people who do not have the knowledge and the skills to check on the sustainability of the projects implemented…they report when the money*

allocated has been utilised without assessing the impacts or future use of the facilities". **(36 year old male FGD participant).**

The community also feels that limited input in the fund management level is an aggression towards the spirit and the letter of CDF decentralization which provides for bottom up approach and inclusive development. The following statement sums the opinions from FGD:

"The funds, I mean CDF are specifically given for the development within the community, it is our tax returned for our own consumption, we the community...we have a right to participate at all levels of implementation as stakeholders from identification phase to the monitoring and evaluation phases of the proposed project". **(35 year old female FGD participant).**

On further probe on the exact role of the community in the management of the CDF, the participants observed that those involved from their midst were at the lower levels in the CDF projects hence had limited power to question the mischiefs in the fund management. Discussions emerging from FGD participants were captured in the following statement:

"You do not expect me as a mere project management committee member who just sits down in the location with other members to demand that the CDFC office account for the money allocated...they won't listen to you, besides, you may just provide them with opportunity to delay funding for your project...so we people observe from a distance." **(40 year old female FGD participant).**

The culture of silence and relegation at the management level is perpetuated by the perceived repercussions to either the committee member or the location where one hails when one becomes vocal against the malpractices by management teams as opined by a participant:

> *"The sitting in the committee is a quantitative or a CDF Act requirement...there is nothing worth qualitative auditing in terms of our input, you attend meetings to endorse plans already deliberated upon, new ideas contrary to those presented are shelved specifically when they are perceived to be counter plans of the incumbent member of parliament and his loyal councilors, this is the burden but we sit because the allowance is paid and if anything, your departure will just attract an immediate replacement and isolation of your location in terms of projects distribution".* **(62 year old retired civil servant and a committee member).**

It is also clear from the findings of this study that a majority of the projects implemented were identified by the committee members who are charged with the responsibility of evaluating location projects for funding before forwarding them to the DPC. In this case, community members feel that a small committee is overlooking their priorities to fulfill their own interests first as reflected in the opinion of the FGD participants which was summed as below:

> *"We needed our health centres to be renovated and our schools properly equipped before this street lighting business but the committee cited insecurity in*

the area which in their view required street lights installed rather than our suggestion of increased police patrols...this is the danger we face with a committee that does not listen to the people." **(60 year old male FGD participant).**

Other participants observed that the committee basically implemented some of the projects that had been cleared in the previous financial year and reported complete but due to fear of government auditing they had to rush through those projects to reflect what had been documented. The consensus on this position was well captured by one of the FGD participants as stated below:

"We initially read reports that some schools, play grounds and feeder roads in this area had been done and upgraded through this CDF money and that was last financial year...what we are witnessing now is a rush by the committee to implement these projects that they blankly accounted for so we need regular and immediate audits by independent bodies to see that the public is properly served by the CDF cash and the government doesn't entirely trust the CDFC to give it accurate reports" **(55 year old female FGD participant).**

When participants were probed on whether they knew anyone involved in project identification in their locations, most community members concurred that they knew somebody who had been involved in a committee identifying projects for the area but on the contrary stated that even these committee members only informed them of what the committee as an entity had settled on

rather than collecting the community's views before deciding on an appropriate project. FGD participants expressed overlooking of people's input in project prioritization by the CDF management committees as captured in the statement below:

"Even people in these identification committees just tell you of the outcome of what they have debated amongst themselves so that means the project has already been cleared for implementation, your input will not make a difference because they say that the committee represents the entire ward and they cannot walk door to door seeking everyone's input." **(28 year old male FGD participant).**

The small-size committees at the project management levels have not been able to capture the views and prioritized needs of the community members, a situation which may result into completed but under-utilized projects in the ward.

On being probed to identify the visible ways by which they have been involved in the CDF projects, the community members were unanimous that the CDF projects have to a large degree sourced building materials from the local hardware, the labour of locally available masons, the involvement of youth in the building of feeder roads and opening up of drainage systems, being part of the location development committee and individual project management committees. The community voices are captured by one of the FGD participants who said:

"We have been involved in supplying labour and materials for a lot of constructions around even being part of these committees at times but that is the extent most of us have been engaged in the CDF projects...things like social auditing of the usage and results of

the projects implemented are very strange areas for us in this ward and I think even in the entire Westlands constituency. In fact to be sincere, majority would rather rush to acquire the supplies contract than ask the CDFC for accounts of the money that have been disbursed to this constituency, it is a role we feel is external and beyond our reach". **(48 year old male FGD participant).**

The very ownership of the CDF by the community is a strong reason that a majority of the respondents and informants in this study want to have more say in the way the CDF projects are identified and prioritized, managed and evaluated to assess if there is a positive impact created on the livelihoods of the people. There was a strong feeling amongst the community members that they contribute to CDF money through taxation therefore they are naturally bound to be involved in all the stages of the fund's usage as captured in an FGD:

"We are taxed daily for this money, as beneficiaries, the community members are able to identify the felt needs on their own rather than the outsiders and local influential persons who are bribed to misdirect community priorities." **(37 year old female FGD participant).**

There is also a notion that the committee members are easily convinced to act subjectively to the whims of the political appointing authorities. There is therefore, need to change policy on the selection of committee members so as to give more direct electoral voice to the individual community member.

In essence, the level of participation in CDF in Kangemi ward is higher among the committee members than the general public with emerging complaints on the amount allocated to finance projects being little relative to the increased population demands especially in areas of health and school needs. While most respondents feel the need to participate actively, the avenues are mostly obscure to and clouded by political appointees a case they feel deny them adequate opportunity to elect fair representatives to the committees and substantially address their needs in the most pressing manner.

4.5 Barriers to active participation in CDF projects

The study sought to know perceived barriers to active participation in CDF projects by the community because overcoming these obstacles is important in effective management of the CDF funds and the projects thereafter funded for the benefit of the community.

The barriers were assessed with respect to disputes/incidences of conflict in CDF projects reported in the area, the redress mechanisms in existence and knowledge of the same by the community members as well as the effectiveness of these mechanisms in responding to the community complaints on mismanagement of CDF in the ward. The findings indicate that only 46% of the respondents knew of the existence of redress mechanisms in place, 24% of the respondents had reported cases of abuse of the CDF to the provincial administration while only 30% knew of the judicial complaints mechanisms (figure 4.4).

Figure 4.4: Knowledge of conflict/redress mechanisms
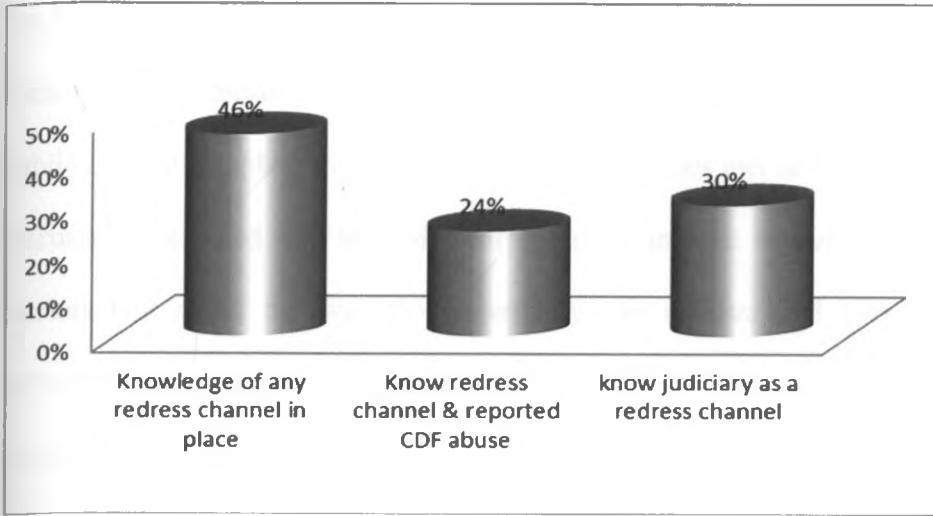
In general, the study findings indicate low levels of awareness on complaints channels and redress mechanisms for the disputes. On being assessed on the effectiveness of the dispute resolution channels available, only 26% of the respondents think that the process is very effective, 34% felt the process is somewhat effective while 40% felt the process is not effective at all (figure 4.5).

Figure 4.5: Assessment of effectiveness of conflict resolution mechanism
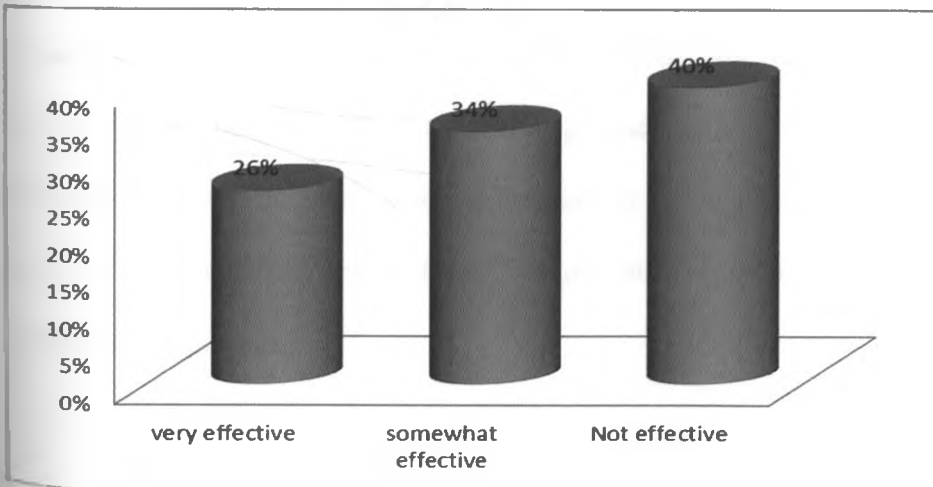
The community members are not able to single out the specific provisions of the CDF Act with regard to complaints and redress mechanisms hence the needs for more advocacy and sensitization on the contents of the CDF policy and regulations about the means by which the public can file complaints and seek redress on the abuses met on the CDF funds. The focus group discussions revealed that lack of clear planning and the non-existence of strategic plans are barriers that affect the way the community can monitor and evaluate the progress of the implemented projects. The consensus emerging from FGD is expressed in the statements of one of the male participants below:

"We do not see the strategic plans in either the ward or the constituency at large which will provide us with the platform from which we can evaluate what has been undertaken against the set objectives...the projects are operated in a planning vacuum and we just consume the reports without foundations...how do you then accuse them that they have not achieved the set goals?" **(38 year old male FGD participant).**

Strategic plans are important frameworks for monitoring and evaluation, the very fact that they are not available for particular CDF projects hinder the process of social auditing by the community members as well as obscuring grounds of assessing the shortfalls of a project at different stages. On the other hand, participants in FGDs opined that poorly planned projects in the ward have received low publicity among the community members thus a deterrent to community participation.

"What you witness are ongoing works either on paintings, major repairs on buildings of schools and health centres that should actually be brought down and reconstructed...but since they do not have any concrete planning systems for the public to go through, they end up implementing arbitrary programmes which we are barred from questioning" (**44 year old female FGD participant**).

Publicity of the project progress is basically a feedback mechanisms that gives the community an opportunity to question the use of funds and significance of the implemented projects but its absence is a clear obstacle to people's assessment of resource use and whether the projects so far implemented have a lasting identity and usefulness to the community.

When participants were probed on their ability to carry out social audits of the implemented CDF projects to increase accountability, it was established that lack of training and capacity building to the public on how to carry out social audits, file complaints effectively are barriers raised by the community on their lack of active participation in the CDF projects evaluation. This position is adequately captured by one of the FGD participants as stated below:

"In this community, we lack the capacity to make the management account for the money released to the ward, we at times take the reports on the notice boards as true reflections of the situation, people have little knowledge on what the law provides for so that training is necessary if we area to own the CDF projects and its management as a whole". (**35year old female FGD participant**).

In this regard, the FGD participants observed that public training and sensitization on the specific provisions of the CDF Act will greatly contribute to the improved identification, implementation and management of the CDF projects. This sufficient knowledge will also lower incidences of unfair distribution of resources where certain sections of the constituency have been ignored, a phenomenon that has raised numerous complaints from the community members who feel they are not catered for by the funds.

> *"When people are equipped with the provisions of the CDF Act and what it means to participate and control the use of the funds provided, they will come to know their rights, the projects to be funded, budget ceilings for different sectors...in general, means to overcome these barriers are well placed in the Act, the problem is that people do not have the policy provisions at hand and even those who do understand it, do not bother to take necessary action."* **(District Development Officer).**

In general, the community members in Kangemi ward experience more barriers to active participation at the management level than at the project identification and prioritization level. Inaccessibility to project documents and details of financial disbursement has largely affected the social auditing process that would ensure accountability and transparency in the CDF projects.

5.0 CHAPTER FIVE: DISCUSSION OF THE FINDINGS

Awareness of CDF policies and regulations plays a critical role in community participation in the fund initiated projects. In this study, community awareness of CDF policies and operations stood at a low of 62 per cent and 38 per cent among males and females respectively. This has in turn led to unaccountability from the local fund management institutions such as the project management committee at the implementation level, lack of transparency in end-project fiscal reporting and low impact on the improvement of the quality of life of the community.

The situation is further aggravated by low knowledge of project details with respect to project funding status and the amounts disbursed which by extension hinder demand for accountability in CDF projects in Kangemi ward estimated at 24 per cent in the community. In a previous survey on citizen awareness on devolved funds, KIPPRA (2006) had pointed to low knowledge amongst beneficiaries as a major cause of unaccountability in the CDF and its projects across the country hence persistent cases to date only show lack of enforcement of the then recommendations by CDF management institutions.

The findings of this study on low awareness and knowledge of CDF policies and regulations hinder people's participation in projects concurs with IEA (2006) survey on CDF citizen report card that identified extreme low participation among residents in CDF activities and weak mechanisms instituted to have people at the grassroots express their voices in CDF projects. On the other hand, this study's findings on inadequate reporting on the status of the project compliments the TISA (2009) report on the gross irregularities in the constituency development

fund projects, in both cases, the communities or intended beneficiaries find it hard to track which projects have been funded and the status of expenditure to those projects as manifested in Kangemi ward.

The high secrecy with CDF project details masks the use of public funds for personal advantage and denies the citizens social audit documents important in disempowering the power of bureaucrats and politicians for the sake of transparency in public fund management. In Kangemi ward, the findings have revealed secrecy with CDF activities which has resulted into unaccountability, unfair sharing of resources across the sub-locations of the ward a scenario decried by participants in FGDs. FGD deliberations also reveal a close association of the fund with the MP and high secrecy in respect to the details of the fund activities by the managers appointed by the MP which over time has attracted public dissent and disinterest in the CDF.

A study by Mapesa and Kibua (2006) had pointed to the fund being used to reward political loyalties and punish the areas perceived to be opposed to the incumbent Member of Parliament. In this study, only a section of the funds management committee at the top positions have been trained formally on the provisions of the CDF Act specifically on the accounting and reporting procedures. The rest of the team is more often left out given the high cost associated with overreliance on external trainers from the private sectors.

Low training and inadequate knowledge amongst a majority of fund managers manifested in this study concurs with the KIPPRA (2008) findings that pointed to little education focused on the roles of the fund managers as having negative effects on the performance of the CDF towards

achieving the intended objectives. Moreover, both studies on CDF status conducted by IPAR (2006) and IEA (2006) indicated that lack of clear management roles lead to lack of accountability and transparency in the fund activities thus the prevalence of white elephant projects. Moreover, community apathy and reluctance to learn the CDF regulation has intensified the information gap resulting into mis-prioritization and adoption of the needs without adequate consultations between the implementers and the beneficiaries on different projects implemented.

The means through which the information is accessed is a determinant of the depth of information received and its relevance to the community. While this study shows that newspapers are the most preferred source of information at 65 per cent for their perceived authoritative and independent nature in Kangemi ward, the amount of information contained is dismal and often general rather than being specific to a constituency that could reflect the manifest reality on the ground. Moreover, other sources such as the chief's *barazas* do not have favours with the women neither are they popular with the youths a majority of whom do not attend chiefs' meetings at the location hence this source cannot be used effectively to disseminate project progress status.

The notice boards too do not reveal the particulars of expenditures, extent to which project objectives have been achieved and the amounts of funds disbursed which are important for auditing and accountability purposes by the community. Moreover, these boards are more often hanged at the local provincial administration offices especially the chiefs' or District Officers' that are hardly visited by the majority of the public, hence limiting access to necessary information for accountability purposes.

Participation is both a right and empowerment process in development arena, however, community members in Kangemi ward have been locked out of the mainstream CDF projects management at the planning and auditing levels which contravenes both the law and the spirit of the CDF Act which aimed at addressing inequalities in development and funding projects with immediate socioeconomic impacts on the livelihoods of the people through a participatory process (Kenya, 2003, 2004, and 2007).

Kangemi community members in FGDs lamented the excesses of the appointed fund management committees which frequently overturn the community prioritized projects hence excluding majority's views in the development process. The very exclusion of community members from planning to management levels also contravenes the section 23(3) of the CDF Act that demands that the projects for funding should be identified through participatory community meetings. In essence, overlooking of the community's input at different level of the fund management, monitoring and evaluation point to weaker institutions of financial management at the lower levels of the funds supporting earlier findings of Mapesa and Kibua (2006).

While the CDF targets community-based development projects as a criteria for selection and whose benefits are enjoyed by all community members, this is not possible in an environment where the selected committees managing the funds overlook the inputs of the community at the project prioritization and management levels including evaluation stages as opined by the FGD participants in this study. However, this matter is complicated by the provisions in the CDF Act (2003, 2007) that mandates the MP to constitute and convene the CDFC hence denying the community an opportunity to elect their representatives in the funds management committees.

This has led to apathy and voices of dissent with the MP's overshadowing role in the CDF management as noted in the FGDs. This is because the selection process of membership to the fund management committees is subject and at the discretion of the MP who more often than not locks out representatives from perceived opposition areas. This at times results into late disbursement of funds to the projects in certain localities. In essence, the role of the MP in appointing committee members curtails the citizens' participation rights with regard to who manages the fund on their behalf. While this study finds moderate participation of the community in project selection and prioritization, dismal and/or lack of participation in the management, monitoring and evaluation of the CDF projects still points to weaker institutions of financial management at the lower levels of the funds supporting the findings of Mapesa and Kibua (2006).

Modes of participation in CDF projects in the Kangemi ward are found to be basic where the community are involved in labour provision, materials supply, and project identification but excluded from strategic planning for long term goals in their wards, project implementation and management as well as project monitoring and evaluation therefore, their input cannot actively strengthen the relevance, quality and sustainability of the projects funded by CDF. This kind of participation can be summed as static and passive being important only in achieving the objective of the project without empowering the beneficiaries. The community and CDF project interface with regard to participation can be attributed to what Moser (1989) describes as mobilizing people to get things done based on fixed quantifiable development goal that still emphasizes the top-bottom approach to community development. This is because low participation observed in community at the management level does not enhance people's

capabilities in strengthening the knowledge and skills to control their own development. On the other hand, information transfer as participation means is also manifest in the findings of this study where the community share ideas that have been decided by the funds management committees i.e. the CDFC and the PMCs.

With the decision making and control left to the committees' discretion, the communities are deprived of the power to prioritize their needs in project matters affecting their livelihoods adequately. For optimum benefits to be realized in CDF projects, interactive participation has to be exercised where the community will get involved in decision-making, from the needs assessment phase through project monitoring to evaluation. The result will be a clear platform where the community actively participates in joint analysis of the problems to be addressed, development of action plans and benefit sharing. It is also possible for the community to sacrifice their resources such as labour and capital assets as land to complement the input from the CDF kitty for sustainable development. The interactive approach to development is a sure way to empower people and premise on their goodwill reflected in the decisions they make to improve their livelihoods. It is also of essence to point out that low participation at crucial stages of CDF projects by the community go against the envisaged principles of Rights Based and Social Accountability Approaches to development which require a high degree of participation including from communities, civil society, minorities, indigenous peoples, women and others; and further states that such participation must be active, free and meaningful as mere formal or ceremonial contacts with beneficiaries are not sufficient.

The underlying barriers in active CDF participation cut across inadequate skills in fund management, lack of strategic and transitional plans to lack of open information policy in CDF operations. Strategic plans are imperative in shaping the development steps in any intervention because they spell a framework with clear timelines, objectives and indicators against which the extent of any achievement is graded. The very absence of the strategic plan translates into real planning for project implementation once the funds have been received. In the end, haphazardly implemented projects fail due to lack of monitoring to increase on weights of their strengths and opportunities while reducing the risks from the threats. Moreover, projects which are hurriedly implemented do not take into account the immediate and long term needs of the people hence are likely to be underutilized upon completion as witnessed in the clinic repairs that had been taken in Kangemi ward. Transitional plans are important in proper resource utilization besides ensuring a change in the political scenario does not affect the development projects initially initiated.

Lack of open information policy on all CDF records, reports and procedures has hindered the citizen auditing process. In most cases, the community members seeking the CDF information are treated to a bureaucratic runaround and effectively denied even the most basic CDF information. It has been blamed for lack of details in respect to the amounts spent on procurements, the amounts so far disbursed per project and even the persons awarded supply tenders for various construction works in the ward resulting into a drought of information in terms of resource use. This secrecy problem is further aggravated by the inadequate training of the public on how to carry effective social audits of the implemented projects especially when it gets to assessing the quality of materials used versus the amount spent in the project.

6.0 CHAPTER SIX: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

6.1 Summary

This study has explored community participation in development projects specifically those funded by CDF in Kangemi ward, Westlands constituency. The study has specifically looked into knowledge and awareness of CDF policies and regulations, modes of participation available to the community members and barriers faced by community in achieving active participation.

Awareness of the community about CDF is generally high though there is still a feeling of political patronage on the management of the fund and even project implementation and execution. While the general awareness is high, particular details with regard to costs and amounts disbursed for specific projects is generally low among the community. This has had effect in constraining the voices of the people, limited their rights to demand accountability and participation of the people in CDF projects. Moreover, knowledge and awareness on the CDF regulations/operations is generally low within the public domain and slightly high within the top committee members which has generally affected public participation in CDF project monitoring and evaluation.

Community participation is high at the project identification and prioritization phases but found to be weak at the project management, monitoring and evaluation stages with the community raising concern over the domineering nature of the committees in the CDF project affairs given the committees' non-consultative nature in dealing with the public funds.

Community members identified barriers to active participation as lack of transition plans across the CDFC terms and change in the politically stipulated five year -period for MPs that can ensure smooth continuation with the projects that had been initiated. Lack of strategic plans, inadequate and/or lack of training and capacity building are also identified as major constraints to active participation.

In essence, there is an elite capture of the devolved funds through the structures and institutions managing the fund at the lower levels. This has resulted into manipulation of project funds and priorities by the committee members potentially blocking the participation of the people in various project phases. This behaviour is rampant because of the continued handpicking of the committee members into CDF management by the MP creating a culture of patronage. While there is exists the cronies of the MP in the CDF through the committees and strong support groups favouring the incumbent, the discriminatory approach in distribution of the projects and funds across locations do not tie to the principles of Rights Based Approach to development.

6.2 Conclusions

Participation has been key in this study because it reflects the voices of the people, creates platform for responsiveness from the implementers besides empowering the people in the process of planning, implementation, monitoring and evaluation of projects. True involvement of the people enhances ownership which in turn has an effect in ensuring sustainable development through needs-driven projects.

From a rights based and social accountability approaches to development, participation ensures that both implementers and beneficiaries comprehend the prioritized concerns, transparency where the decision makers justify the decisions publicly to substantiate if the decisions are reasonable and within mandate. Participation is also an avenue to controllability where mechanisms are put in place to sanction actions and decisions that run counter to given mandates and procedures.

Ensuring participation in CDF projects require massive sensitization on the contents of the CDF Act and grass-root mobilization of the community through advocacy that will ensure that they shape the development projects implemented in their midst. Moreover, modes of participation can be greatly improved as along as the community is equipped with the relevant knowledge especially on management, monitoring and evaluation and well trained social audit team put in place to liaise with the community on the status of different projects implemented in the area.

6.3 Recommendations

- Given the important role played by the knowledge of CDF policy and regulation in enhancing active participation of the people in the CDF projects, more advocacy and sensitization should be conducted by the District Planning Committees and Ministry of Planning so that the public can comprehend the specific provisions of the CDF Act on participation, redress and accountability.

- There should be more notice boards erected in places with high public access like the shopping centers, church and local administrations' offices with detailed reports on the

overall costs of the projects, their status in terms of ongoing and completed projects, and the amounts so far disbursed for their completion.

- The committee members managing CDF at the constituency and ward level should be directly elected for the purposes of accountability to the electorates so that the power of the MPs in selecting committee members loyal to their political whims is curtailed to reduce instances of corruption, rewards and punishment in CDF projects.

- The government through Ministry of planning and in collaboration with civil societies should devolve training on social auditing of public funds and emphasize importance of strategic and transitional plans for all CDF projects.

- A new framework for communicating CDF development plans should be developed by CDFC; the framework should provide scheduled ward and constituency planning meetings with an avenue for feedback. The framework should also provide for performance criteria whereby PMC's, CDFC's and DDO will be subjected to an end of year public evaluation process.

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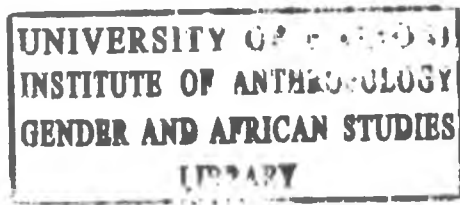
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APPENDICES

Appendix 1: Questionnaire for beneficiaries (community members)

Introduction to survey questions

I am Dalmas Ochieng', an MA Student in Development Anthropology at UoN. I am carrying out a research on community participation in Constituency Development Fund (CDF) projects in Kangemi ward, Westlands Constituency. I would therefore want to find out the level of knowledge and awareness of policies and operations, modes of participations in the projects and the constraints to active participation in the CDF projects. All the information given in this study will be kept in the strict confidence. Please answer frankly where choices are given and tick the options which match your answers. Otherwise, write out the information asked for in the blank space after the question.

Thank you in advance for your cooperation.

SECTION ONE: Demographic Profile of the Respondents

Name of respondent (Optional) _____

Age

☐ 18-35 Years   ☐ 36-53 Years   ☐ 54 years and above

Gender

☐ Male   ☐ Female

Marital status

☐ Single ☐ Married ☐ Divorced ☐ Widowed ☐ Separated

☐ Others (specify)

Occupation

☐ Government employed ☐ Private sector ☐ Private Business

☐ Unemployed ☐ Others (specify)

Income per month

☐ 0-3000 ☐ 4000-6000 ☐ 7000-9000 ☐ 10000 and above

Education background

Primary: ☐ Complete ☐ Incomplete

Secondary: ☐ Complete ☐ Incomplete

College/University: ☐ Complete ☐ Incomplete

Place of residence

☐ Kitsuru ☐ Kangemi ☐ Waruku

SECTION TWO: Awareness and Knowledge of CDF

1.1 Do you know if CDF fund exists in this ward?

    1. Yes ☐   - Go to **1.4**

    2. No ☐

1.2 If No, have you noticed any new projects being implemented in the community the past two years?

    1. Yes☐ please specify these projects........

    2. No ☐   Go to **1.7**

1.3 How are these projects financed?

    1. CDF   ☐

    2. Church   ☐

    3. Harambee☐   4.☐ Other, briefly explain these sources ......

1.4 How did you learn about CDF? (mark all that apply)

    1.   Know of the existence of CDF Act

    2.   Member of the location development committee or CDFC

    3.   Through other community members

    4.   Chief's baraza

    5.   On notices/ posters/ newspapers

6. Other, please specify………………….

1.5 Are you aware of any CDF projects or activities in this ward?

1. Yes ☐

2. No ☐ Go to1.7

1.6 If Yes, please answer the following questions

    1. Do you know the cost of the projects?   Yes   No

    2. Do you know how much has been disbursed? Yes   No

    3. Do you know the status of some projects?   Yes   No

1.7 In your opinion, what is the general awareness of CDF among the general population in this ward?

1. Very high ☐

2. High ☐

3. Low ☐
              ☐
4. Very low

1.8 Do you feel that CDF projects are yours (community owned)?

1. Yes ☐ please explain your answer………………………………….

2. No ☐ please explain your answer………………………………….

1.9 Please respond to the questions in the box below about opportunity/right to participate in CDF decision-making.

Taking decision	(1) Are people given the opportunity or right to participate in	(2) Do you know how you can be involved in	(3) Did you try to get involved in
a. Selecting and prioritizing projects	Yes No	Yes No	Yes No
b. Determining the location of projects	Yes No	Yes No	Yes No
c. Management of project funds	Yes No	Yes No	Yes No

1.10 Are you aware of CDF regulations?

1. Yes   ☐

2. No   ☐

If Yes, please explain.....................................

SECTION THREE: CDF Implementation

2.1 Are there ways in the community for identifying and prioritizing development projects?

    1. Yes ☐ briefly explain……………………………………..

    1. No ☐   Go to **2.5**

2.2 How were the projects funded by the CDF identified?(mark all that apply)

    1.   Community identified/agreed

    2.   Extracted projects from district plans

    3.   CDF committee identified/proposed

    4.   Mp suggested project

    5.   Don't know

2.3 Did you take part in identifying project or projects in your ward?

    1.   Yes   please explain how you were involved………………

    2.   2. No   please state any reasons for this ………………………….

2.4 Do you know anyone who took part in at least identifying one project for the CDF?

    1. Yes   briefly explain how you knew this …..

    2.   No

2.5 Do you know how money for CDF project implementation is provided to the community?

    1. Yes   please give estimates for the last two financial years………..

    2. No-Go to 2.7

2.6 How is money provided to the community?

1. District office   2. CDF committee

3. MP   4.Location committee   5.Don't know

2.7 Are community members involved in monitoring CDF projects?

1. Yes 2. No-Go to 2.9

2.8 If Yes, how does the community monitor/keep track of CDF project implementation?

1. Project management committee in place   2. Projects accounts kept

3. Monitoring committee   4. Feedback during the meetings

2.9 Are you aware of incidences or cases of complaints regarding CDF in the community?

1. Yes   please state those incidences…………….

2. No

2.10 Are you aware of mechanisms or places where complaints on CDF are heard?

1. Yes briefly list these places………………

2. No

2.11 What is your assessment of complaints system?

1. Very effective   2. Somewhat effective   3. Not effect

Appendix 2: Focus Group Discussion Guide

I am Dalmas Ochieng', an MA Student in Development Anthropology at UoN. I am carrying out a research on community participation in Constituency Development Fund (CDF) projects in Kangemi ward, Westlands Constituency. I would therefore want to find out the level of knowledge and awareness of policies and operations, modes of participations in the projects and the constraints to active participation in the CDF projects. All the information given in this study will be kept in the strict confidence. Thank you in advance for your cooperation.

Awareness and knowledge of CDF:

What is the level of knowledge about the existence of CDF in the community?

Awareness of projects funded/implemented and knowledge of level of funding

Impressions on community ownership of projects and factors responsible

Existence of rights and opportunities for people to participate in CDF and

Awareness and assessment of grievance/ redress mechanisms

CDF implementation

Participation of community based groups in CDF decision making process (allocation, prioritization, monitoring of CDF projects)

Community planning structures in existence and their participation in I identifying priority projects

The level of community participation in monitoring, implementation and managing CDF projects (who is involved, when, how)

Capacity building mechanisms in place to help community participation in CDF

Mechanisms for targeting different groups, meeting the needs of the most vulnerable

Mechanisms of maximizing equivalent spread of CDF projects in the community

Constraints to participation

Identified socio-economic barriers to constructive participation of community in CDF projects

What problems are encountered in project identification, prioritization and implementation including monitoring and evaluation?

What needs to be changed/done to improve effectiveness of CDF among the community?

Appendix 3: Key Informant Interview Guide

I am Dalmas Ochieng', an MA Student in Development Anthropology at UoN. I am carrying out a research on community participation in Constituency Development Fund (CDF) projects in Kangemi ward, Westlands Constituency. I would therefore want to find out the level of knowledge and awareness of policies and operations, modes of participations in the projects and the constraints to active participation in the CDF projects. All the information given in this study will be kept in the strict confidence. Thank you in advance for your cooperation.

The main actors in CDF project planning and implementation

The roles played by different stakeholders in CDF project phases

The role of community in CDF projects

Sources of information for people on CDF

Modes of mobilizing people to participate in CDF

How the realities of the community are captured in CDF

Constraints faced by the community in participating in CDF projects