**UNIVERSITY OF NAIROBI**

**A CRITICAL ANALYSIS OF THE ROLE OF PUBLIC PARTICIPATION IN REGIONAL INTERGRATION: A CASE STUDY OF THE EAST AFRICAN COMMUNITY, (2001-2015).**

**MBUTU SAMUEL MARARO**

**C50/74587/2014**

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULLFILMENT OF THE REQUIREMENTS FOR THE AWARD OF THE DEGREE OF MASTER OF ARTS IN INTERNATIONAL RELATIONS OF THE UNIVERSITY OF NAIROBI.**

**2016.**

# DECLARATION

I do declare that this project report is my original work and has not been submitted to any other university for any kind of an academic award.

**NAME:**                                                        **REG NO:**

_____        _____

**SIGNATURE:**                                                **DATE:**

_____        _____

# APPROVAL

This project report entitled "a critical analysis of the role of public participation in regional integration, a case study of the East African Community 2001-2015" has been done under my supervision and has been submitted to the defense panel for examination with my approval as the candidate's supervisor.

**SIGNATURE**                                                **DATE:**

_____        _____

**NAME:**

_____.

# DEDICATION

I dedicate this project report to my late mum Margret Mbutu Mbuthia.May her soul rest in Peace!

**ACKNOWLEDGEMENT**

# LIST OF ACCRONYMS/ABBREVIATIONS

CEAA                       -Canadian Environmental Assessment Agency

CET                       -Common External Tariff

CFS                       -Common Foreign and Security Pillar

CSO                       -Civil Society Organization.

DECD                       -Organization for Economic Cooperation and Development

EAC                       -East African Community.

EACJ                       -East African Court of Justice.

EALA                       -East African Legislative Assembly.

EACT                       -East African Community Treaty.

EC                       -European Community

ECB                       -European Central Bank

ECJ                       -European Court of Justice

ECOWAS                 -Economic Community of West African States.

ECSC                       -European Coal and Steel Community

EEC                       -European Economic Community

EECCAS                  -European Economic Community of Central African States

EMI                       -European Monetary Institute

EMU                       -European Monetary Union

EPA                       -Economic Partnership Agreement

EPC                       -European Political Community

ESCB                   -European System of Central Banks

EU                   -European Union.

LAPSSET           -Lamu Port-Southern Sudan-Ethiopian Transport Corridor.

NGO                  -Non Governmental Organization.

OEEC                -Organization of European Economic Co-operation

SADC                -Southern Africa Development community.

SEA                  -Single European Act

TEU                  -Treaty on the European Union

UN                   -United Nations.

# Contents

## ABSTRACT

This study focused on the role of public participation in regional integration taking the East African community as a case study between the periods of 2001 – 2015. Informing the public, consulting the same public, involving, collaborating and empowering the general public to make decisions exemplified public participation while the customs, union, common market, economic union and political federation exemplified regional integration. The central question in this study was to what extend does the EAC involve the public in its affairs and what role does play in enhancing the EAC? The key objective was to critically analyze the role of public participation in enhancing the EAC, the study adopted liberal institutionalism theory and it was conducted using the descriptive survey design, data was collected using two sources, the questionnaire and interviews. The study concluded that the practice of public participation in the East African Community is not very well carried out and this has greatly affected the progress of the EAC integration process. This study concludes that the current EAC has not yet fully embraced meaningful public participation in practice, The study recommends that the EACT which establishes the community be amended and the institutions there in like the Secretariat, EALA, EACJ be strengthened and made independent of the partner states, this institutions in turn will cause a spillover effects to the member states and one of the effects will be enhancement of democracy and public participation from the grassroots, secondly that massive public sensitization program me should be rolled out using both print and broadcast media, and social media as well so as to raise the awareness levels of the general public finally the researcher recommends that a further study be conducted to determine the best public participation strategies that can enhance public participation. This study availed a host of public participation strategies but did not look at the cost implications of each strategy.

# CHAPTER ONE: INTRODUCTION

## 1.0 BACKGROUND OF THE STUDY

The idea of like-minded states integrating globally has become fashionable after the Second World War. The European Union (EU) which began in the early 1950s has been rated as a successful initiative in the world; it is therefore a case study for other regional integration bodies to be compared with (John B 2011). However the European Union still faces the challenge of ensuring there is a maximum participation of the people. On one hand the EU has strong institutions, but on the other hand research has shown that ordinary citizens do not feel adequately involved in EU matters. The only time people participate is during the elections of the legislators for the EU Legislative Assembly or during the referendum on any given issue. But when it comes to the day to day activities of EU, most citizens are not even aware of what is going on, also the EU Treaty provides for the limited avenues in which members of the public can participate, Upon this background it is therefore noted that despite the EU becoming an Economic Union which is the fourth stage of the integration process, lack of adequate peoples participation has hindered the EU from attaining its ultimate goal of becoming an economic federation (John B 2011). No wonder the recent Brexit vote.

Regional Integration in Africa began immediately after the independence of most African states in the early 1960s. Right from the dawn of independence Kwame Nkrumah of Ghana made a passionate call for African Unity. To Nkrumah the fragile nation state that was cabled up by the colonialists made African states to be too weak, poor and politically vulnerable to serve the needs of her peoples after the heroic struggle for independence, "seek ye first the political kingdom and the rest will fall in line", Mwalimu Julius Nyerere on the other hand thought that continental unity was politically desirable but practically impossible at once. Africa would have to achieve its unity through stages, regional economic groupings were a step towards that direction, so were other forms of cooperation such as in areas of communication, education, health, cultural exchanges among others (Anyang N 1990).

The 1960s and 1970s were decades that many regional integration ideas were initiated. For example there was Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), and the Maghreb Union in the north among others. They were also the decades which saw the collapse of some of these initiatives due to lack of firm foundations as well as their deliberate destruction as a result of political conflicts and wrangles between leaders and the exclusion of the general public. The East African community made a lot of sense but it failed to survive politically because of ideological differences among its leaders and national sovereignty issues, it collapsed in 1977, but later revived in 1984, from that time a lot has taken place and it became a customs union in 2001, after undergoing through the first stages of preferential trade Area and Free Trade Area from 1984 (Anyang N 1990).

The Current EAC is composed of six neighboring states namely; Kenya, Uganda, Tanzania, Rwanda, Burundi and recently South Sudan. The headquarters of the EAC is in Arusha Tanzania. The treaty was signed in 1999 and ratified in 2oo1.Rwanda and Burundi joined the community in 2007 after acceding to the treaty (Michael N 2013).

The East African community since 2001 has made a tremendous progress, First and foremost, it has undergone the stage of customs Union in 2004 and now a common market since 2010.Talk is rife that by the year 2024, the EAC will be an Economic Union.in addition to this, the idea of public participation has been embraced by the community at the highest levels of decision making in its hierarchy. For instance the preamble of the EACT recognizes that lack of public participation through the civil society organizations and the private sector was partly responsible for the collapse of the former community in 1977.True to the spirit of the treaty,the involvement of civil society organizations and the private sector organizations have been recognized in articles 127 and 128 of the treaty respectively. The EACT calls upon member states in all the partner states to provide an enabling environment for the two groups to operate and take part in matters to do with the EAC activities. In article 7 of the EACT, it declares that the EAC will be both people centered and market driven. Therefore with all the above provisions, it is clear that the treaty in its form and spirit aimed at ensuring that public participation is properly embraced by the community. However there are emerging challenges that accompanies the above provisions. First is, to what extent does the inclusion of both the civil society organizations and the private sector groups, represent the interests and the views of the

wider public? Secondly, to what extent have the member states as ordered by the treaty created an enabling environment for the civil society organizations to thrive, or to influence policies of the community?

A number of reasons justifies why the citizens are entitled to participate in the East African Integration process, for instance, the Preamble of the EACT recognizes that lack of public participation caused the former community to collapse in 1977. The EAC citizens are the consumers of the decisions made by the EAC organs and therefore the same public must have a say in all the decisions affecting them. Lack of a meaningful public participation in the EAC integration process has been a concern of most scholars of regional integration. The CSOs such as the East African law society, East African business council, East African trade Unions among others have been actively participating in the affairs of the community but they have faced challenges in accessing the information, again rules of CSO participation are so limiting, The timelines they get of submitting information is always inadequate. Therefore it is not clear whether the participation of the CSOs influences any decisions of the community, again most of these CSOs are urban based and they have a big disconnect with ordinary citizens.

## 1.1 STATEMENT OF THE PROBLEM

Previously, The East African community integration process was elite driven whereby all the decisions made were done by the political leaders who were in power, there is nowhere the public was involved either through consultations, being informed of what is taking place or being asked about what needs to be done through the provision of alternative choices, or through the public being empowered to make decisions through elections, referenda's among others. Lack of these tenets of public participation made the integration efforts at the community level collapse in 1977and this has been acknowledged the treaty of the EAC in its preamble.

The current integration efforts by the EAC member states are happening under different circumstances, times and the environment where public participation is a key requirement of good governance, for instance the Kenyan constitution recognizes public participation as one of

3

the national values, also the civil society has been globally acknowledged and supported as a key component and drivers of democracy and good governance especially in the third world states.

However, the current East African community is structurally contradictory of itself, whereby on one hand it talks about the community being people centered, but on the other hand it's an intergovernmental organization set up through government bureaucracies and political elites. Also on one hand it claims to be people centered but on the other hand it claims to be market driven. Again whereas it talks about the creation of consultative mechanisms with the public, it does not provide the methodology or strategies of achieving this goal.it should also be noted that apart from focusing on the commercial ties which progresses from customs union, common market, monetary union, and political federation, the community does not focus on the idea of collapsing the peoples multiple identities into a more united, cohesive east African identity. The community is never seen fostering bonding among its public

Amidst the above background therefore, this study therefore seeks to critically analyze the extent to which the public is involved in matters to do with the EAC integration.it will also seek to establish whether EAC policies emanate from the people in a bottom up approach or the other way round. The study will examine whether the tenets of public participation like information dissemination, consultations, mobilization, involvement, collaboration and empowerment of the people is adhered to by the EAC.

## 1.2 RESEARCH QUESTIONS

The study was generally guided by the following questions,

1 What does public participation entail in the context of the East African Community?

2, Are there mechanisms under the EACT which facilitate meaningful public participation?

3, What are the gaps under the EACT that hinder meaningful public participation in the East African Integration process?

4, What needs to be done in order to make the EACT more facilitative of public participation in the Integration process?

## 1.3 OBJECTIVES OF THE STUDY

### 1.3.1 MAIN OBJECTIVE.

The main objective of this study is to analyze the extent to which public participation is embraced in the East African community from 2001-2015 and what impact has it had on the progress of the EAC.

### 1.3.2 SPECIFIC OBJECTIVES.

   i.   To determine what public participation entails in the context of regional integration process.

   ii.   To explore how public participation is envisaged in the EACT with a view of determining whether they provide any meaningful public participation.

   iii.   To study public participation in other jurisdictions like the EU with a view of suggesting measures that can be adopted by the EACT in order to improve on the mechanisms of public participation.

   iv.   To provide new ways of beefing up public participation and more involvement of the people in the affairs of the community.

## 1.4 JUSTIFICATION OF THE STUDY

A couple of literature on regional Integration has largely focused on the integration process, but little has been done on how meaningful public participation can be embraced by the community. The sovereignty of the people and democracy cannot be achieved where there are no legal mechanisms to facilitate meaningful public participation in the integration process, the people must be allowed to participate meaningfully in a manner that their participation influences the decisions of the organs of the community. The EACT is expected to have provisions to facilitate meaningful public participation in its day today activities in accordance with the law. This study therefore could be justified at three levels, the academic level, policy level and filling the literature gap level.

At the Academic Level, it contributes towards furthering and deepening the existing knowledge and proper understanding of the EACT with respect to public participation in the EAC.At the policy level by identifying the existing gaps and making suggestions of how such gaps will be filled will be helpful in future legal, institutional and policy reforms and for further development

of the laws and relating to meaningful public participation in EAC. At the literature Gap level, other regional bodies in Africa and around the Globe like SADC, ECOWAS Maghreb Union among others may benefit from the proposals made in this study especially on the reformed laws, institutions, and policies which may have benefited from this study.it also forms a basis for empirical studies for evaluation of the adequacy and effectiveness of the mechanisms for facilitating meaningful public participation in the integration process.it may be helpful in the development of a public participation model that is suitable for the integration process.

## 1.5 SCOPE AND LIMITATIONS OF THE STUDY

The scope of this study was composed of the six member states of EAC namely the republics of Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan. The study focused on the citizens from all the six member states in their different capacities and Occupation, it took a period of three months, the study focused on the EAC in the period between 2001 and 2015, this is because it is the most immediate attempt at the revival of the community after several failed attempts in the past. Also this period has experienced a tremendous progress of the community unlike in the past; the community has managed to transform itself into a customs union and a common market.

Some of the challenges the researcher experienced in the process of conducting this study included the following; first, some of the government officials were not willing to share vital information with the researcher concerning matters EAC. also accessing vital documents for the EAC integration was so hectic because most of them are classified as official government secrets. Lastly is the issue of long bureaucratic process of institutions, it took very long, tedious and lengthy process before getting access to the relevant respondents because most of them are senior officials in governments and the secretariat.

However, the researcher tried his best and engaged with most of those officials whom he had sampled.

## 1.6 DEFINITION OF CONCEPTS

CIVIL SOCIETY ORGANIZATIONS: according to the EACT (2001) means a realm of organized social life that is voluntary, self-generating, self-supporting, autonomous from the state and bound by a legal set of shared rules. For the purposes of this study, civil society means all those organized groups that advocate or take part in matters of the East African community for instance the NGOs, trade unions, academic clubs and unions, youth groups, professional groups just to mention but a few.

REGIONAL INTEGRATION: According to Ernest Haas. (1968) refers to the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities towards a new Centre, whose institutions possesses or demand jurisdiction over pre-existing national states. The end result of a process of political integration is a new political community superimposed over the pre-existing ones.in this study it means the East African community, EU, ECOWAS, SADC, among others.

PUBLIC PARTICIPATION: According to John Budd (1999) refers to taking part in political processes by the general public directly or through their representatives, process that directly engages the public in decision making and gives full consideration to public input in making that decision, public participation is a process and not a single event, it consists of a series of activities and actions by a sponsor agency over the full lifespan of a project to both inform the public and obtain an input from them.in this study it means the idea of those in authorities informing the public about matters to do with the community, consulting with the same public empowering the public to make decisions, collaborating with the public in the process of policy execution, as well as involving the public in decision making.

## 1.7  LITERATURE REVIEW.

### 1.7.1 INTRODUCTION

The literature chosen for this review addresses public participation in regional integration. The literature aids this research in terms of conceptualizing and contextualizing and research topic. It also aids in identifying the gaps in the existing knowledge thereby justifying this study. The issues of public participation contained in this literature assist in the analysis of the regional

integration process. However this study has established that there has been no comprehensive study on the East African community with regard to facilitating meaningful public participation in regional integration process.

### 1.7.2 The Concept of Regional Integration

Ernest has defines regional integration as a process where political actors in several independent nation states are persuaded to shift their focus , loyalty , and political activities towards a new center in which the centers institution possess or contain jurisdiction or supremacy over the existing independent states. The end result will be a new political community super – imposed over the existing ones ( Hass 1968 ) Ernest Haas definition refers slightly from that of Harrison Kisombe( 2013 ) who argues that regional integration refers to any process whereby states who share common borders start a regional arrangement to foster regional co- operation and eliminate regional tensions , for the purposes of this study , Ernest Haas definition will be adopted because he has defined regional integration more comprehensively. Olorontuba observes that the main reasons for regional integration includes removing barriers to trade allowing the increasing free movement of goods , labor and capital or factor of production occurs national boarders reducing regional conflicts and finally to adopt a cohesive regional stances on policy issues like that of environment, terrorism , trans boundary resources among others (Olorontuba 2013 ).

Anyang Nyongo argues that the major reasons as to why states have no choice but to enter into regional integration initiatives is that regional integration promotes trade, increase investments, boosts security and stability in the region, it boosts democracy as well as increasing market access, it also encourages deep policy integration, foster economic growth and development is a given and finally political union, co-operation and federation can be achieved (Nyongo 2002). Both Nyongo and Olorontuba agree on the reasons why states must join regional integration, but they are not saying anything about how people are involved.

### 1.7.3 Public Participation

Gabriel Almond observes that public participation is the taking part in political processes by the general public directly or through their representatives (Almond 1963). This differs with John

Buuds opinion who observes that its ant process which engages the general public directly in making a decision and taking public input in a way that it influences the decisions that are made, Budd further observes that the process isn't a single event , but it serves of activities and actions of an institution over the life span of an issue , project or idea, it involves informing the public and getting an input or information from the same public ( Budd 1999). Ghai on the other hand describes public Participation as signifying the ability of the minorities to chip in relevant ideas to authorities by other arrangement , making proposals or vetoing registration ( Ghai 2003 ).

According to Lam (2011 ) Public participation as an idea is one of the principles of democracy and good governance which is recognized as a right Globally , this is because if because if a decision affects significant portion of the public , the public have a right to be involved in making of that deceasing . In this way the same public would be empowered in a significant way, therefore he views public participation both as a right and a form of empowerment to the ruled.

The US environment; protection agency defines public participation as the process that entails , getting , attending to and obtaining input from the citizens in any decision making process. This is a similar idea with the citizens in any decision making process. This is a similar idea with that of the Canadian environmental assessment Agency ( CEAA ) which talks about public participation as a .process that involves public input in decision making through informing the public inviting them to make an input and relying back the feedback to them ( Nyota 2012 ).

Forms of public participation according Nyota's writing our as follows , information to the public to make them understand issues at hand , the options and the solutions at the disposal , secondly consolations with the public in, order to obtain an input or feedback on decision made , involvement of the public in order to ensure their concerns are addressed in the process . Collaborations with the same public in decision making , and placing the power to make the final decision through retaining or approvals on the same public. This is a form of empowerment

Lam, Kairu and Maneno conclude that in essence, the presence is one of trying to enable a balance between governing the for people and governing by the people. (Lam Kairu and Maneno 2012). They argue that the fundamental aspects of public participation are the promotion of credibility and integrity in public institution and it can also help to build public confidence and diffuse some sense of impartiality in contested issues. Muli (2012) argues that the very public and in some cases transparent and open recruitment of staff and constitutional office holders requiring them to go through serious public vetting gives the institutions and the institutional holders both legitimacy and credibility Muli (2012). Lenaola in Nyota's writings (2012) argues that allowing and promoting public participation is a demonstration that an institution represents the people in whom sovereign power rests and also enables the public to own their institutions. Wainaina (2013) argues that an open, transparent and credible publicized vetting process provides an opportunity for the public participation in challenging nominee's character and integrity and creates a mechanism for the public to hold state and public officials to account

Lam, Kairu and Maneno, Lanaola and Muli's focus is on the vetting of judges and magistrates in Kenya while Wainaina discusses the vetting process of state office holders in Kenya, their writings assist in deepening understanding of the importance of public participation in the context of the East African community because the concept, its importance and application should apply across the board. Koki Muli's article provides a basis for interrogation of the mechanisms available under the EACT regarding public participation; however the writers do not and have not discussed the same about the East African Community.

According to John Budd (1999), the benefits of public participation are as follows, It ensures sustainable development through the involvement of all the stakeholders, It reduces conflicts and those that occur are easily managed, It ensures that projects are easily understood and opposition of the said projects are drastically reduced. It ensures economic benefits and reduction of costs and time; citizens 'concerns are addressed in the formative stages of the planning process and for the effective use of the available data; consultation in any public participation forum is an opportunity to seek the "hidden knowledge of the wider community and their key concerns". Smith (1983) argues that public participation entails or consists of procedures that aims at consulting, informing, involving the public in order to allow the recipients who are affected by that decision make their input before the policies are formulated. This Literature discusses public

participation in environmental impact assessment, reference to a "group of procedures" depicts that public participation can only be achieved if there are procedures of mechanisms designed to achieve it. According to Sihanya (2013), public participation in administrative process includes the power to advice or to be considered, before administrative conduct maybe regarded as legitimate or valid (in administration, seeking advice, recommendation, approval, consultation and consents in crucial and may secure public participation. Sihanya's article discusses the juridical basis of the concert of public participation in Kenya, it is useful for this study because it is in structure as to what may secure public participation, however he does not specifically address anything about the East African community, the subject of this study.

Tom Atlee observes that public participation demands that the recipients of the decisions or those affected in one way or another by the decisions have a right to have their say in the decision making process.it operates in a way that it factors in the ideas of the affected groups and offers sufficient information about the issues at hand to the affected groups before the decisions are made.at the end of all, it gets back to the same public or the affected groups and demonstrates to them on how their ideas influenced the decisions that were made. Bynoe (2006) argues that public participation points at direct participation as opposed to indirect participation through representatives such as members of parliament points at direct participation as opposed to indirect participation through representatives such as members of parliament. This is helpful to this study in justifying its view that direct participation of East African citizens through referendums is compulsory and the elected representatives of the people must also take public opinion into account when they are approving Bills and Acts of the East African Community. Craig(2010) argues that before Public considerations, the public bodies must avail sufficient information to the citizens being consulted to enable them to tender that advice, He further argues that for there to be meaningful public participation where citizens contribute meaningful comment, the citizens must have access to information held by state about a particular issue, that without freedom of information, state authorities or agents can selectively release good news whilst withholding damaging information.

Saladin and Dyke (1998) argue that for the meaningful public participation, the public must have access to the heavyset information, know that a decision is being made and that they have a right to participate in the making of that decision and be able to enforce their decision, Saladin and

Dyke identify some principles of access to information and access to decision making. As regards to access to information, the principles include, That the information must be accessible, No showing of interest is required, Timely responses to requests, Actual copies of documents harvested must be provided .Some of the principles of access to decision making identified include; Notice that a decision will be made, Sufficient notice for preparation to participate, Provision of written decision. Although these articles discuss public participation by minority groups, devolution and environmental assessment respectively and not East African community, they help this research in deepening knowledge of what meaningful public participation entails.

Loukis (2007) argue that the employment of ICT enhances public participation because it opens up new channels of both engagements and communication between the citizens and their authorities' .New ICTs like the social media namely Facebook, twitter, whatssapp, instagram has expanded the scope, depth and breadth of most governments in engaging directly with their citizens. According to the organization for economic co-operation and development (OECD),it argues that "Technology is an enabler not the solution, integration with traditional offline" tools for access to information, consultation and public participation in policy-making is needed to make the most of ICTs (DECD 2003). This literature discusses use of ICT in enhancing public participation. In policy making, it is relevant in the East African Community Integration process. It is helping this research in identifying some of the mechanisms that should be recognized in law for purposes of facilitating public participation.

**1.7.4 Some Proposed Public Participation Legal Framework models**

According to the deliberate consortium of the United States (journal the EU 2001), public participation frameworks should contain clauses such as;

a) Definitions as to what public participation means:
b) Adoption of appropriate strategies and techniques to meet the key tenets of public participation
c) Meaningful and effective participation are governed with the following principles
   1,Planning ahead- this is for the purpose of identifying challenges, opportunities as well are making proper budgets, designing, programs and policies

2, Inclusive design –local leaders and targeted people's views must be doctored in the decision making process.

 3,Authenticate intent – this means that intended goal must be achieved  that is factoring the views of the people

4,Transparency – that all processes must be open, honest and easy to understand, it must have clarity on the sponsorship, purpose design and how the views collected from the public will be used.

5,Inclusiveness and easily- all shades of opinion must be given due consideration, peoples values and interests must be respected.

6,Informational participation- experts views must be sought from members of the public

7,Accessible participation – various strategies must be used in order to reach to as many groups of people as possible.

8,Appropriate processes – All the participation processes must be in line with the intended goals and must cause an impact on the policy at hand, this means that various engagements formats must be used  in order to attend to the needs of the various groups of identified participants.

9,Use of information- There must be proper documentation of the views collected from the people so that policymakers can have an opportunity to refer to them when making decisions and use for the purposes of spending back the feedback to the people.

10,There must be a proper construction of the community capacity and that relationship with the authorities, these relationship between all stakeholders and the authorities must be long term and collaborative

11,Evaluation – Each process of participation must be properly analyzed in order to improve on the future participatory processes, this means that both the authorities and the public must critically look at the feedback and draw lessons from it in order to make improvements on the same next time.

d, public participation specialist to assist in the implementation and to provide ongoing training in public participation.

e, Establishment of a public participation advisory board with specified duties, powers and responsibilities.

f, Collaboration between state agencies, authorities and other public entities.

Public participation meetings for the sole purpose of public participation.

Contrell Ghai (2013) has made suggestions as to what participation framework should contain, he does this by suggesting provisions based on answers to some questions as follows;

(a) Who, on what, in what, how: who is to participate? On what sought of issues? In what decision and the body making the decision? How, that is, through which institutions, mechanisms and procedures?

(b) Of whom: which sectors are targeted?

(c) In what: on what issues are people able to participate?

(d) How? What methodology is applicable?

These proposals and suggestions are helpful to this research because they are indicative of what a legal framework for public participation should contain, they however do not concern the East African community integration process.

### 1.7.5 Some Public Participation Methods, Methodologies and Models

Rowe and Fewer (2000) proposes some formal methods of public participation, they include, periodic elections, referenda, public hearings, public inquests, parliamentary representations, public opinions surveys,  citizen advisory committees, negotiated role making consensus conference, citizen jury/pane as well as focus groups. They further suggest the following criteria for evaluating effectiveness of the public participation methods

a) Members of the public should have all the information and necessary materials in order to engage in discussions properly

b) The process should be independent, impartial such that facilitators and managers are seen to be unbiased

c) Members of the public should be involved from the initial stages  of the process that results in decision making

d) The process must be transparent, this means that it should be held in the open and not behind closed doors

e) Proper definition of the nature, scope and timelines of the process, this is to avoid confusion and disputes in the process of policy formulation.

f) The exercise should give correct mechanisms, structures of the decision making process, this is for the purpose of building confidence from the people.

g) The process must be cost effective and yield maximum benefits

h) The results of the process must be a clear and genuine effects on the policy at hand, the process should not be used in any way to just legitimate policies, this will reduce skepticism from the public (Rowe & Feller 2000).

Two models of participation as summarized below have been developed mainly on community planning process but they are also helpful in matters to do with regional integration process.

## 1.7.6 SHERRY ARMSTEINS LADDER OF PUBLIC PARTICIPATION



Citizen control — Citizens are in charge — Increasing clout on decision making citizens negotiate with power holders

Delegated power — Delegates are majority citizens

Partnership — Joint committees

Placation — Handpicking of officials — At this leads, the people may be consulted, and they give that views, but their views are rarely taken into account

Consultation — Tokenism

Informing

Therapy — To gauge attitude surveys window dressing

Manipulation — Non participation — Here citizens do not participate, the objective here is not to make people participate, but to educate them and to cure them, the assumption is that the masses are ignorant, they have to be educated by the *****

## 1.7.7 DAVID WEBCOX FIVE LEVELS OF THINKING

Level I- information, he argues that the least that the authorities can do is to tell the citizens of what they are planning.

Level II – consultation- that the authorities should identify the problems, after a number of options, to the citizens as they get the feedback or response of the citizens.

Level III – Deciding together- this is the level where those in authority encourage the citizens from all walks of life to give some addition ideas, options and help them to decide on how to go about the issue.

Level IV- Acting together- this is the process whereby different groups of people with varying interests make a joint decision which is a win - win situation for them, but they do that in form of partnership.

Level V- supporting independent community initiatives- this is a situation whereby those in authorities support the public in term of grants, pieces of advice and resources to achieve that goals.

According to this model, the lower ranks of participation help the initiator to have full control but there is little commitment from others. The only meaningful participation according to this model is that level of deciding and acting together, in which information is very key to everyone but it is not participatory in itself. Therefore different, levels of participation are reliable in different situations or circumstances.

According to the international center for policy studies, some of the citizens participation methodologies include: Public education, Citizens advisory groups, Coalition building, Public hearings, Report cards, Social monitoring (Nyotah 2012)Source: European governance white paper, commission of the European communities in Brussels 2001.These participation methods, methodologies and models are instructive and assist in understanding how the public participation can be carried out. However, they are not specific to the east African Community.

## 1.8 THEORETICAL FRAMEWORK.

The theoretical framework for this study will be derived from the liberalism theory and particularly the liberal institutionalism strand, the main reasons as to why this theory has been chosen it's because Liberalism puts much emphasis on non-state actors as other important actors in the integration process alongside states.

Liberal institutionalist's claims that international security is possible to be achieved through the international institutions, this is because the institutions provide a reliable framework of interactions and expected future interactions. They argue that international institutions reflect the general embedded framework of interactions, norms rules and procedures of how decisions are made. Liberal institutionalists emphasizes on global governance, regional integration and international institutions as a way of explaining international relations.it identifies the role of common goals among nation states to cooperate with each other (Rosamond 2001).

Liberal institutionalists assume that once supra national institutions are created within a regional integration initiative, it will cause a spillover effect of norms like democratization, good governance, and public participation in all member states as they gradually integrate. Also the supra national institutions will guide member states to toe the line and this is good for the integration process. And lastly it will satisfy all the competing interests within a regional group(Haas 1968).

There are two major branches within the liberal institutionalism theory. First is the rational choice institutionalism and secondly the cultural institutionalism, Rational choice institutionalism argues that institutions are the formal rules of the game and they become more autonomous as they continue stamping their authority(Rosamond 2001).Cultural institutionalism on the other hand argues that apart from formal rules of the game, the informal norms emerge to address the cultural and identity diversities of the institutions, it's the same as a constructivist approach.

However in adopting this theory, the researcher is not ignorant of its shortcomings, they are as follows, first and foremost they downplay the role of anarchy and security dilemma in explaining International relations how is it possible to assess realistically, possibility of war and peace

within states unless the role of anarchy that creates suspicion and mistrust exists? Neo-liberalists have really decreased the role of the states; they forget that the states are the guardians of key values such as liberty and justice in the society Secondly. Theories helps us to understand a phenomena by moving away from the real world, by faithfully categorizing the complexities of the world, liberalists are in danger of remaining in the realm of describing things as opposed in explaining what they do, for instance the concept of spillover, Hoffman argues that integration of the economy does not necessarily lead to political integration, to him politics and economy are independent of each other. Thirdly, liberalists have been criticized for their heavy reliance on the assumption of voluntarism or effective free will, some liberalists writings leaves one with an impression that the international harmony can be achieved as a matter of human volition as opposed to competition, here is no distinction made between politics and security matters (high politics) on one hand and economic and societal matters (low politics) on the other hand. The former would deal with serious issues that would involve the transfer of sovereignty from member states while the later would be more technocratic and will deal with issues which don't need the transfer of sovereighnty.the former deals with matters such as defense, macroeconomic issues, taxation among others. However Hoffman observes that it is difficult for states to allow sovereign transfer in favor of the former than the latter. Of course more recent events in the European Union such as creation of Economic and Monetary Union (EMU) and common Foreign and security policy (CFSP) could challenge his argument (Rosamond 2001). Finally, most liberal scholars view the world through the lenses of the western world, that it represents universalism; it's more of relativism as opposed to universalism.

## 1.9 RESEARCH HYPOTHESIS.

1, Public Participation speeds up regional integration process.

2, Public participation reduces regional conflicts and public opposition to the EAC projects.

3, Public participation solicits hidden knowledge about EAC policies from the people.

4, public participation legitimizes East African community policies and knew legislations.

## 1.10 METHODOLOGY.

### 1.10.1 METHODS OF DATA COLLECTION.

In this study two sources of data were used primary data and secondary data. Primary data involved the use of questionnaires and interviews, questionnaire was developed basing on the study objectives. Secondary data was obtained using books, journals, articles and publications.

### 1.10.2 RESEARCH DESIGN

The study employed the descriptive survey design. According to Ker linger 1973, the descriptive survey research design is used in research to acquire accurate and credible information for the large number of people using a small sample, to explore the relationship between the variables because it allows generalizations across the population. Descriptive design describes the present status of a situation hence determining the nature of the prevailing conditions, practices, attitudes and seeking adequate descriptions. The design is therefore effective for the study describing Public participation in the EAC.

### 1.10.3 TARGET POPULATION.

The target population were government officials from the six member states of the EAC in charge of the integration of the EAC matters.. Among the respondents were the officials specifically dealing with the Integration Division from the ministries of East African Community from member states, journalists, business persons, academicians, members of the civil society, students from other EAC member states studying in Kenya, EALA members, EAC secretariat officials among others. The researcher aims at conducting face to face interviews with officials from the ministry of East African affairs in Kenya for the purposes of in-depth information and emails the questionnaires to officers in charge of Integration division in the ministry of East African community in other member states. The questionnaires will also be emailed to respondents from different member states in different occupations.

### 1.10.4 SAMPLE SIZE.

The research had a sample size of 30 people that cuts across all the 6 member states. At least 6 EALA members from all the member states 3 male and 3 female.1 official from the ministry of EAC from all partner states making it 6 people, 2 officials from the EAC secretariat in Arusha, 2 business people along the Kenyan boarder points, 2 students from across partner states, as well as 2 people representing civil society organizations that cuts across the EAC region. These members were strategically important in giving information as far as policy making and policy implementation is concerned.

### 1.10.5 SAMPLING DESIGN.

The researcher aims at Using Purposive Sampling in selecting the respondents. Here sampling is based entirely on the Judgment of the Researcher; here a sample is composed of elements that contain the most characteristic, representative or typical attitudes of the target population. The respondents will include EALA legislators, Integration officers in the ministry of EAC, Students, cross boarder business people, politicians, among others. The researcher will distribute and will also email the questionnaire to other citizens in the six member states.

### 1.10.6 DATA ANALYSIS.

#### *1.10.6.1 VALIDITY*

The researcher used the split half method according to Coolican and gave the research instruments to different experts in research to ascertain their content and construct validity; their suggestions were included in order to improve the said research instruments.

#### *1.10.6.2 METHODS OF DATA ANALYSIS.*

Qualitative data relied on the interviews conducted on key informants and from the questionnaires. Raw data was examined and analyzed to establish accuracy, usefulness and completeness, the process of analyzing qualitative data involved systematically searching, arranging, organizing, breaking data into manageable units, synthesizing and looking for patterns among variables. The researchers categorized data into themes and used thematic analysis

through discussions and presented them inform of narratives, direct quotes, and excepts the report thereafter was fed in a word processing document (Ms word).

Figure 1 is a sketch diagram showing the convergent model and how the researcher analyzed qualitative and quantitative data collected from the respondents, in convergent design, quantitative data collected from the respondents, here both quantitative and qualitative data is collected concurrently, analyzed separately and then merged / Creswell 2009).

```
        ┌──────────────────────────┐
        │ Qualitative data collection│
        │ and analysis             │
        └──────────────────────────┘              ┌──────────────┐        ┌──────────────┐
                                                  │ Compare/     │───────▶│ Interpretation│
                                                  │ relate       │        │              │
        ┌──────────────────────────┐              └──────────────┘        └──────────────┘
        │ Quantitative data collection│
        │ and analysis             │
        └──────────────────────────┘
```
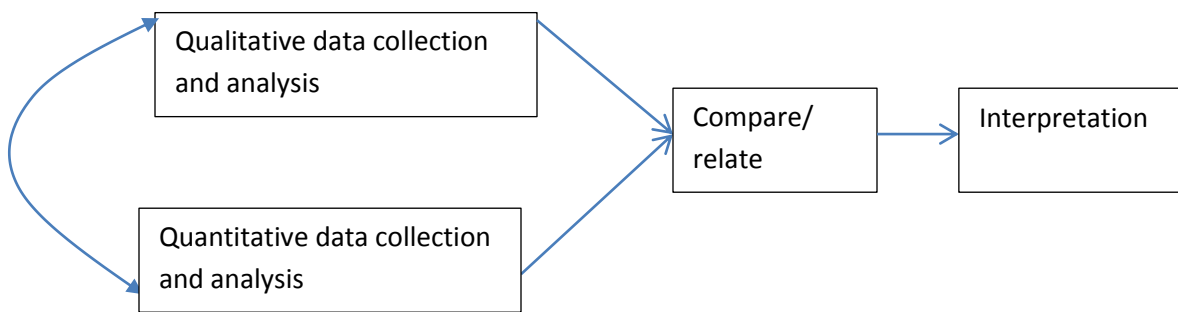
## 1.10.6.3 ETHICAL CONSIDERATIONS

The major ethical problem in this study was the Anonymity, privacy and confidentiality of the respondents. Ideally the study should be able to freely engage with all the officers both at the state level and the secretariat level who are tasked with the integration process and access any information that concerning EAC integration process. Because this study is aimed at improving the EAC integration process for the better. But this was not possible because most of the government officials are not comfortable discussing government matters with the public. For fear of putting their jobs at risk. Again in this era of state, and interstate intelligence networks, people are always suspicious of each other. The study could be seen in one way or the other along these lines. Those respondents who wished to remain anonymous that was respected, the researcher got informed consent from the respondents before interviewing them by disclosing everything about the study, Again the researcher was armed with his national ID card, student ID card,

National Passport, an introductory letter from the university and a research permit from the Government of Kenya through the National Commission for science, technology and innovation (NACOSTI) for the purposes of identification.

# CHAPTER TWO: THE HISTORICAL BACKGROUND OF THE EAST AFRICAN COMMUNITY

## 2.1 INTRODUCTION

Although this study is looking at public participation in the East African community from 2001-2015, it is very important to trace the history of the East African community in order to understand how the past occurrences have influenced what is happening with the EAC community today, again it should be noted that the success of any regional integration initiative doesn't just happen overnight, but it is a process that takes decades at times centuries. This chapter will trace the history of the EAC integration process and provide a chronology of major events, their successes and failures and how they impacted and influenced the EAC integration process. The study will also examine how the East African Community has been embracing public participation in the past with which structures and strategies.it will establish how its passed has shaped its present.

## 2.2 The History of the EAC Integration

The people of East Africa have interacted even before colonialism through intermarriages and trade. The colonialists drew boundaries in Africa with a total disregard of the settlement patterns whereby communities with a common ancestry found themselves in different countries. This was the case in East Africa and a number of ethnic groups found themselves in different boundaries, for example the maasais were split, some in Kenya others in Tanzania, Bukusu's in Uganda and Kenya, Samias in Kenya and Uganda, Turkanas in Kenya and Karamojongs in Uganda and the list is endless. Despite all these, the interaction amongst the communities across the region is on top gear rendering borders porous to date. The integration of the East African region dates back to 19th century when the British began the construction of the Kenya –Uganda Railway in 1895. At the time the British didn't aim at integrating the region, but rather to construct the railway to transport raw materials from the interior to the East African Coast to Europe. They were oblivious of the fact that this initiated the bringing together of the regions states, (Moyoywa 2013).

 The integration of the East African region can be divided into five phases, the first three phases fall in the years 1894 – 1947, 1948 – 1966 and 1967 – 1977, while the fourth phase is the which began in 1984 to 2000 and is connected directly to phase five which is the subject of this study 2001 to date.

**2.2.1 The initial two phases of integration in East Africa**

The first phase began with the construction of the Kenya Uganda Railway from Mombasa to Kisumu. In 1895 and the establishment of a single customs union collection point in Mombasa, the colonialist promoted the union when they unified the administration all over East Africa for instance they established a court of appeal in 1992 , a postal union in 1911 and a customs union between Kenya and Uganda in 1927 , Tanganyika fined it in 1927 , The east African currency board was established in 1920 , ( Onyango J. O(2011)

Gombart observes that this merging of the East Africa protectorates Jour the three engage in the trade of local produce , Tanganyika became mandate actioner after the world war I . These two phases sour increasing measures to integrate and interact the three courtiers this included , the introduction of a common currency ( East African shilling ) a joint income tax board , a joint economic council and the establishment of a governor's conference which was consolidated into an Eat African High commission in 1948.

Over forty different East African institution in research , social services , education , training and defense among others were established or strengthened , several commissions were also appointed to exploit the possibilities of an East African Federation ( Mukandala , 2000)

**2.2.2 THE 3RD PHASE**

It began in 1961 when the East African services organization (EACSO ) was formed in in line with the recoomendations made by the Raisman commission which revived the structures of the EAC.at a specila heads of states meeting in Nairobi in June 1963,the heads of states proposed that a federation be established .They reiterated their strong belief in a united East Africa through a federation,which was agreat desire of the people.most east Africans wanted to have one unit at that time and the committee had even come up with a draft constitution for the federation.Nyerere of Tanzania admitted that a political federation was feasible because the common market already existed and different services were ran by the East African Common services organization.Also there existed a central parliament which carried out the legislative role and an executive that consisted of the prime ministers from the three member states.all these acted as anucleus of which the federation was to grow naturally.However the disagreement cropped up on how to divide state power from the federal powers,the issues of land,citizenship as well as borrowing powers(Njuguna 2013).

The Federation idea failed because first,conceptually,it was discovered that there was no public participation,secondly what the citizens from the three states wanted was not a federal government but a unification.Tanganyikans thought that the federation was to correct the existing imbalances in the markets and increase development opportunities for weaker economies like that of Uganda .Ugandans on the other hand wanted to unite central authorities like that of foreign affairs,external borrowing,citizenship,animal Husbandry,agriculture,external borrowing,higher education,mines and trade unions(Njuguna 2013).

( Njuguna 2003).

### 2.2.3 The 4th phase

It began by the coming up of the East African community in 1967.as aresult of the works of Philips commission in 1965.The commission studied the matter of economic cooperation and it recommended among other things a common tariff against foreign goods entering the region. Customs duty was paid to the consuming states and not the port of entry that was in Mombasa. Concerning industrialization, the commission recommended the licensing scheme which had been created from the Kampala agreement that it should be maintained. Tanganyika was to Establish three industries, Kenya and Uganda one industry each, also that the East African Development bank (EADB) to lend more investment capital and resources to Uganda and Tanzania so as to lift them up and bring them at par with Kenya.

Unfortunately, the EAC collapsed in 1977 years after coming into existence; this can be explained by the following four critical reasons

a) Fist Uganda and Tanzania felt that Kenya was gaining more in terms of distribution of benefits and costs.

b)  Ideological interferences  between  the three states , Kenya was purely a capitalist  state , Uganda in between socialism  and  capitalism  while Tanganyika  was purely  socialist . Moreover  Kenya's open  and liberal economy  welcomed  foreign  investments   and this saw  a lot of investors flow  into Kenya as opposed to the other  two countries  , on the  other hand , Tanzanians resources  were  dedicated to welfare  programs  , president Obote  of Uganda's common  charter  led  to an  ideological  overthrow  of Obote  in military  coup  in 1971. Because  president Nyerere refused  to recognize  the  Idi Amin government  leave  alone  meeting  and sitting  with Amin  on the same table  , this  was a

blow to the EAC whose authority had to take decision by consensus hence nothing ever happened leading to the collapse of the community.

c) Personally differences between Idi Amin and Nyerere , first and foremost because Nyerere did not like Amin , he provided Asylum to the overthrown Obote , Amin at the same time claimed that part of Kenya's territory belonged to Uganda , the contested area was Kenya's production point for forming and economic development , in response to this , Kenya attacked movement of Uganda across the boarder, Idi Amin became isolated by Kenya and Tanzania hence no meaningful discussions took place on EAC matters.

d) Kenya demanded for more seats than her partner in EAC decision making organs and this conflict amongst the three states as Uganda and Tanzania felt that Kenya was exercising under dominance in EAC yet they were to be equal partners ( Moyoywa , 2013 ).

## 2.2.4 PHASE V

It began in 1984 when the three centers met and signed the " mediation agreement for the division of assets and liabilities of the former community ", under the agreement , the partners agreed to explore areas of future co- operation and to walk out concrete arrangement for such co-operation , in October 1991 at the common health hears of Government meeting in Zimbabwe, A meeting of the three heads of states of East African resulted in a decision of a setline East African summit to revive East African Co-operation subsequently on 22$^{nd}$ Nov. 1991, the permanent tripartite commission for corporation was set up. The commission was charged with the responsibility of coordinating the economic, social cultural, security and political issues for closer East African co-operation.

The leaders of the region also tasked the tripartite commission to speed up the process of resolving the outstanding issues of the defunct EAC as stipulated in the EAC mediation agreement of 1994.

At a meeting in Arushia Tanzania on 30$^{th}$ November 1993, the heads of the states of the region signed an agreement to revive cooperation among the three countries. Subsequently in 1994 the Kampala protocol including provision for setting up a permanent EAC secretariat in Arushia was

signed. Co-operation activities effectively commenced on 14th March 1996 with the launching of the secretariat at the EAC secretariat in Arushia.

The treaty for the establishment of the revived EAC was signed on 30th November 1999. On 15th January 2001, the EAC treaty was, officially ratified by the three courtiers, the protocol establishing a customs union was signed in 2004 and a common market came into force in 2010. The protocol facilitated the three movements of factors of production within the EAC member's state. The protocol aimed at eliminating trade barrios and boarder taxes (Kibara and Hostesses, 2005). Rwanda and Burundi joined the community in 2007 after acceding the treaty on 18th June 2007. They became full members of the community on 1st July 2007. This increased membership of the EAC brought in a wider trading area for the regions market and also the diversity. It broke the colonial patens that existed among the founder members. Uganda, Kenya and Tanzania were under the British rule while Rwanda and Burundi were under the Belgian and French territories respectively.

As it can be noted in the above historical background of the EAC public participation to a larger extent was ignored and that explains why the community collapsed in 1977 among the many setbacks the community has had. This is confirmed by the pre-humble of the new East African Community Treaty which says that lack of public participation made the EAC to collapse in 1977. However the EAC treaty is characterized by two features, first a policy of gradualism to attain the community aims, secondly the philosophy of political consensus.

# CHAPTER 3: PUBLIC PARTICIPATION IN THE EAST AFRICAN COMMUNITY

## 3.1 INTRODUCTION.

This chapter will look at how public participation is conducted in the East African Community since the year2001 up to 2015.the chapter will critically examine the treaty of the EAC and see how it envisages public participation, since protocols qualify the treaty, the chapter will also single out some protocols that promote public participation and sensitization, finally the chapter will also look at the European Union and see if there are any lessons the EAC can learn from the EU.

## 3.2 HOW THE EAC ENVISAGES PUBLIC PARTICIPATION

Every organization has a decision making entities that govern, implement and monitor decisions made to ensure achievement of its goals. The EAC has established organ that run its affairs to facilitate the achievement of the laid down objectives. The EAL structure as contained in the treaty promotes public participation using articles 8, 7,9, 23,47, 48-65, 66-73, 104, 121, 127, 128 and 129

## 3.2.1 THE EAC DECISION MAKING PROCESS STRUCTURE
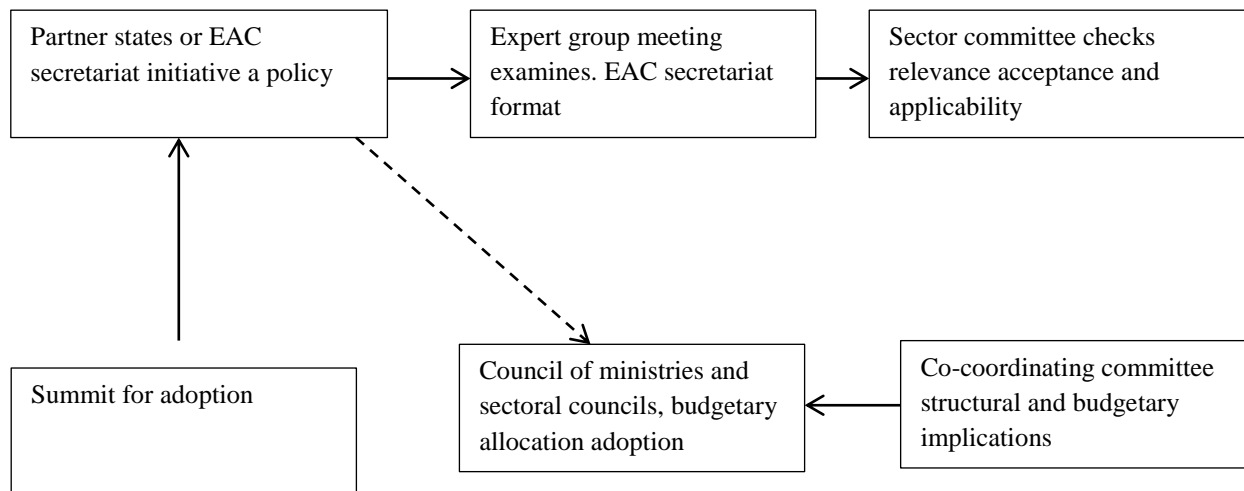
**This table demonstrates how the process of policy formulation takes place which ignores public participation.**

### 3.2.2 Through observer status

This method allows the public and organizations a chance to attend meetings that the body of the community organizes and contribute to various conversations that goes on in there.

### 3.2.2 The use of memorandum of understanding

This measures allows the general public and organizations to strike a partnership deal with the various bodies of the EAL to work together at the local, national and regional level to promote the community.

### 3.2.3 East African court of justice

Found in articles 23-47 of the EAL the court have cases and settles disputes between warring factions and interprets the treaty. The carts achievements include, handling a number of cases brought before it and hears cases every last week of every month because of the many cases brought before it. For instance it settled the Anyang Nyongo case in 2006, and justice Moijo ole Keiwas case in 2007. Therefore the community allows the citizens to participate through EALT by seeking legal interpretation of the treaty, arbitration and bringing any dispute touching on the community before the court for settlement.

### 3.2.4 East African legislative assemble (EALA)

It's found in articles 48-65 of the EAL, it is made up of 9 member from each partner state. They serve for a term of 5 years which can be renewed, the key functions of the assembly are representation, legislation and oversight, the public can contribute their ideas to this organ through their representative, also the legislators are supposed to communicate to their people through consultations, mobilizations and other avenues so that they do policies as per the wishes of the people.

### 3.2.5 Expert working groups

These are East African citizens who are experts in different fields, they can be invited by the community to contribute on matters to do with policy formulation, experts are in all field, once the community is interested in getting information from any field, it can contact relevant people with such expertise from any member state. Therefore it another area where the public can participate.

### 3.2.6 Advocacy groups

These may include organized groups like the trade unions, civil society organizations and other voluntary associations like the church, among other groups. Article 127 makes a provision for the existence of private sector and the all society organization, the treaty allows these groups to be given a room to be exist and participate in the affairs of the community, infact it says partner states must provide an enabling government for them to operate by promoting a continuous dialogue with them at the regional level and at the national land.

### 3.2.7 through trade (article 104)

Article 127, (2) talks about the improvement of business environment which promotes conducive investments to be made within the community, by protecting made property and fair regulation of the private sector, this means that the public are free to move and partner states and carry out trade, the community has gone ahead to lesson the immigration rules by promoting a one-stop boarder points where by citizens can only use that national ids to cross over to another member state.

### 3.2.8 Through cross boarder initiatives

This is a strategy adopted by EALA to promote public participation, in this strategy, citizens around the boarder points of the community are sensitized through public barazas, road shows, and the "meet people to people tours".

### 3.2.9Through the national assembly and ministries of EAC

This avenue is whereby the national assemblies of the partner stratifies the various treaties and protocols of the EAC on behalf of their people; this means that the public have got another opportunity to make their contributions through their elected representatives back at home. Also

the ministries of the EAL in partner strategy act as a link between the communities organs and their citizens' the citizens have a right to seek audience with the ministry's staff either through writing, or conferences, in  this way they are able to influence policy.

### 3.2.10 The secretary generals forum

The head of the EAL secretariat is the secretary general in one year he holds three special meetings with non-state sectors and members of the public in what is popularly known as the 3.6's forum, in this forum member of the public can influence policy directly by meeting with policy implementers in the secretariat.

## 3.3 How public participation is conducted in the European Union

The organs of the EU are outlined in article 13 of the treaty of the European Union, the treaty sets out the system of supranational institutions and inter-governmental decisions through which the union operates. Citizen's participations is carried out through the following avenues.

### 3.3.1 Elections of EU legislators

 EU citizens from all the 28 members countries participated by directly electing their representatives. The elected legislators are accountable directly to the people, they do the functioning of representation, legislations and oversight, they are involved in policy form formulation by ensuring that the public views are taken care off.

### 3.3.2 Referenda on any given issue

 Citizens in the EU are empowered to make a final decision on any given issue, for example when Scotland wanted to break away from EU it was subjected to referendum, something to brexit vote, this means that no major decision like existing the community or break away of the community can happen without the people consent.

### 3.3.3 Empowerment of the civil society organizations

Under the treaty of the European union, the civil society groups are empowered to influence policy, both the Lisbon treaty and Maastricht treaty acknowledged the importance of the civil society groups, there is a special forum these groups to make input on any policy before it

proceeds to the implementation stage, the EU also provides adequate funding to support the activities of the civil society groups.

### 3.3.4 Proper information dissemination strategy

 The EU ensures that there is proper communication to the people about every policy, sufficient time is given to the public  to read, understand and contribute on any given policy, also the EU does proper education to the public on policy.

### 3.3.5 Proper use of the media to engage with the public

The European Union organs use the media to engage with its public to seek their views, for example both print, and broadcast as well as social media, in this way the EU is able to get feedback from the people which inform its policy execution.

### 3.3.6 Strengthened institutions

The EU has got stronger institutions that are autonomous from the member states, for instance the court of audits, the central bank, the court of justice the commission, the council and the parliament, all these institutions are represented by members of the public who are of a high moral caliber, they are able to articulate the interests of the public as opposed to those of member states hence a proper way of enhancing public participation.

# CHAPTER 4: DATA PRESENTATION AND ANALYSIS.

## 4.1    Introduction

This chapter analyzes the challenges that the EAC faces as far as public participation is concerned, it focuses on study findings and analysis, based on the primary data collected through a questionnaire administered to the respondents namely, EALA members, ministries of East African Communities in partner states, EAC partner states embassy officials in Kenya, immigration officials at the boarder points and the EAC secretariat officials who are based in Arusha Tanzania and secondary data collected from materials and documents on the EAC. The chapter also discusses the lessons that the EAC can draw from the European Union as far as public participation is concerned.

## 4.2    Data Presentation

The study interviewed 20 individuals and administered questionnaires to 10 respondents making it a total of 30 respondents. The researcher visited Kenya's Ministry of East African Community and Labor and interacted with officials from the integration division beginning with the integration secretary. the researcher then visited the Tanzania high commission, Rwandese, Ugandan, Burundi high commissions in Kenya and interacted with officials from there, the researcher also travelled to the EAC headquarters based in Arusha Tanzania and contacted several secretariat officials as well as some of the EALA legislators, finally the researcher contacted some of the East African Civil Society Organizations like the East African Law Society, and the Kituo cha Katiba officials.

**Table 1**          **Nationalities of the respondents**

| Country | No. of respondents |
|---------|--------------------|
| Kenya | 13 |
| Uganda | 6 |
| Tanzania | 6 |
| Rwanda | 3 |
| Burundi | 2 |
| Total | 30 |

From the table, Kenya had more respondents because they were easily accessible than those of other member states, also the researcher chose most Kenyan respondents because of the in-depth analysis. Rwanda and Burundi had fewer respondents because for the case of Rwanda, most of its respondents never showed up for the interview, while for the Burundian case, the kind of turmoil they are going through made of its respondents to be unavailable, South Sudan was also left out of the study because they are not yet fully admitted to the community and the kind of turmoil they are going through could allow the researcher an opportunity to contact their officials.

**Figure 1: Gender Distribution of the Respondents**
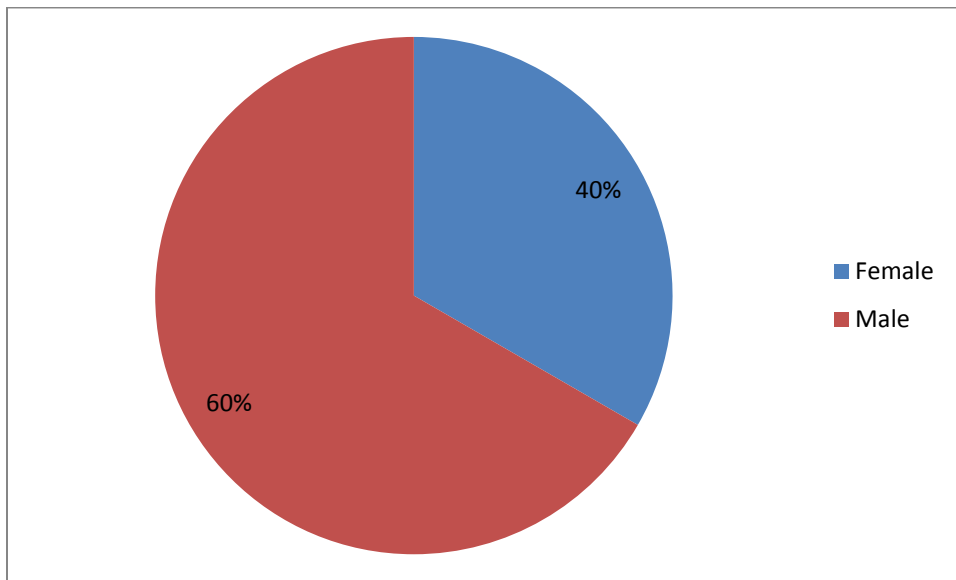


From the above Figure 4.1, out of the 30 respondents 60 percent were male while 40 percent were female, the researcher believes that the above figures reflect the kind of Gender imbalance that is in the public service sector in all the east African member states especially Kenya, this is because the researcher had distributed the sample equally but the number of the respondents could match with that of the sample.it could also portray that most women haven't risen to the senior managerial position in the east African community, therefore the researcher noted this issue with a lot of concern.

**Figure 2 : Effectiveness of the existing opportunities for public participation as provided for by the EACT**
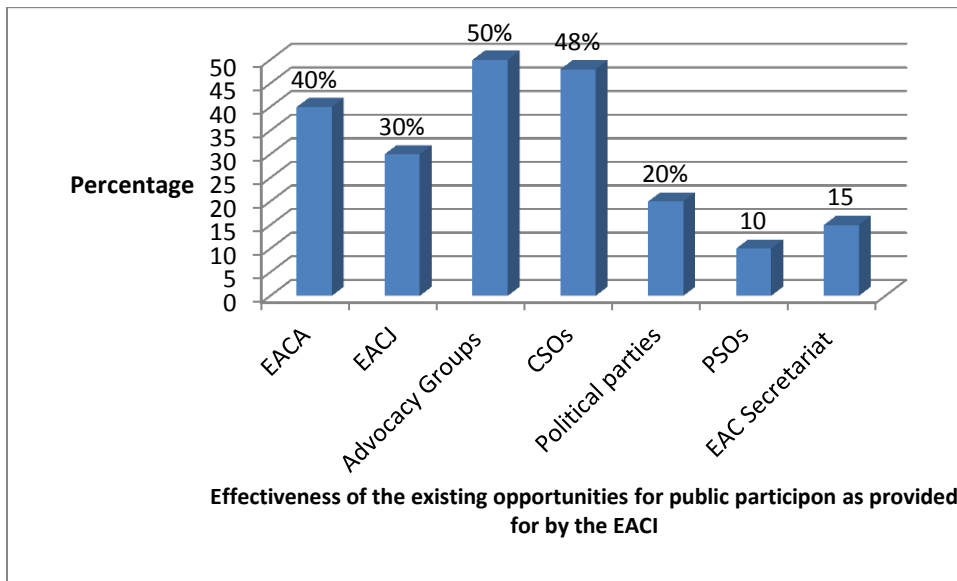


Concerning the promotion of public participation by the institutions and other avenues offered by the EACT, 40 percent of the respondents believed that EALA can be the best avenue for the promotion of public participation on condition that the EALA members elected directly by the people, and they are given the autonomy to carry out their mandate ,while 60 percent believed that EALA is not beneficial as far as the ordinary citizens are concerned, most EALA members it was established that they are out of touch with the ordinary citizens of EAC.

Concerning the EACJ, 30 percent of the respondents cited its distance from the partner states, that makes it hard for the people to access, but acknowledged that it can be the best avenue for public participation by ordinary citizens, sixty percent of the respondents claimed that the court is not independent from the Executive and therefore it cannot discharge its duties freely, they cited the justice muijo ole keiwas case.

Surprisingly the advocacy groups and the civil society organizations had the highest scores in promoting public participation within the community with 50 and 48 percent respectively,

political parties, private sector organizations and the EAC secretariat had the lowest scores of 20 percent, 10 percent and 15 percent respectively, many respondents thought that the secretariat is a closed organ which never tries to get in touch with the ordinary citizens, however many respondents cited the secretary generals forum as the only time when the secretariat interacts with the people.

**Figure 3 : The Extent to which public participation is necessary for the success of the EAC integration process**
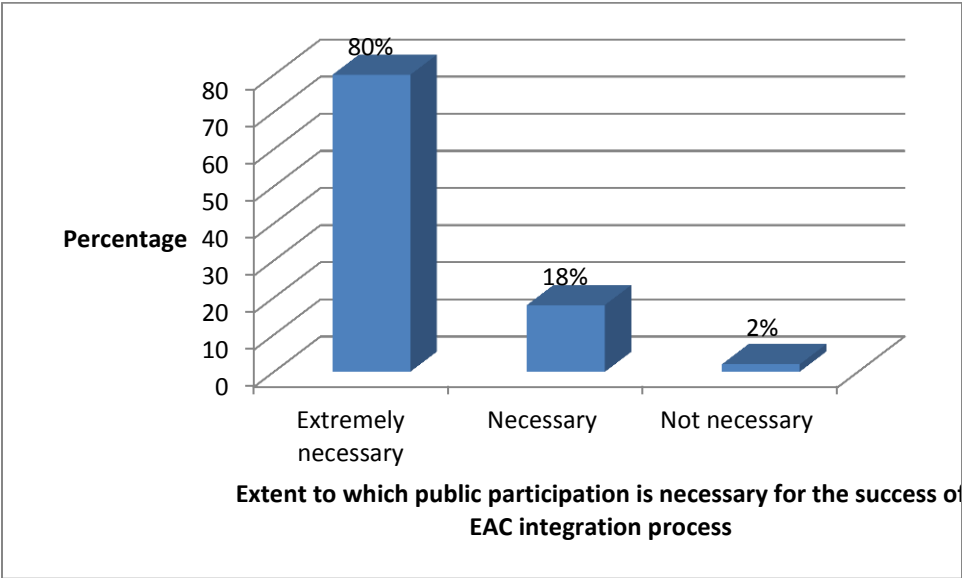


80 percent of the respondents believe that public participation is an extremely necessary condition for the success of the East African community, while 18 percent believes it's a necessary condition, only a paltry 2 percent believes that it's not necessary.

From the study it was established that 85 percent of the respondents thought that the existing opportunities of public participation as laid down in the EACI are not effective at all. These are the reasons they gave.

For the case of the CSOs, respondents pointed out that most civil society organizations are urban based and majority of the EAC citizens live in rural areas. Others acknowledged that the rules governing the admission of civil society organizations were limiting.

For the case of Political parties ,Here there was a divergent opinion from the respondents, the study established that apart from Tanzania which has an established political parties that are strong from the grassroots, other partner states have no political parties at all, in the views of the respondents, this is because they are vehicles used for elections only and after elections they stop having meaning, most respondents believed that most political parties in East Africa do not stand around any ideology or philosophy. They are just vehicles for acquiring power, again in their respective manifests there is nothing they say about East African Community.

For the case of EALA most respondents said that though EALA has tried to put in place various pieces of legislation, EALA members are never seen consulting citizens or mobilize the citizens for any course, most of those legislations do not come from the people themselves, secondly the manner in which EACA legislators are elected is wanting, they lack some form of legitimacy, again they are never seen mobilizing citizens towards any course, they are never seen informing or consulting with the people, they therefore do not adequately represent the people.

EACJ – respondents felt that the manner in which the court is constituted is not proper, the court is not fully independent of the sum… and other arms of the community, there is massive interference i.e. the justice Muijo Ole Keiwa's case in 2006. Again the court is not devolved

EAC secretariat – respondents felt that this organ of the EAC is never felt on the ground, neither does it submit its information to the fraud, in other words it's an arm chair secretariat.

Most respondents wondered why the treaty only allowed public participation through private sector organizations, civil society, professional's bodies and business organizations. There is limited public participation for people outside the stated organized groups. Again at the negotiation table, there is limited participation due to logistical and financial limitations, lastly that is no public forum which can be used for public consultations and therefore a national consultation forum should be provided for.

## 4.3 CHALLENGES FACING THE EAC THAT MAKES IT NOT TO EMBRACE PUBLIC PARTICIPATION

From the study, it was established that the EAC faces about of challenges from member states that make it not to embrace public participation fully to begin with, some initiatives have been taken to ensure the EAL achieves its set objectives as set out in the treaty including ensuring that there is room for public participation, but there still remains serious challenges that hinder the realization of this goal, they are as follows:

### 4.3.1 Multiple memberships of other regional blows

Most EAC member states belong to other regional blocs, for instance, Tanzania is in EAC and SADC, Kenya is in EAC and COMESA, Uganda is in EAC and COMESA, Burundi in EAC, COMESA and ECCAS Rwanda is in EAC, COMMESA and ECCAS). These blocs sometimes complete, or even overlap each other rather than complement each other. Belonging to other regional blocs make EAC member states reluctant to remove internal barriers that allows the enhancement of public participation. This is because the EAC states have other commitments elsewhere which distract them from focusing on the EAC agenda and particularly public participation. However there have been efforts to forge cooperation amongst the three blocs EAC, COMESA and SADC to come up with a tripartite agreement. This aims at smoothening the operations of each partner state in the respective bloc. The tripartite seeks to promote

regional economic growth by creating a conducive environment to facilitate regional trade. This will involve development of adequate infrastructure which promotes a conducive environment for public participation to take root. The tripartite free trade area was signed in June 2015 and is currently in the process of being ratified by the parliaments of the 26 members of three RECS.

**4.3.2 Fear of the loss of sovereignty**

Most partner states within the EAC fear to lose their national sovereignty and territorial integrity, for example one of the challenges Uganda is facing is the question of Buganda Kingdom, the members and leaders of the Buganda kingdom are asking what is the place of their kingdom and the Kabaka in the larger East African community, also the question of who will head the first EAC when it becomes a federation also hinders the communities progress, the republic of Kenya fears to lose its strong currency, there are also a lot of political suspicions, for instance the issues of " coalition of the willing" the standard gauge railway debate etc.

**4.3.3 Disparities in governance**

Not all the EAC member states are fully democratic, for instance Kenya and Tanzania have grown democracies where public participation are core values, and they have term limits, and the civil society is very strong, while in Uganda, Rwanda and Burundi, their democracy as somehow very young and not so much developed, there are no term limits for the presidents, public participation values are not adhered to and recognized, also their governments are military based and the presidents took over power through military coups. This makes it hard for democracies to engage the undemocratic states hence slowing down of the community's goals.

**4.3.4 Lack of accountable regional bodies**

The institutions of the EAC are not guaranteed on their autonomy. The officials of EAC organs are still answerable to their respective governments, for instance the director general of the customs union is an appointee of the community but the commissioners under him are appointees of the partner states governments. This can compromise how the institutions works as it may be subjected to divergent policies emanating from different governments. The EALA and the EACJ are not fully independent as they rely on member states to carry on with their operations; this slows down the community's progress.

### 4.3.5 Financial resource challenges

There is a challenge in member states paying up their dues in good time or even fully and this hinders the operations of the EAC. Also in order for public participation to be fully embraced, there are cost implications to it, therefore lack of enough funds or adequate resources is one of the reasons as to why the EAC does not want to accept to idea of public participation in order to cut down on its running costs.

### 4.3.6 Economic disparities

The different levels of economic growth and development of member states is also a reason as to what challenge the EAC faces, Kenya's economy is the strongest and has relatively more developed infrastructure than any other state in the region, this makes it harder for partner states with weaker economies to do business with Kenya. Therefore this slow convergence of macro-economic framework hinders faster economic integration; this was actually one of the major causes of collapse of the EAC in 1977. Also the differences between the levels of resource ownership also make it hard for full integration to take place.

## 4.4 Lessons EAC can borrow from the EU Integration Process

The EAC can borrow some lessons from the EU so as to hasten its integration process. For full integration of the region.

1. First the East African integration should allow citizens to elect the legislators of the EALA. Citizens of the EU elect their representatives to the European parliament directly in East Africa, the members of the EALA are appointees of the heads of states and this makes them accountable to the appointing authority on the other hand, when one is elected through universal suffrage, he or she has a social contract with the masses who can hold him /her accountable and demand answers whenever necessary. It's one way of public participation which enhances the integration process.

2. Citizens should be fully entrenched in the entire process. This could include introduction of regional studies in the curricula of the member states especially at secondary and tertiary levels, the Erasmus programme established in 1987 in the EU provides free movement of the academic community and academic exchanges in 33 states. The EAC should initiate such a programme by strengthening and expanding the mandate of the inter university council of East Africa. The European Higher Education Area integrates the education system in Europe and degrees and study periods are recognized mutually. The IUCEA should integrate regional education and balance the mutual recognition of academic qualifications across the region, this will boost the awareness levels by students moving across partner states, and it's in a way a form of public participation.

3. Economic integration is possible among countries of different stages of development. This is evident from the co-existence of Germany and France. Even though there are lots of differences in Economic capabilities traceable to the colonial legacies, these should be positively harnessed to propel the integration of the region. The EAC should rally behind its citizens to pull in one direction because even those strong or weak economies are part and parcel of east Africa, again it's through public participation in economic matters like trade, investments, and industry that the Economies are strengthened

4. The EAC can introduce the East African court of Auditors as is in the case in European Union; this institution is charged with the responsibility of ensuring that the tax payer's funds of the EAC are spent properly. This group consists of people who are beyond reproach and whose independence beyond doubt. The court of auditors examines the accounts of all revenue and expenditure and this will go along in confidence building as

transparently will be take center stage hence earn trust from all stakeholders. This is by all means a form of public participation.

5. The treaty on the EU is composed of provisions amending earlier treaties and this has ensured that the process evolved cumulatively and strived to eliminate conflicts between preceding and succeeding treaties; these facilitates the easy assessment of achievements and identify constraints that may stall the process. The EAC should come up with a way of updating its treaty from time to time to align it with emergent issues and ensure smooth transition; it can be argued that the rigidity of a treaty can derail what is envisaged there in. and it is this rigidity that has stifled public participation from taking root.

6. An integration scheme ought to be pegged on a particular imperative, this can be "affection," threat, "Gain" or "power" imperative. This provides the motivation and makes indication necessary. The EU has its origins in the "threat" imperative whereby the EC came about as a result of fear of war on the other hand; the EAC tends to ride on the "Affection" and "General. Imperatives which involves "liking" each other and benefits respectively. These imperatives do not give a strong and sustained drive to achieve given objectives. The "threat" imperative gives the strongest desire to unite towards a common cause, the European nations have a regional army which is a military bodily tasked with executing defense operations in the European continent. East Africa has a common threat of insecurity, terrorism and piracy. The EAC partner states can use these threats and challenges to mobilize its citizens to form a formidable force and union to deal with them. Currently the EAC seems to rely on proverbial political will rather than hardnosed

interests for its sustenance. If this is adopted then the chances of a focused and full the bloc will be higher.

7. Democratic institutions have a direct impact on the cooperation between and among member states; the EAC partner states should empower and enhance those institutions that deal with the welfare of the citizenry. This will earn them trust and support from their citizens and also facilitate coordination across the region hence integration will get another avenue on which it can happen.

# CHAPTER FIVE: SUMMARY, CONCLUSION AND RECCOMENDATIONS.

## 5.1 INTRODUCTION.

This chapter provides a summary of the whole study and then gives conclusions and the recommendations from the study.it is expected that this recommendation will be helpful for the solving of the current challenges facing the integration of the East African community. The study will also provide a basis for further research on this subject.

## 5.2 SUMMARY.

The objectives of this study were to explore the extent to which the EACT facilitates meaningful public participation in the integration process in accordance with article 127 of the EACT, To identify gaps which need to be addressed for purposes of making the EACT more facilitative of meaningful public participation, to find out what the EAC can learn from the EU as far as matters public participation is concerned. The study attempted to evaluate the integration of the two schemes, pointing out challenges that the EAC faces and how the public participation strategies that were used in the EU can be applied to help solve the challenges that the EAC faces.

The study was divided into five chapters. Chapter one was the introduction which covered among other things, the background of the study, statement of the research problem, research questions, and objectives, justification of the study, scope and limitations of the study, definition of key terms, literature review, Theoretical framework and hypothesis. Chapter two gave an overview of the EAC integration process. Which included the history of the EAC, The two phases of EAC integration, The institutions of the EAC and how they accommodate public participation, challenges and opportunities. Chapter three looked at the way public participation is conducted in the east African community, the chapter compared how public participation is conceived in the European union and identified lessons that EAC needs to learn from the EU.. Chapter four discusses the findings of the study, this includes an evaluation of the challenges

facing the current EAC as far as matters public participation is concerned and the key lessons that EAC can learn from the European Union.

The study relied on both Quantitative and qualitative methods of Data collection, Questionnaires were administered to EALA members, officials working with ministries and departments concerned with the East African community from all member states with an exemption of south Sudan because they are yet to fully realign themselves with EAC. The Kenyan ministry of foreign affairs particularly the East African affairs division, The Immigration officials at the Kenyan boarder points. This provided the data on the EAC while information on the European Union was obtained using qualitative methods in which secondary data formed the core data collection.

## 5.3 CONCLUSION.

From the study, it is evident that the integration of the East African region is a step in the right direction, even though the EAC integration process has faced a lot of challenges before, but each time it has emerged stronger, theoretically the concept of public participation has been acknowledged by the treaty of the EAC, but practically very little has been done to enable public participation to be meaningful Any successful regional integration process must requires meaningful public participation in order for it to be legitimate. Even though the EU has its own challenges, but it is lauded as a great model for the integration of because among many other reasons, it has partly embraced the concept of public participation in its affairs. From the above analysis therefore, this study arrives at the following conclusion;

1, That there are some mechanisms that would facilitate meaningful public participation, key among them, Amending the EACT to have a provision stating that EALA members should be elected directly by the citizens in order the principle of universal suffrage, strengthening the EAC institutions such as the secretariat, EACJ among others and make them supra national meaning that member states are subordinate to them, this will cause a spillover effect which is key in enhancing public participation.

2, The EACT contains gaps and omissions which hinder meaningful public participation. The available mechanisms are also incapable of facilitating meaningful public participation, the key

gaps include; it fails to define what public participation means, it also fails to outline the principles of public participation that would guide the process, for instance there are no provisions addressing essential elements of meaningful public participation such as model, methodology, nature, scope transparency and openness, inclusiveness etc. There is no provision stating that decision makers must take into account the input from members of the public in making their policies. There are also no offenses or penalties relating to issues of public participation, e.g. failure to allow public participation or to take into account information given pursuant to public participation. There are also no remedies for a flawed public participation process; this increases the risk of disregard for public input. it also fails to suggest what the curriculum for public participation education and training should contain.

3, Lack of meaningful public participation in EAC is partly due to lack of a facilitative legal framework within the EACT. for instance there is no provision that to the effect that decision makers must take into account the input from members of the public in the decision making process.

4, That there are some best practices ,such as those contained in TEU with useful lessons which can be used to make the EACT more responsive to issues of public participation. For instance firm political will from EU member states, adoption of effective public participation strategies like elections, referenda, strengthening of its institutions, public hearings, Public inquiries, Public opinion surveys, Citizens advisory committees, Citizen panel/jury as well as genuine investments by the member states whose national governments put long term goals of cooperation above the more immediate domestic practices, mutual respect and close warring relations amongst the EU nations.

5, That despite Article 127 of the EACT, the integration process is more of elite driven than people centered and the policies of the community have adopted the Top down approach instead of the bottom up approach

6, There are a lot of suspicions between member states and citizens of partner states are more nationalistic than embracing the East African community, this hinders meaningful public participation to take root.

7, there is lack of political will by some partner states to embrace the idea of public participation in the community; this is because the community will cause a democratization spillovers to their sates which threatens their leadership.

8. That ordinary EAC citizens are not properly sensitized about EAC matters and therefore they are unable to fully participate in the community matters.

## 5.4 RECCOMENDATIONS.

The study wishes to make the following recommendations.

1, The amendment of the EACT so as to realign it with modern principles of public participation, for instance it must define what actually public participation and a people centered process actually mean.it should also make a provision for public participation exercises like elections, referendum, public hearings, public inquiries, parliamentary representations, public opinion surveys, citizens advisory committees, among other exercises.

2, for the purposes of public participation in decision making, a further study as to what public participation means is recommended because there is no unanimous agreement of what the term mean. On top of this the EAC should try to make its policies to be outward looking and not inward looking, in addition to this every policy must emanate from the people in a bottom up approach rather than a top down approach.

3, The EAC should immediately role out a programme of massive public sensitization and public education programs on matters to do with the east African community, they can do this through the use of media, both print and electronic particularly the radio especially the vernacular radio stations. Again the EAC should embrace the use of the Social Media and general ICT in getting in touch with the ordinary citizens. Sensitization of and awareness of the EAC should be institutionalized to be a continuous activity. The media department at the EAC secretariat should be more proactive, especially working closely with various national and local media.

4. An independent body of public participation advisory board should be set up by the East African community; this body should be given specific duties and appropriate powers and capacity as well as responsibilities to monitor public participation in partner states. This board

will be instrumental in in facilitating meaningful public participation across the partner states, the officers to this board must be public participation specialists.

5,The EAC must strive to make easier availability and access to information about the community, for there to be meaningful public participation, necessary information about the EAC and the particular issue must be available on good time, easily accessible and able to be put to use.

6.An amendment to the EACT should be made to put it legal provisions that would entrench and facilitate public participation in the EAC, provisions that provides public participation methods such as elections of the EALA members, Referenda on special issues, public hearings, pubic inquiries ,parliamentary representations, public opinion surveys, citizen advisory committee, focus groups, citizen jury/panel  among others, this will go a long way in ensuring that the public are directly brought on board.

7,The EAC decision making process should be altered, a new model that incorporates the views of the civil society, private sector, ordinary citizens, scholars, and any interested party should be adopted.

8, The institutions of the EAC such as the EALA, EACJ, the secretariat should be made independent of partner states, this through having this bodies generate their own funds so that there is no interference from partner states, this will cause a democratic spillover and spillback to all member states which is a recipe for public participation to take root.

9, Integration efforts should move beyond trade, partner states should identify a common a common ground for the different national ideologies, value systems and cultures to promote integration, in addition to this, EAC anthem should always go hand in hand with respective national values at all times.

10. Partner states should implement fully the common market protocol which provides for free movement of people, capital and services among others to allow citizens of the EAC to interact more with each other. Again, partner states need to address the issue of work permits to facilitate those who wish to work in other partner states. Harmonization of education and training

curriculum should be done as soon as possible and political federation should be quickly fast tracked so that EAC citizens can fully enjoy the benefits of the community.

# REFFERENCES.

Antony B, (1993), the Concept and Theories of Modern Democracy. (London)

Anyang N (1990), Regional Integration in Africa; Unfinished Agenda. Academy Science Publishers

Anyang N, (2002), the Study of African Politics; Critical Appreciation of Heritage. Academy Science Publishers

Byrne M, (2001), Interviews as a data collection Method.AORN journal.

Collins O, (2007), Social Capital and Good governance in Kenyan public provisioning.

Coolican H, (1996), Introduction to Research Methods and Statistics in Psychology (2nd Ed) London: Hodder and Stoughton.

Creswell J, (2003), Research Design; Qualitative, Quantitative and Mixed Methods Approach. (2nd Ed).London, Sage publishers.

EAC report of the Committee on Fast tracking East African Federation, (2005), EAC secretariat publication. Arusha

Feza James K, Kitila M, (2013), a synthesis research report on the Participation of citizens in The EAC Integration process. Friedrich Ebert Stiff Tung. Dare salaam Tanzania.

Gabriel A, (1963), The Civic Culture; Political and Democracy in five Nations. London publishers

James E, (1990), Contending Theories of International Relations. A comprehensive Survey. London

Joachim E (2009), Political Participation and Civic Engagement. (Youth and Society YES), working paper No 2

Kerlinger F, (1973), Foundations of Behavioral Research. New Delhi.Surjeet publications.

Kothari C, (2004), Research Methodology; Methods and Techniques. New Delhi. New Age international Publisher.

Maangi George Moyoywa, (2013); Regional integration in East Africa, its challenges and lessons from the European Union integration. A research project presented in partial fulfillment master in partial fulfillment of Master of Arts in diplomacy at the University of Nairobi.

Mengisteab B, (2012) Regional Integration, Identity and Citizenship in the greater Horn of Africa: Eastern African series. Boydell and Brewer ltd.

Michael N, (2008), Identity Shift; case of East African countries.

Morris O, (2010), towards greater civil society participation in the East African Community, Challenges and prospects, kituo cha katiba.fountain publishers. Kampala Uganda.

Newman I, (1998), Uses of The Other: The East in the European Identity Formation. University of Minnesota press, Chicago.

Nyotta Priscah Wamucii, (2012) Public participation in the selection of public officers, critical analysis of the mechanisms under the leadership and integrity act, 2012. A thesis submitted in partial fulfillment of the ma law degree at the University of Nairobi.

Nzioki Stanislaus Nzomo, (2013); Strengthening EAC Regional Integration through citizen engagement; information dissemination strategy; A research project presented at the university of Nairobi.

Olive M (2003), Research Methods: Quantitative and Qualitative Approaches. (Revised Ed), Nairobi Acts press

Onyango J O (2011); who owns the East African Community? Presentation at the Denvia public dialogue on the East African Community.

Philip K, (2005), The Challenges Facing the Establishment of the African Union: Reflections on the Organization of OAU and the Constitutive Act of the AU, pg. 108: Issiaka Mande and Blandine Stefansson (Eds). Paris Karthala

Robert J, (2010): Introduction to International Relations; Theories and Approaches. Sage publisher

Rosamond B, (2000), Theories of European Integration. Basing ton, Macmillan Press

Rwekaza M (2000); Political cooperation in perspectives on regional integration and cooperation in East Africa. Proceedings for the 1st ministerial seminar on EAC.

Stone S and Sandholtz W, (1998).European Integration and Supranational Governance. Oxford University Press

The protocol establishing the East African Customs Union, (2004), EAC secretariat Publication. Arusha

The Treaty Establishing the EAC, (2000), EAC secretariat publication. Arusha

Tim D, (2010), International Relations Theories; Discipline and diversity. London

Timothy H, (1999), Globalization and Identity Shift.pg 21-27.Clarendon Press. Oxford

Vera S, (2010), Mobilizing For; Citizens Action and the Politics of Public Participation.

Wegs R and Ladrech R, (1996); European unity in Europe since 1945,A concise History .fourth edition ,Macmillan press ltd.Newyork.

NEWSPAPER ARTICLES.

Wainaina N,'Cabinet vetting process lacked thoroughness (2013) in the star (Nairobi Friday 31 may 2013)www.the-star.co.ke/news/article-122608/cabinet-vetting lacked thoroughness.

Koki Muli, 'let anyone who wants public office be subjected to vetting 'East African Standard (Nairobi 18 August 2012) at www.standard media.co.ke/ article 1D=2000064290, let-anyone-who-wants-public-office-be-subjected-to-vetting.

JOURNALS/ARTICLES/PAPERS.

Atlee T, (2008) 'Principles of Public Participation' available at the co-intelligence institute.www.co-intelligence.org/cipolin public participation.

Bynoe.ML (2006),'Citizen Participation in the Environmental Impact Assessment process in Guyana: reality or fallacy? Law Environment and development journal. At www.lead-journal.org/content 06034.pdf.

Canadian Environmental Assessment Agency, public participation Guide at www.ceaa.gc.ca default.

Ghai y, (2003)"public participation of and the minorities, "A report published by the minority groups international on July 2003 at www.minority rights.org

Kairu, lam and Maneno (2012),'public participation, Kenya's best weapon against graft and poor governance' (135 Adili Newsletter).

Sihanya B,(2013) Public participation and public interest litigation under the Kenya Constitutionn,Theory process and reforms.9 law society of Kenya journal.

US Environmental protection Agency "public participation guide; introduction to public participation at www.epa.gov/ international-cooperation/public participation-guide-introduction-public participation.

Omolo A, (2010) 'policy proposals on citizen participation in devolved governance in Kenya' (the institute for social accountability) at www.tisa.or.ke.

European governance, (2001) A white paper, commission of the European communities, Brussels.

The Treaty of Lisbon, (2007), in the official journal of the European Union.

Julie Adshead (2007), Application of public participation provisions in Environmental regulation, in the EU journal.

# APPENDICES AND ANNEXES.

## QUESTIONNAIRE ON THE CRITICAL ANALYSIS OF THE ROLE OF PUBLIC PARTICIPATION IN REGIONAL INTEGRATION.CASE STUDY OF EAC 2001-2005.

N/B PLEASE TICK WHERE APPROPRIATE.

This questionnaire is to facilitate the researcher to collect data on the above mentioned topic in partial fulfillment of his study. The information acquired here will be used for research purposes only and will be treated with the utmost confidentiality. The researcher is requesting you to fill in the questionnaire with all honesty and objectivity. Your participation in facilitating the study will be highly appreciated.

## SECTION A: DEMOGRAPHIC INFORMATION.

1. COUNTRY OF ORIGIN

   Kenya ( )  Tanzania ( )   Uganda (   )   Rwanda ( )  Burundi (  )   South Sudan (   ).

2. OCCUPATION

   -------------------------------------------------------------------------------------------------

3. LEVEL OF EDUCATION.

   Primary ( )   Secondary ( ) College ( )   University   ( ).

4. GENDER.

   Male (  )    Female (    ).

5. AGE.

   Below 19 ( ) 20-29 (  ) 30-39 (  )   40-49 (   ) 50-59 (  )   60-69 ( ) 70-79 ( ) Above 80 ( ).

## SECTION B: PUBLIC PARTICIPATION IN MATTERS EAC INTEGRATION.

6. Do you think The East African citizens have been adequately involved in matters of the EAC since its revival in 2001?

   YES  (  )    NO (      )

7. If yes   HOW?

----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
-------------------------------------.

8. If no   WHY?

----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
--------------------------------------.

9. As an East African citizen do you feel the Presence of EAC in your respective country?

   YES  (  )           NO   (        )

10. If yes   HOW?

----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------
----------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

------------------------------------------.

11. IF NO   WHY?

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

------------------------------------------.

12. In your own view, what needs to be done by member states in order to ensure public participation is fully embraced in matters EAC integration?

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

------------------------------------------.

13. Suggest ways and means that can be adopted by the EAC in order to ensure there is adequate public participation in the EAC integration process.

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

-------------------------------------------------------------------------------------------------------------

------------------------------------------.

## SECTION C: EFFECTS OF ADEQUATE PUBLIC PARTICIPATION IN THE EAC INTEGRATION PROCESS.

Kindly tick appropriately in the cells (one at each row).to indicates the extent at which you agree with the following statements.

|  | EFFECT | Very high extent 5 | High extent 4 | Not at all 3 | Low extent 2 | Very low extent 1 |
|---|---|---|---|---|---|---|
| 14 | Quickens the integration process. |  |  |  |  |  |
| 15 | Minimizes the occurrence of conflicts in the region |  |  |  |  |  |
| 16 | Reduces the chances of the integration process collapsing. |  |  |  |  |  |
| 17 | Promotes better management of resources and utilization of shared natural resources. |  |  |  |  |  |
| 18 | Increases revenue collection |  |  |  |  |  |
| 19 | Ensures accountability |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| | and adequate service delivery to the citizens | | | | | |
| 20 | It promotes peace,security,regional stability and sustainable development | | | | | |

## SECTION D : EFFECTIVENESS OF VARIOUS INITIATIVES BY EAC AND MEMBER STATES IN ENSURING ADEQUATE PUBLIC PARTICIPATION IN MATTERS EAC INTEGRATION PROCESS.

In your opinion, Tick the level of effectiveness of various items listed in the table below.

|    | Public participation method | Very effective 5 | Effective 4 | Satisfactory 3 | Ineffective 2 | Very ineffective 1 | |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 21 | EALA | | | | | | |
| 22 | POLITICAL PARTIES | | | | | | |
| 23 | MEDIA | | | | | | |
| 24 | TRADE UNIONS | | | | | | |
| 25 | SPORTS | | | | | | |
| 26 | EACJ | | | | | | |
| 27 | CIVIL SOCIETY GROUPS | | | | | | |
| 28 | PROFFESSIONAL BODIES | | | | | | |
| 29 | CROSS | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| | BOARDERTRADTRADE | | | | | |
| 30 | ADVOCAY GROUPS | | | | | |

Thank you for your time and Co-operation!

**LIST OF PERSONS INTERVIEWED AND THEIR CAPACITIES**

| Name | Official capacity |
|---|---|
| 1. Mr. Barack Ndegwa | Integration Secretary – Ministry of Labor and East African Community Kenya |
| 2. Mr. David Njoka | Director of Political Affairs – Ministry of Labor and East African Community Kenya |
| 3. Mr Charles Kisombe | Senior Assistant Director (Regional Integration Ministry of East African Community Kenya |
| 4. Mr. Raphael Kanothi | Assistant Director (Regional Integration / Ministry of East African Community Kenya. |
| 5. Mr. Ronald Inyangala | Regional Integration Expert (MEAC) Kenya |
| 6. Dr. Titus Ndogi | Regional Integration Expert (MEAC) Kenya |
| 7. Mr. Joseph Mungere | Regional Integration Expert (MEAC) Kenya |
| 8. Maj General Mugisha Muntu | Forum for Democratic Change (FDC Party chairman and former EACA legislator representing the Republic of Uganda. |
| 9. Aaron Lokwang | Immigration Officer (Malaba Boarder Point, Republic of Uganda. |
| 10. Julius Masaba | Ministry of East African Community Republic of Kenya |
| 11. Peter Matsiko | Third secretary (Rwandese High Commission to Kenya |
| 12. Dr. Busingye Kabumba | Law Lecturer Makerere University and Board member East African Law Society |
| 13. Mr. Bobi Odiko | Senior Public Relations Officer (East African Community Secretariat Arusha Tanzania. |
| 14. Mrs. Joyce Uloy | Public Relations Office (East African Community Secretariat in Arusha Tanzania. |
| 15. Ambassador Ruth Solitei | Director –East African Affairs Division – Ministry of Foreign Affairs Kenya |
| 16. Mr. Patrick Musembi | Regional Integration Expert (Ministry of Foreign |

| | Affairs |
|---|---|
| 17. Mrs. Anne Kariuki | Asst Director –East African Affairs – Ministry of Foreign Affairs in Kenya |
| 18. Mr. Joseph Mogire | Asst. Director –East African Affairs – Ministry of Foreign Affairs Kenya |
| 19. Hon Mumbi Ng'aru | EACA Legislator representing the Republic of Kenya |
| 20. Mr. Joseph Mowlem | Legal Advisor, Tanzania high commission to Kenya |