



THE UNIVERSITY OF NAIROBI

**DEPARTMENT OF DIPLOMACY AND INTERNATIONAL
STUDIES**

**Role of Kenyan Parliament on Regional Integration Process of East Africa
Community**

By:

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**A Research Project Submitted in Partial Fulfillment for the Award of
Masters of Arts Degree in International Studies by
The University of Nairobi**

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DECLARATION

I, Benson Inzofu Mwale, declare that this Research Project is my original work which has not been presented for award of a degree in any other University.

Signature: 

Date: 8th December 2022

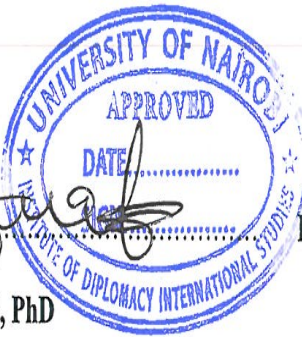
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DEDICATION

The pursuit for Master of Arts Degree in International Relations was inspired by the quest to crown the relentless efforts of my least educated late father and my uneducated mother whose wish to have scaled to the apex of educational levels remained constantly visible in their eyes. Their words will always be reminiscent of what they were capable of achieving yet missed the opportunity to do so. I therefore specially dedicate this Thesis to my deceased father, the Late Apollo Mwale Inzofu, my mum Fance Makokha Mwale and also to my supportive family led by my loving wife Carol Benson, along with Dr. Patrick Maluki, whose constant guidance made this Thesis to become a reality. I further dedicate the Thesis to Almighty God from whom I draw the knowledge to serve humanity through academic work and to the Kenyan People, whom the East Africa Community integration was mooted to serve.

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ABSTRACT

Many countries have come together to establish a regional integration for the benefit of the member countries. The regional integration process is a complex one that needs reforms in a comprehensive manner and inevitably changes member states in a variety of political, social and economic dimensions. The full participation and engagement of the legislative authorities by nations do facilitate the regional integration process among the countries. However, the potential of national Parliaments to enhance regional integration is largely untapped. In the pursuit of a deeper East African Community regional integration, the Kenyan Parliament has played an important role in the legislation as well as ratification of the agreements as entered into by the executive of the member states. It is therefore with this in mind the study investigated the role of Kenyan Parliament on East Africa Community regional integration process. The study specifically, examined the factors shaping the scope of involvement of Kenyan Parliament in the integration process of the EAC; examined the contribution of the Kenyan Parliament regional integration process of the EAC; and evaluated the efficacy of the mechanisms employed by the Kenyan Parliament in enhancing regional integration process in EAC. The study was grounded on the Intergovernmentalism theory. The study applied a descriptive research design that was carried out between the period of 2017 and 2022. The study population for the proposed study was confined to a sample frame of 145 people, comprising of Parliamentarians drawn from the National Assembly, staff of Parliament, Members of the National Assembly Select Committee on Regional Integration and key informants. Using the *Tara Yamane* technique for calculating sample size of 106 respondent. The study utilized interview schedules as the data collection instrument. The qualitative data was analyzed by use of content analysis. The study results indicated that the scope of involvement of Kenyan Parliament in regional integration process included; approval of amendments and treaties concerning EAC, budgetary role to support EAC activities, legislative agenda provision in terms of an equitable and balanced approach and enhancement of Parliamentary diplomacy. The key factors factor that enhanced Kenyan Parliament in EAC integration process included; common market, customs union, monetary and fiscal policies, political federation, political goodwill, leadership and foreign policy on EAC matters. The contribution of Kenyan Parliament in EAC affairs included the establishment of select committee to oversee EAC issues, domestication of protocols and ratification of amendments, financial and material support to enhance EAC integration process. Therefore, in pursuant to the sustainability of the EAC integration process, the study recommends that the effectiveness of national Parliament should not be at the periphery in the EAC integration process and must be more active and inclusive. The study also recommends that the Kenyan Parliament needs to improve on the efficacy of the mechanisms adopted to enhance EAC integration process. This can be carried out through effective legislation, budget, representation, oversight and monitoring. This will go a long way to enhance EAC integration process.

LIST OF ABBREVIATIONS AND ACRONYMS

CoW	Coalition of the Willing
EAC	East African Community
EALA	East African Legislative Assembly
EU	European Union
IPU	Inter Parliamentary Union
MP	Member of Parliament
MRPA	Members of the Regional Parliamentary Assembly
PAP	European Union
SADC	South African Development Community

OPERATIONALIZATION OF KEY TERMS

Regional Integration; is the process in which member states with distinct and common settings are convinced or persuaded to shift their expectations, political activities and loyalties toward a new centre of power whose political institutions demand or possess jurisdiction over the pre-existing member states

East Africa: is easternmost extension of African countries which demonstrated interest of being part of the regional bloc and constitutes Kenya, Uganda, Tanzania, Rwanda, Burundi, South Sudan and the Democratic Republic of Congo and by extension Somali.

Legitimization of Integration– is the process of making the process of integrating acceptable needs of the member through winning their support and allegiance to the integration process

National Parliament – is the legislative arm of government to which representatives of the people are elected and/or nominated at national level in member states.

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CHAPTER ONE

1.1 Introduction

This study intends to provide information on the Kenyan Parliament role on the East Africa regional integration process. This section provides a background contextualizing the research problem. The chapter has provided a brief background of the role of Parliaments on regional integration process. The chapter goes on to outline the problem description, the study's goals, and the research questions. The chapter also includes a summary of the research approach that will be applied, including the chosen research design, site, study population, sample, sampling procedures, tools for data collecting, and methods. The study has provided the information on how the data will be analysed and presented, limitations of the study and finally the ethical considerations to be adhered to during the study.

1.2 Background of the Research Problem

It is known that regional integration process was developed and embraced by many governments after the termination of the cold war¹. Since many countries around the world are becoming more liberalized and globalized, the boundaries the prohibited the defined states have been continuously dissolved. Actually, the notion of sovereignty of the states has been tremendously reduced to rather diminutive and miniature levels to accommodate regional integration processes among the states. In essence, the trans-national activities that have transcended the national borders among the states have improved, and so have the opportunities, gains and threats that the states can reap from regional integration process (cross-border co-operation). It has been established that a country can insulate as a viable strategy for itself from the effect of myriad global events and influence of international

¹Jancic, Davor. "Regional Parliaments and African economic integration." *European Journal of International Law* 30, no. 1 (2019): 199-228.

community that can threaten its existence and also respond appropriately to the varied responses in keeping pace with the rapid liberalization and globalization².

Moreover, many countries are embracing regional integration through their national Parliaments due the new international climate to overcome the political differences and have deeper collaboration among the states³. Furthermore, liberalization and globalization do require renewed strategy to enhance regional integration⁴. For instance, the mushrooming of regional integrations has focused more on enabling economic dimensions across the borders. This has led to the establishments of integration schemes, such as customs and monetary unions and Free Trade Zones. Though, these establishments continue being problematic in various ways. For example, the Regional Integration Organizations have not been consolidated to have their memberships to opt out if they need be⁵. Therefore, the Parliaments with their Parliamentarians have traditionally featured to play a role only on the domestic politics in terms of representation and other arm of the government. However, of late they are involved in making decisions to enhance regional integration. This is carried out thoroughly linking the international affairs rather than participating only on the domestic affairs. Therefore, national Parliaments have participated in the regional integration process through the institutions of Parliaments that are involved in international affairs by influencing foreign policy and conducting diplomatic relations such as Parliamentary diplomacy. However, these roles differ in the form and substance from one state to the other⁶.

² Alumona, Ikenna Mike, and Stephen NnaemekaAzom. "Institutional capacity and regional integration: reflections on the composition and powers of the ECOWAS Parliament." In *Innovation, Regional Integration, and Development in Africa*, pp. 137-155. Springer, Cham, 2019.

³ Nzewi, Ogochukwu. "Influence and Legitimacy in African Regional Parliamentary Assemblies: The Case of the Pan-African Parliament's Search for Legislative Powers." *Journal of Asian and African Studies* 49, no. 4 (2014): 488-507.

⁴ Salih, M. A. "African regional Parliaments: legislatures without legislative powers." In *Parliamentary Dimensions of Regionalization and Globalization*, pp. 149-165. Palgrave Macmillan, London, 2013.

⁵ Luciano, Bruno Theodoro. *Parliamentary Agency and Regional Integration in Europe and Beyond: The Logic of Regional Parliaments*. Routledge, 2021.

⁶ Malamud, Andrés, and Stelios Stavridis. "Parliaments and Parliamentarians as international actors." In *The Ashgate research companion to non-state actors*, pp. 113-128. Routledge, 2016.

The method of integration in the European countries, the role European Parliaments in the establishment of foreign policies specifically the EU has focused more on the interregional cooperation among the member countries. Historically, these national Parliaments have focused only on the foreign policy issues that are involved in the political transformation (internationalization, Europeanization, regional integration process)⁷. On the other hand, the Latin American Parliaments began focusing on the external relations and foreign policy early than European Parliaments on the regionalization process.⁸ The national Parliaments involved increase of the institutions and relevance of the common regional integration on the locus of concerns and regional policy-making anchored to the political decisions on the process of democratic legitimacy⁹. This was carried out through the legitimizing based on the creation of integration Parliaments to represent the interests of citizens of their countries at regional level. However, the legitimacy was faced with challenges based on the enhancement of democratic objectives and practices among the member states¹⁰

The objective of the process of regional integration in the contest of the African countries has been different compared to other regional integration countries¹¹. The overriding experience has been that the regional integration has been weak without a solid, accountable and functioning Parliament structures¹². For instance, the African Economic Community and the New Partnership for Africa's Development (NEPAD), among others, were anticipated to promote regional integration based on the impressive formal beginning of the African Union (AU) in the year 2002 and Treaty of Abuja in the year 2004. The African regional

⁷Costa, Olivier, and Clarissa Dri. "How does the European Parliament contribute to the construction of the EU's interregional dialogue?" In *Intersecting Interregionalism*, pp. 129-150. Springer, Dordrecht, 2014.

⁸Albarracín, Juan. "Integration Parliaments in Latin America: The Cases of Parliamento and Parliamento." *Parliamentary Dimensions of Regionalization and Globalization: The Role of Inter-Parliamentary Institutions* (2013): 109-125.

⁹Ayuso, Anna, and Gian Luca Gardini. "EU-Latin American relations as a template for interregionalism." In *Interregionalism across the Atlantic space*, pp. 115-130. Springer, Cham, 2018.

¹⁰ Ibid

¹¹Costa, Olivier, Clarissa Dri, and Stelios Stavridis, eds. *Parliamentary dimensions of regionalization and globalization: the role of inter-Parliamentary institutions*. Springer, 2013.

¹²Luciano, Bruno Theodoro. *Parliamentary Agency and Regional Integration in Europe and Beyond: The Logic of Regional Parliaments*. Routledge, 2021.

Parliaments and assemblies have assumed the intended legislative and democratic oversight roles concerning the regional integration for the national Parliaments can play in the democratic setups for the member countries¹³. However, their renewed efforts to enhance regional integration due to wider political have gained in importance over recent years among the member countries¹⁴.

The East Africa Community (EAC) integration process has led to the development of East African Legislative Assembly (EALA) established in November 2001 and it's founded the EAC Treaty signed in 1999. The second attempt to establish a regional assembly for the Eastern Africa Community was the East Africa Community under the aegis of EALA. Earlier regional integration included South Sudan, Kenya, Uganda, Tanzania, Rwanda, Burundi, and, more recently, the Democratic Republic of the Congo and Burundi (DRC). The regional integration aim is to enhance political federation, progressive integration and formation of a single market.¹⁵ Historically, the integration of the East African region was established since the British Colonial Government created the East African Protectorate of the Uganda Protectorate and Kenya Colony.

Under the current regional integration structure of engagement in the EAC, there exists a lacuna in the national Parliament's role on the linkage in regional integration process. Based on the strategic position of national Parliaments and their functions as the arm of governments that represents their citizen interests have led to challenges in the procedure of regional integration. This proposed research draws from the case of the Parliament of Kenya to examine the role of Kenyan Parliament on accelerating EAC integration process.

¹³Cofelice, Andrea. *Parliamentary institutions in regional and international governance: Functions and powers*. Routledge, 2018.

¹⁴Terlinden, Ulf. *African Regional Parliaments: Engines of Integration and Democratisation?* Friedrich-Ebert-Stiftung [ReferatAfrika], 2004.

¹⁵Preamble, Article 5, and Article 11 of the Treaty for the Establishment of the East African Community., cited in Political Economy of Regional Integration in Sub-Saharan Africa, p50

1.3 Statement of the Research Problem

Parliament is a key pillar and tool to foster regional integration for faster economic, political and social development of the member states¹⁶. Nations globally are engaging their national Parliaments to foster the regional integration arrangements to gain the immense benefits in stimulating development in the member states. The current regional integration arrangements among the African countries are yet to succeed in the achievement of the expected AU goal¹⁷. However, In Africa, there have been several attempts to enhance regional integration achieved over some time. However, the efforts usually have either short, proven or fallen to be effective though for the promising cases of SADC, ECOWAS and EAC.

Concerning the EAC I, the challenges that were fundamental or idiosyncratic had to slow the process of the integration efforts and eventually led to the collapse in 1977¹⁸. For instance, Tanzania and Uganda to some extent felt that Kenyan economy was relatively developed by then, benefitted more than the other member states. Therefore, the EAC I by then was perceived to be serving more of the Kenyan interests. In addition the EAC II that was founded on 7th July 2000 to foster the political, economic and security cooperation among the member countries (EAC, 1999). The EAC II all the more new part states have been conceded; Burundi (2007), Rwanda (2007), South Sudan (2016) and Popularity based Republic of Congo (DRC) (2022). Taking into account this turn of events, , an Alliance of the Willing containing Rwanda, Kenya and Uganda was grounded in the standard of the super component assessment soul to regularly embrace the tremendous improvement undertakings, for example, the Lamu Port and Lamu Southern Sudan-Ethiopia Transport Way (LAPSSET). In any case, Rwanda and Uganda later needed to escape the game plan. These countries jumped at the chance to use the course through the Tanzanian ports. These are some of the cases that

¹⁶Mlambo, Victor H., and Daniel N. Mlambo. "Challenges impeding regional integration in Southern Africa." *Journal of Economics and Behavioral Studies* 10, no. 2 (J) (2018): 250-261.

¹⁷Tanyanyiwa, Vincent Itai, and Constance Hakuna. "Challenges and opportunities for regional integration in Africa: The case of SADC." *IOSR Journal of Humanities and Social Science* 19, no. 12 (2014): 103-115.

¹⁸Ojo et al., 1985

demonstrates that while the members' states do have the converging interests are yet to promote regional integration. The divergent ones have really delayed and undermined the integration efforts made to enhance EAC integration process.

As a result, Kenya's national Parliament plays a crucial role in the EAC integration process by working to further the country's interests. The EAC's regional integration effort may be hampered or aided by the Parliaments¹⁹.The role of Parliament has emerged to be critical in defining the extent the executive could implement the EAC policy programmes at national level.²⁰The question that arises is, to what extents do the Parliaments of EAC member countries contribute to the EAC integration process? The proposed study presupposed that the EAC architecture of the functioning in providing the minimal interface between the member state legislatures and the regional integration process, which to some extent which slows down the popularity of the EAC and the pace of integration. Several analysts have tried to argue that EAC regional integration process has not been keen in achieving the key objectives²¹. It is on this premise the current study seeks to examine the role of Kenyan Parliament on improving regional integration process in the East Africa Community.

1.4 Research Questions

The proposed study sought to answer the following research questions –

- (1) What are the factors that have shaped scope of involvement of Kenyan Parliament in the integration process of the EAC?

- (2) What contribution has the Kenyan Parliament made in the integration process of the EAC?

¹⁹Ong'oyi, Martin KO. "The influence of national interest on regional integration: the case of Kenya in the East African community." PhD diss., University of Nairobi, 2021.

²⁰Wachira, Serah C. "Parliamentary Diplomacy and Regional Integration: a Case Study of the East African Legislative Assembly." PhD diss., University of Nairobi, 2017.

²¹ Ibid

- (3) What is the effectiveness of the mechanisms that have been employed by the Kenyan Parliament to enhance the process of integration of EAC?

1.5 Research Objectives

The study was guided by the following specific objectives:

- (1) To analyze the factors shaping the scope of involvement of Kenyan Parliament in the integration process of the EAC.
- (2) To examine the contribution of the Kenyan Parliament regional integration process of the EAC.
- (3) To evaluate the efficacy of the mechanisms employed by the Kenyan Parliament in enhancing regional integration process in EAC.

1.6 Literature Review

This evaluation of the literature is based on how national Parliaments and the process of regional integration have been studied in accordance with the objectives of the current study. This section has evaluated the present material on national and regional Parliaments to see whether it has helped or hurt the ongoing process of regional integration on a national and regional level. This section explained the concept of regional integration and attempted to explain the theories. How regional integration efforts have been impacted by national Parliaments in

1.6.1 Concept and Historical Perspective of Regional Integration

When two or more member states decide to work closely together and cooperate in order to create stability, wealth, and peace and to better the lives of their population, this is known as regional integration. It has been proven that it aids nations in overcoming obstacles that prevent the free flow of people, ideas, capital, goods, and services across borders. Economic

progress may be hampered by these divisions or discrepancies, particularly in emerging nations. The weak infrastructure, topography, and ineffective policies that impede the member nations' ability to thrive economically are what cause the gaps between them. Regional integration has allowed the member countries to overcome these costly differences that have been used in the integration of services, goods, market factors that can enable easy flow of capital, energy, people, trade and ideas across the member states' borders. Whereas the various theories as established were begun in 1950s and 1960s concerning organizational scope and broad comparative regional aspects, majorly focused more on the European countries and integration process. However, with time the studies and researches concerning regionalism and integration process has been framed and coined within the framework and grounded on the international relations (IR)²². Basically, regional integration process focuses on achieving the three main objectives, that is, interdependence community, forging regional alliances and collective security, ; and to a lesser extent, ensuring the they build a regional economic bloc aimed at reducing probability of the continuous war and dyadic conflict among the member states²³.

The primary speculations of local combination process were placed ahead to clarify the European incorporation as the ground of the contention of any regionalism. The European territorial joining started 1950s with the Steel People group (ECSC) and European Coal in 1952. As per Ernest Haas who conjectured regionalism experience in *The Joining of Europe* (1958), the super hypothetical underpinnings are grounded on the overflow idea. Accordingly, after some time Lindberg adopted this concept and focused on the European Economic Community (EEC) early years grounded on the neo-functionalist theories. It should be noted that application of regionalism concepts based on the integration process

²² Onditi, Francis. "Dominatariar Theory of Regional Integration." *Insight on Africa* 13, no. 1 (2021): 76-94.

²³ Schneider, Christina J. "The political economy of regional integration." *Annual Review of Political Science* 20, no. 1 (2017): 229-248.

among the countries especially in Latin America²⁴. Some of the neo-functionalists focused on theory modification and considered the mid-60s events in Europe to expound more on the regional integration. This also involved the Lindberg and Scheingold ideologies on the Europe's Would-Be Polity²⁵. However, scholars have based the argument of regional integration more on the more intergovernmental aspects and 'logic of diversity'²⁶.

Early regionalist theories were created by Karl Deutsch, who described regional integration as the development of a sense of community within a territory and institutional practices that are pervasive enough to support and solidify residents' hopes of a long-lasting, peaceful transformation. For instance, group of states or citizens when they integrate they constitute a security community. Further, when they amalgamate as opined by Deutsch as referred to as formal acquisitions of one or two of the independent units to form a larger and single unit to have a similar government²⁷, For instance, the uniting of Europe was referred to as; For instance, the uniting of Europe was referred to as; ...

“the process in which the different nations with distinct national settings get encouraged to have a new and single expectations, loyalties and political activities whose institutions and demand jurisdiction possess or over the pre-existing national member states”²⁸

Leon Lindberg's analysis focusing on the EEC focusing on the political dynamics of European economic integration, stated without reference on the issue of regionalism hereby referred to as regional integration process as: ...

“is the process whereby member states can forgo ability and have a desire to carry out the domestic and foreign policies independently of each other, looking instead to

²⁴ *ibid*

²⁵ *ibid*

²⁶ Hoffmann, Stanley. "Reflections on the nation-state in Western Europe today." *J. Common Mkt. Stud.* 21 (1982): 21.

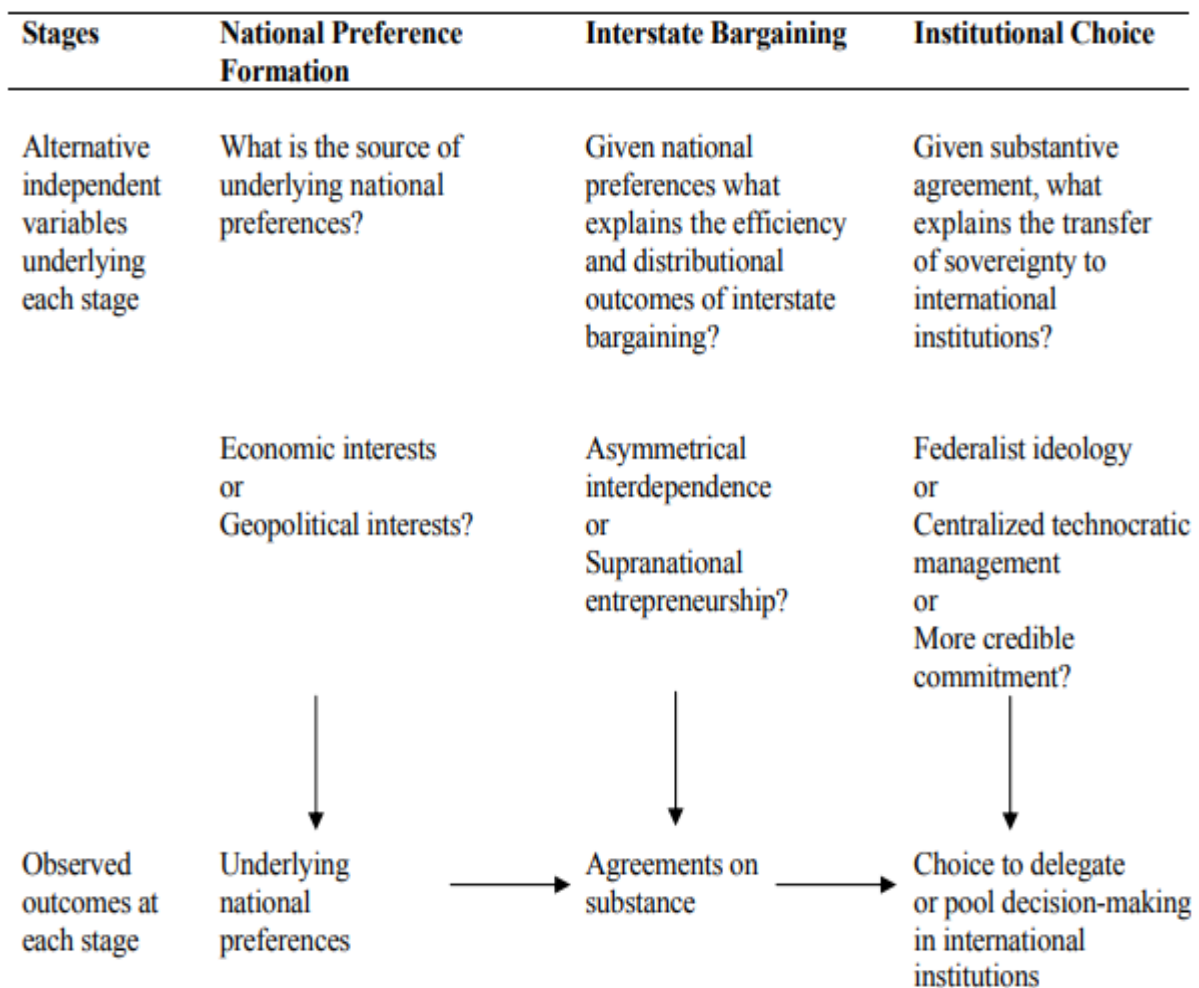
²⁷ Deutsch, Karl W. "Changing images of international conflict." *Journal of social issues* 23, no. 1 (1967): 91-107.

²⁸ Haas, Ernst B. "The uniting of Europe and the uniting of Latin America." *J. Common Mkt. Stud.* 5 (1966): 315

delegate the process of decision making or develop joint decisions to the new central organ ²⁹

Andrew Moravcsik's liberal Intergovernmentalism^{30,31,32} as developed has shown the significant reference point based on the previous studies of regionalism, for instance, the big decisions process referred to as the 'grand bargains' for regionalism based on the member states. The established framework thus included the three phases: that is, the interstate bargaining, the institutional choice national and preference formation. (See fig. 1).

Figure 1: International Cooperation: A Rationalist Framework



Source: Moravcsik (1998), p. 24.

²⁹Lindberg, Leon N. "The political dynamics of European economic integration." *The political dynamics of European economic integration*. (1963).

³⁰Moravcsik, Andrew. "Making History: European Integration and Institutional Change at Fifty." (2007): 23-24.

³¹Kelemen, R. D. "Making history: European integration and institutional change at fifty." (2007).

³²Moravcsik, Andrew. "Taking preferences seriously: A liberal theory of international politics: Erratum." *International Organization* 52, no. 1 (1998): 229-229.

The initial stage concentrates national preference formation among the states. The key question guiding Moravcsik at this stage is how geopolitical or economic interests dominate when the national preferences of states are established. In reference European integration process on the major decisions was based on economic interests of the member countries. Following the initial stage, based on the interstate bargaining, aims to expound the distributional outcomes and the efficiency of EU negotiations among the member states. At this stage, there are two possible reasons of substantial agreements that are contrasted that is the supranational entrepreneurship (asymmetrical interdependence) among the member states. Moravcsik also provides an answer that asymmetrical interdependence basically focuses on the explanatory power among the member states. In other words, some countries in the agreement could have more stake than others in the regionalism. These powerful member countries tend to influence the process and work hard by giving more concessions in the agreements to gain more benefits³³.

The endlessly last stage is the institutional choice. This one spotlights on the key reasons which influence the part states choose to pool course or specialist in overall foundations in the regionalism. For instance, the power pooling is the utilization of larger part decisions in the Part Board of trustees, saw essentially as the Confirmed Larger part projecting a voting form (QMV) among the part countries. The assignment in the EU/EC case as figured out as powers as given to the European Court and Commission (ECJC). To explain the occupation of the institutional choice, it has been separated by Moravcsik that there could be explanations considering the: Federalist reasoning, Bound together technocratic the board, or more strong obligation. He said that pool influence and arrangement is to get more dependable obligations to the part states to get zeroed in on the part states and the lawmaking bodies to choose, support cooperation and assurance there is execution of the fundamental courses of action as they have agreed. Using the hypotheses of trades, overall political and dynamic in the general

³³Brack, Nathalie. "The roles of Eurosceptic Members of the European Parliament and their implications for the EU." *International Political Science Review* 36, no. 3 (2015): 337-350.

economy luxuriously together enabled Moravcsik to encourage a framework stingily that focuses on\ worldwide coordinated effort for example the 'phenomenal arrangements resembles the progressions of EU settlement.

1.6.2 Parliament and Regional Integration

Literature has proved that Parliaments of the member countries are crucial role in the regionalism process³⁴³⁵³⁶. The member countries national Parliaments for example the federal levels in functional democracies are constitutionally guaranteed power and authority to make and enact laws concerning good governance of the citizens³⁷. The three core functions of the national Parliaments include; law-making, representation of the people and oversight. Though due to the ever dynamics of modern society and democracy has expanded the scope of the functions to include the regional bodies which seek to facilitate the inter/intra-border trade of the member countries, thus, regionalism.³⁸ Consequently, the national Parliaments are conceived as fora for consultation, dialogue and consensus among the people's representatives³⁹.

Most of the national Parliaments are concerned with the domestic issues worth legislation of the member countries. To small extent they get concerned with integration matters in most cases. While focusing on the on Parliament's Role in Caribbean Regional Economic Integration, Stealik et al., opine that if member states' national Parliaments role in the regionalism is very relevant and must undergo proper transformation which is in tandem with

³⁴Strelkov, Alexander. "The EU and rule of law promotion in Western Balkans—a new role for candidate states' Parliaments." *East European Politics* 32, no. 4 (2016): 505-524.

³⁵Finke, D., & Dannwolf, T. (2015). Who let the dogs out? The effect of Parliamentary scrutiny on compliance with EU law. *Journal of European Public Policy*, 22(8), 1127-1147.

³⁶Stratulat, Corina, and Janis A. Emmanouilidis. "The European Parliament elections 2014 Watershed or, again, washed out." *European Policy Center* (2013): 1-12.

³⁷Braun, Daniela, and Hermann Schmitt. "Different emphases, same positions? The election manifestos of political parties in the EU multilevel electoral system compared." *Party Politics* 26, no. 5 (2020): 640-650.

³⁸Kizito, Ehigiamusoe Uyi, and Udefuna Nnadozie Patrick. "The role of Parliament on economic integration in Africa: Evidence from ECOWAS Parliament." *IOSR Journal of Humanities and Social Science* 4, no. 1 (2012): 1-10.

³⁹Kriesi, Hanspeter, Edgar Grande, Swen Hutter, Argyrios Altiparmakis, Endre Borbáth, S. Bornschier, B. Bremer et al. "PolDem-national election campaign dataset." (2020).

to the needs of the member states citizens they serve⁴⁰. This opinion contradicts David Marquand, argued that the neo-functionalism of regionalism is a political factor and if not anti-political and a Parliamentary factor if not quite anti-Parliamentary. The member states' national Parliaments, whether they do reflect the political opinions and provide an expression of the political demands of the citizens of the member states⁴¹. On this note, there are two fundamental neo-functionalist factors that are crucial and include: political élites and supra-nationality.⁴² The norm of supra-personality is focusing in on the unique occupation of the 'supranational associations uneven on the powerful cycle to additionally foster regionalism. Toward the day's end, the political élites do include the public Parliaments of the part countries as the fora for battling their monetary and political focuses in further developing regionalism.⁴³

1.6.3 Factors influencing the Scope of involvement of Parliaments in Regional Integration Processes

The public Parliaments take part in the regionalism cycle in view of a monetary, political, institutional and factors that underlie the compelling execution of the territorial reconciliation settlements and strategies. The absence of public Parliaments of part states to make a local body with power, responsibility and powers truly do prevent local area pursuing choices to have strong restricting regulations in individual purviews. The political modes for appointment of individuals, conditions of the public gatherings and the level of cooperation in joining processes decide the vote based authenticity of the provincial combination processes. As such, the methods of races somewhat concerning appointment of the individuals from

⁴⁰Furlong, Paul. "The Italian Parliament and European integration-responsibilities, failures and successes." *The Journal of Legislative Studies* 1, no. 3 (1995): 35-45.

⁴¹Shala, Sabiha. "The potential of national Parliament in the EU legal alignment process: the case of Kosovo." *Journal of Comparative Politics* 12, no. 1 (2019): 4-18.

⁴²Marquand, Judith. "Spatial Change and Economic Divergence in the European Economic Community." *Journal of Common Market Studies* 14, no. 1 (1980): 9-20.

⁴³Costa, Olivier, and Nathalie Brack. "The role of the European Parliament in Europe's integration and Parliamentarisation process." In *Parliamentary Dimensions of Regionalization and Globalization*, pp. 45-69. Palgrave Macmillan, London, 2013.

Parliaments just like the case for the European nations in all actuality do decide the mix cycle in the European Association. The member countries are guided by the provisions that require the inclusion of various political parties to be represented in the national Parliaments, and regulations to ascertain a (varying) involvement of women/men in these forums to enhance regional integration⁴⁴.

The structural and historical foundations of African's political economy have not been well understood by the Parliaments on the role they play on the regional integration process. There have been many deliberate policy choices and actions developed by the Parliaments that need to be changed to remove the status quo and overcome the barriers, such as economic configurations and entrenched national interests of the member states. However, this requires the national Parliaments to have a political leadership that can use political economy windows of opportunity to improve regional integration. In addition, the national Parliaments development should be in tandem and requires the organization of economic and social activity; increased scale bringing with it opportunities and benefits. The country size such as large country that is weakly integrated internally due to ethnic rivalries; sociopolitical factors and poor infrastructure have provided the fewer opportunities for national Parliaments to initiate development than a smaller country that is well integrated thus affecting regional integration among the member states.

1.6.4 The Contribution of Parliament in Legitimizing Regional Integration

The contribution of Parliaments on legitimizing regional integration across the world has depended on the national legislature's representation. For instance, at the supranational EU, the delegates constituted the EU Parliament an indisputable instrument that would deliver the representative element of EU legitimacy.⁴⁵ In this case, scholars viewed the involvement of national legislatures as a way of legitimizing the political integration of the EU. For this

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⁴⁵ Ibid,

legitimacy to be realized, the national aspirations of citizens of European nations that ascribed to the EU had to be carried on board through their representatives. In this case, the national Parliament's representation in the EU is realized through having citizen's representatives in the European Integration process. Though this was envisaged and achieved through the EU Parliament, various scholars have argued and underscored the irreplaceable place of national Parliaments in representing the citizens

According to Winzen the legitimacy of the regional integration rests on domestic democratic processes of the member states in preference aggregation of citizen interests. Winzen uses EU as an example and conceives of representation in the integration process as a two-track system whereby the citizens are represented by the Parliaments and the national governments are accountable to national Parliaments⁴⁶. During the second Universal Conflict, the territorial combination process looked to interface together the philosophically and geologically related states. The public Parliaments to do assume a huge part in encouraging yearnings of part states during the local mix process. This is exemplified by the advancement of the Landmass' African Peace and Normal Protection Settlement, by which the part utilized public Parliaments to work with human security across the boundaries. National Parliaments were successful in legalizing the formation of the Economic Community of West African States (ECOWAS) in 1975 in Lagos, Nigeria, with a focus on the building of a monetary and economic union to promote development and West Africa's economic progress.⁴⁷

Owuor has argued that regional integration especially for EAC was based on the policies and enactment of laws to support it through the member states Parliaments. The focus attached on legitimizing economic support for the member countries. For instance, regarding the EAC, Article 9 (1)(f) of the consultative treaty, which established the EALA, corroborates with member Parliaments of member countries as one of the principal organs of enhancing

⁴⁶Ibid

⁴⁷ECOWAS, 2006)

integration process of the community.⁴⁸ The representation of citizens through EALA as proxy has contributed to the enhancement of EALA and regional integration to articulate the issues of citizens of EAC members. This is addressed when the national Parliaments are removed from the periphery to the center in making major decisions, so as to carry their peoples' concerns on board when legislating and passing policies concerning regional integration.

Lastly, the key entry point for national legislatures in regional integration process in terms of legitimization of the process is concerned is through executive decisions endorsement on integration matters of the member states. Once the decision has been received by the legislature for legislative support, it will get an overwhelming acceptance since national legislatures that represents the people of the member countries. Citing the case of European regionalism, Marta and Oskar observed that under legal and political framework, the national Parliaments have remained the main national actors of legislative support. They add that under the arrangement they (Parliaments) legitimize the executive organ's acts within regional integration⁴⁹. Marta and Oskar observed that legitimization of the integration process is based on the treaties, agreements and protocols. This is witnessed at the ratification level to speed up the pace of fully integration.⁵⁰

1.6.5 Mechanisms that Parliaments Deploy to Enhance Regional Integration

To enhance regionalism process among the member states, the significant role of institutional mechanisms for the management and coordination of integration affairs is highly appreciated. According Kelley⁵¹ the speed at which a country joins a regional integration is associated with the effectiveness of the institutional mechanisms. For instance, EU member countries did influence candidates and potential candidate countries to enter the EU regional bloc by

⁴⁸ EAC Secretariat (2000): The Treaty for the Establishment of the East African Community, Arusha, p. 17

⁴⁹ Marta and Oskar (2013)

⁵⁰ Marta and Oskar (2013:24)

⁵¹

establishing clear structures before creation of the contractual relations with EU member countries; for instance, Kosovo was based on the fundamental institutional architecture at the national legislative and executive levels in line with Kosovo law and the *acquis*⁵².

Some of adopted mechanisms such as the use of open debates, committees and foreign visits are some of the mechanisms used to enhance regional integration. In Kenya, the legislature influence on Kenya's foreign policy (1979 -2002)during president Moi's regime saw Parliamentary diplomacy in the contemporary forms which operated by the use of the informal groups which included the *Barazas and Kamukunjis* to enhance public participation based on the Kenya's foreign policy. In addition, Parliamentary committees are used to debate on foreign-policy issues and affairs on EAC integration affairs.

The use of the regional integration programs which may encompass multicountry or single operations with cross-border benefits, access to incentives can be a subject to priority and eligibility criteria that are subject being revised from time to time and approved by the national Parliaments to enhance regional integration. This is determined through the progressive integration varying timeframes for meeting the regional integration objectives. This will likely to reflect the individual circumstances of member states, consistent with regional protocol as, treaties and agreements. This approach may enhance flexibility as the member states find the innovative solutions to meet different regional and national needs.

1.6.7 Research Gaps

From the above literature reviewed, there is a corpus of knowledge on regional integration based on influence of Parliaments. The previous studies have shown several research gaps. Therefore, using Parliament of Kenya case study, the study sought to collect information on the place national Parliaments in the regional integration arena in terms of supranational

⁵²Kosovo Government. 2017. National Program for Implementation of the Stabilisation and Association Agreement– NPISAA 2017-21. Prishtinë, 1 March

authorities are given precedence over national authorities among the member states. Based on the available literature on the contribution by national Parliaments fostering regional integration of EAC, it has been revealed that there is scanty of knowledge on how Parliament of Kenya has met its obligations in contribution to the EAC integration. In addition, much of the available information points to peripheral involvement of national Parliaments at the tail-end stage of integration initiatives.

Further, Marta and Oskar study focused on the future of Parliaments in the face of a rejuvenated EU Parliament. They argued that though national Parliaments play a crucial position in conclusion of EU agreements to foster regional integration, this is only limited to ratification or otherwise. Subsequently, in the agricultural nations set up, it is contended that public Parliaments will more often than not block the expected public approval or do have ability to improve it or not. This is because of contrasts in the monetary to exchange redirection, managerial political, geological and lopsided dispersion of advantages among the states. In this manner, the speculation of the EU combination may not be material in the African set up. At long last, from the observational survey above, such a lot of exploration work zeroed in on the job of the public Parliaments in light of the Caribbean Provincial Financial Joining, Skillet African Parliament (PAP) on Local Mix in African set up and the job of European Parliament on Monetary Mix (European Association). However, the research work is still scanty based on the activities of national Parliaments on regionalism process in EAC. It is on this premise the study intended to fill research lacuna.

1.7 Justification

The research used the Kenyan Parliament of Kenya as a case study in order to undertake the study to assess the role of national Parliaments in the integration of the EAC. This is justified by a number of benefits envisaged that accrue from the regional integration process. For the academic purposes the literature review has revealed that there is a dearth of information on

national Parliaments in the EAC regionalism process. This study intends to provide valuable scholarly contribution that will fill the academic research lacuna in this study subject. Further, the study comes in handy in the consolidation of information that will assist in devising meaningful and fruitful policies and engagement of Parliaments in fostering in the regional integration process in the member states. Further, on the policy front, the study intends to make the recommendations that will be instrumental in informing policy makers in the EAC and member-states on how to enhance the procedure of regional integration. Moreover, the current study also lays the foundation upon which the existing structural and legal framework based on the Parliaments in the EAC can be redefined and reviewed with a view of enhancing EAC integration.

1.8 Theoretical Framework

The study is grounded on the Intergovernmentalism theory. According to the Intergovernmentalism theorists approach posits that the area of regional integration has emanated from convergence of national interests of various member countries, and primary actors being the Parliaments in the regional integration process. The theory was brought forward by Stanley Hoffmann and later put forward by Andrew Moravcsik. The theory is principled on the role of the states as the primary agents which control the speed and level regional integration process. The national Parliaments can increase or decrease in power or importance of the supranational level that directly springs from decisions made by governments as per their respective domestic agenda of their people.⁵³ Mikkelsen did observe that the results of inter-state negotiations during the integration process are immensely influenced by a state's relative capacity and bargaining powers.

Further, from the Intergovernmentalism views, the domestic politics within the member states influences national interests that that the governments intend to champion and/or seeks to

⁵³Ibid

protect. In this case, the member state's position based on the regional integration agenda is a manifestation of its domestic agenda in the regional integration. Hoffmann acknowledged that the national executives have the primary decision-makers due to; firstly, the possession of the legal sovereignty of the member states; Secondly, the legitimacy from the national Parliaments in the form of being the only elected officials to enhance the regional integration process.⁵⁴⁵⁵ In his view, the regional supranational institutions tend to be limited importance to the integration regional process. This study attributes to the limited significance of supranational authorities to the functions and powers as delegated to them by member states as a way of ceding their inalienable roles and powers through treaties, protocols and agreements that foster regional integration. As such, the national governments tend to withdraw their allegiance from the supranational authorities thereby rendering them feeble in the integration process.

The theory therefore comes handy to the study to examine the Kenyan Parliament role on EAC regional integration process should be based on the following key areas; First, the theory's postulation that member state actions, such as regional integration initiative are always driven by national interests according to the needs of the citizens. This happens at the supranational level which has been largely integrated based on the decisions taken by national Parliaments and governments. Second, considering the development of any political co-operation which is heavily reliant on the recognizing legitimacy of organs of the member counties' governments as the elected representatives of their citizenry; Intergovernmentalism theory provides the foundation for examining the role of Kenyan Parliament contribution to legitimizing the regional integration of EAC.

⁵⁴ Ibid

⁵⁵ Rosamond, p. 201

1.9 Research Hypotheses

The study makes the following hypotheses for research:

1. The Kenyan Parliament's peripheral nature in the integration process slows down the pace and legitimacy of the EAC integration process.
2. The Kenyan Parliament has contributed to the EAC integration process.
3. The mechanisms that Parliament of Kenya has put in place have not effectively contributed to popularizing and deepening the EAC integration process in Kenya.

1.10 Research Methodology

This section outlines the steps that must be taken in order to collect data, including the research design, research site, target population, sampling strategies, sample size, tools and methods, validity and reliability of the data collection instrument, data presentation and analysis, and data collection procedures.

1.10.1 Research Design

The current study adopted a descriptive and longitudinal research design. Descriptive design is chosen since it provides the answer of what, who, how and where related to the study problem in a given period of time. The descriptive research design provides the information the status of the research problem and it is used offer a description of the existence of the situation in respect to the variables being studied. On the other hand, longitudinal research design, is used when trying to understand and collect information about a phenomenon repeatedly over a given period of time. For instance, the period between 2017 and 2022 can be studied by the use of longitudinal research design to collect the data. Therefore, the issue of the role of Kenyan Parliament on the integration process of the EAC, descriptive and longitudinal research is deemed to be appropriate to be used to conduct the study.

1.10.2 Research Site

To assess the role of Kenyan Parliament of Kenya on enhancing regional integration process in EAC, the proposed study primarily was based in Nairobi Capital City of Kenya; the seat of Kenya's National Parliament. In addition, the study is also sourced more information on EAC matters from the headquarters located Arusha in Tanzania which is the seat of EALA and the regional Parliament for EAC regionalism process.

1.10.3 Target Population

The current study population was confined to a population of 145 comprising of Members of Parliament drawn from the National Assembly, Select Committees handling the matters concerning on East African Community and staff form the Ministry of East Africa Community.

1.10.4 Sampling Technique and Sample Size

The study adopted Taro Yamane sample size determination formulae to establish appropriate sample size from the target population of 300. The formula is illustrated as follows:

$$n = N/(1+N (e)^2)$$

Where:

n= Sample size

N= Study Population

e =Margin error (0.05) at 95% confidence level of accuracy.

The sample size is determined as:

$$n = \frac{145}{1 + 145(0.05)^2} = 106$$

The sample size therefore was 106

Table 3.1: Sample Size Determination Formula

Category	Population	Sample (n)
Members of National Assembly	89	65
Select Committee(EAC)	12	10
Ministry of EAC	44	32
Total	145	106

1.10.5 Data Collection Tools and Methods

The study employed interview schedules to gather primary information about the contribution of the Kenyan Parliament to the EAC integration process from the targeted respondents. The study aim was to utilize also the documentary methods and interviews in order get primary data which could neither be achieved through observation of available in the documentary method focused on the analyzing the EAC protocols, MoUs, government policies, treaties, minutes of EAC's meetings, speeches by officials, development plans, sectoral reports and bilateral agreements among the EAC partner states.

1.10.6 Data Collection Tools Reliability and Validity

The study conducted a pilot study to investigate reliability and validity of the data collection tool. The intention is to check and make amendments on the data collection tool. The validity was verified by my thesis supervisors based at Department of Diplomacy and International Studies (University of Nairobi).

1.10.7 Data Presentation and Analysis

The study intended to ensure that the data to be collected was reviewed and verified before the actual data analysis. The study focused on the qualitative data and will be analyzed

thematically. In addition, the qualitative data had references made based on study objectives presented in a logical sequence.

1.11 Scope and limitation of the Study

1.11.1 Scope of the Study

The study focused mainly the current 12th Parliament (2017-2022) and EAC II which came into operation in the year 2000. On the EAC II, however, the study was supposed to encompass the same time period as the present 12th Parliament, from 2017 to 2022. According to the study's goals, existing literature on the role of Parliaments in regionalism at the international and regional levels was reviewed to identify any gaps. The Parliament of Kenya's involvement in the EAC integration process was also examined. Finally, the effectiveness of the mechanisms that the Parliament of Kenya put in place to promote regionalism was evaluated.

1.11.2 Limitation of the Study

The researcher anticipated facing some challenges during the study period. Some respondents were reluctant to provide some information and, in some cases, provide scanty information just to be seen to have completed the interview. The time allocated to conduct the study to a little extent was not adequate to conduct an extensive research since the sample population was large. It might have not fully reflected the perceptions of the broader populace of the EAC that was studied. The challenges were mitigated by ensuring that there was adequate sampling of the relevant participants involved in the matters concerning the EAC integration processes activities.

1.12 Ethical Considerations

Ethical considerations play a role in social research involve access, consent and ethical issues associated with the data from study population (people).⁵⁶. The study was conducted ethically in order to receive requisite information from the selected respondents. The study requested for the respondents consent and ensured that the respondents' privacy, confidentiality and anonymity and assurance of the information they provided was guided and was used for academic purposes only. Further, the consent forms and covering letters were provided to the respondents for permission to access to archival documents and materials from the premises that have the relevant information on the problem being investigated.

1.13 Chapter Outline

This chapter covers the study's title, context, and issue statement. The study objectives, research questions, literature review, theoretical framework, research hypotheses, research techniques, study scope, study constraints, and ethical considerations are also included in this chapter. The following chapter two focuses on the factors that have shaped Kenyan Parliament in the EAC regional integration process, chapter three focuses on the contribution of Kenyan Parliament on the EAC integration matters, chapter four has focused on the efficacy of the mechanisms employed by the Kenyan Parliament to enhance EAC integration process. Chapter five has provided the study summary, conclusion based on the findings and recommendations for knowledge and practice.

⁵⁶Punch, M. *Politics and Ethics in Qualitative Research*, 1994

CHAPTER TWO

FACTORS THAT HAVE SHAPED SCOPE OF INVOLVEMENT OF KENYAN PARLIAMENT IN EAST AFRICA REGIONAL INTEGRATION PROCESS

2.0 Introduction

This chapter has examined the factors that have shaped the scope of involvement of Kenyan Parliament in the East Africa regional integration process in the post-independence period. In reference to the realist theory, usually the states tend pursue their self-interest. Consequently, Kenyan Parliament had investments to domestication of treaties and protocols, making and ratification of amendments in Pursuant of Article 2(6) of the Kenyan Constitution on Treaties regarding regional integration process in independent Kenya. This chapter therefore has explored factors that have shaped the scope of involvement of Kenyan Parliament in the East Africa regionalism process in the post-independence period.

2.1 Scope of Involvement of Kenyan Parliament in Regional Integration Process

The regional integration process through national Parliaments are not only being shaped and face constraints of many external factors but also surrounding environments of the member states. The academic literature has emphasized the role of national Parliaments that is, of Parliamentarians, as they play a significant and act as political agents who influences the regional social, political and economic system, demanding or requiring powers for own institution for decision-making process on matters regarding regional integration process⁵⁷⁵⁸.

The key interviewee also indicated that;

“The 12th Kenyan Parliament possesses fundamental powers to influence the priority agenda s of the country and EAC member states. The cooperation within the established framework of the Parliamentary diplomacy does would provide the Kenyan Parliament with a solid foundation for combining strengths and harmonizing

⁵⁷ Costa, Olivier. "La parlementarisation de l'Union: pour une approchedynamique du régime politique européen." PhD diss., Université de Bordeaux; Sciences Po Bordeaux; Centre Émile Durkheim UMR 5116; École Doctorale SP2: Sociétés, Politique, Santé Publique, 2013.

⁵⁸ Costa, Olivier, Clarissa Dri, and Stelios Stavridis, eds. *Parliamentary dimensions of regionalization and globalization: the role of inter-Parliamentary institutions*. Springer, 2013.

the efforts to improve the same functions at EAC regional level. For instance, the essence of existing Parliamentary diplomacy can be described as the utilization of the functions and powers in an effective and harmonized manner towards the further regional integration and good governance in the EAC” (KII, 2022).

For many decades, the Kenyan government, international and regional integration process through treaties developed without the Parliamentary oversight. This has now changed. Anchored to the Kenyan Constitution of 2010 introduced a greater practice of democratization of the treaty-making process, it is required that public participation and Parliamentary scrutiny in the regional integration treaty approval process. The Article 2(6) of the Kenyan constitution specifies: *“Any Treaty or convention ratified by Kenya shall form part of the law of Kenya under this Constitution.”* To this end, in order to actualize or implements the provisions of Article 2(6) of the Kenyan constitution, Parliament enacted the Treaty making and Ratification Act⁵⁹, which set out procedures for making and ratification of treaties especially on the regional integration process. Under this legal regime, the executive is expected to initiate, negotiate, sign and ratify treaties⁶⁰. When national executive initiates a treaty-making process, the executive is expected to consider other several key variables, such as the costs of formulation and adoption of treaties. When the executive decides to go ahead with the treaty process, the responsible Cabinet Secretary and consults with Attorney-General, proceed to submit the treaty text for national executive cabinet approval. Once the cabinet approves a treaty, the CS tables this in Parliament for approval or rejection of ratification⁶¹. As part of a treaty approval process, the Kenyan Parliament does facilitate it for public participation and consultation.⁶²

In order to understand the scope of Kenyan Parliament in East Africa community regional integration process in post independent Kenya, diplomatic relations with other countries, it is

⁵⁹ Act No. 45 of 2012 (Treaty Making and Ratification Act, 2012). Retrieved from <http://kenyalaw.org/lex/actview.xql?actid=No.%2045%20of%202012>

⁶⁰ Ibid, Section 4(1).

⁶¹ Ibid, Section 8

⁶² Ibid, Section 8(3).

imperative to examine roles of Kenyan Parliament based on the committee of house committee on regionalism. The house committee was established specifically for regional integration in the pursuant to the provisions of Standing Order No. 212. It is responsible for: enhancing involvement of the House in development and intensification of the regional integration process in the EAC and the greater African region; examining the records relevant resolutions and debates of the meetings of the EALA; examining the EALA Bills and acts introduced in the EALA on EAC; examining the records of debates and resolutions other regional integration bodies; inquiring into and examining any other matter concerning regional integration that requires action by the Parliament. One of the respondents stated that:

“Based on the global integrative trends, the Kenyan Parliament is an active player in the domestic and foreign affairs. As much as the Parliament participates as an executive branch in exercising the national sovereignty of the country, it assumes a controlling function of government decisions on foreign policy issues” (KII, 2022)

The study established that the 12th Parliament had approved several amendments on treaties concerning the current EAC integration process. For instance, the current Kenyan Parliament just like other Parliaments before has been active in the approval of members to the EALA. The 12th Parliament has been active in the key regional blocs that EAC functions under the seven organs that will help it attain the core mandate. The key organs the 12th Parliament has involved include; The Council of Ministers, Secretariat, the East African Legislative Assembly, East African Court of Justice, The Coordinating Committee and Sectoral Committees. The 12th Parliament has ensured that there are key policies that each partner state in the EAC affairs has been linked to various ministries, departments, counties and agencies in Kenya. In addition, it is imperative to note that 12th Kenyan Parliament has also represented Parliamentary diplomacy in the EAC member states in its capacity on institutional competence and central pillar of external and internal and political scenes and takes part in the EAC internal relations especially in the member countries.

The Kenyan Parliament and Kenya being a part state likewise carry out a basic monetary role in the provincial cycle in the EAC. In EAC arrangement and arrangements, the part states are expected to make monetary commitments to the EAC matters, in light of an acknowledged or concurred commitment equation to settle the vital functional expenses of the local area. The Gathering of Heads of Government is the last expert on questions connecting with the monetary undertakings of the Local area, while the Local area Committee, including Pastors dependable Local area Undertakings or some other assigned Priest, looks at and endorses the Local area's financial plan. The Part States' commitments are designated in public financial plans and are in this way a matter for pondering and endorsement by public Parliaments when they banter the yearly spending plan.

It established that while the 12th Kenyan Parliament has been active in its legislative role, there has been a conflict of interest to support the EALA to support some agendas as to whether to continue promoting the interest of the community or putting first the state interests. To some extent, there has been a dilemma which has translated to compromised bills and amendments of treaties and protocols passed to favour EAC affecting the citizens and the regional integration process with Kenyan neighbours actively involved in the EAC as the member states. It has been also observed that to a certain extent Parliament just ratify the protocols rather than being actively engaged in the process as most of the bills are presented at EALA rather at the Parliament by the council of ministers of the member states even before passed through the Kenyan Parliament. This means that the Kenyan National Assembly agendas as a member state little take precedence as opposed to the community need of the member communities to promote the integration process.

The concentrate likewise settled that twelfth Parliament has made a few suggestions to the EAC gathering on the issues connecting with the local area and execution methodologies for improving territorial mix. A portion of the issues are on political affiliations. In spite of the normal patterns in the Kenyan public gathering, the House has guaranteed that the laid out

conventions on affiliations in the Kenyan Parliament are pretty much not connected with the public loyalties of the other part states rather than Kenyan ideological groups to cultivate the a more grounded degree of EAC mix process. The different political impetuses as gone through the Kenyan Parliament in the EALA, the EAC people group Parliament, rather than the Kenyan public Parliament, works fair and square of reconciliation in the EAC. With regards to the EAC matters, the Twelfth Kenyan Parliament is pretty much a specialized body rather than a political body in the joining system. Thus, the Twelfth Kenyan Parliament guarantee that there is amazing skill appeared in the specialized part of the EAC issues to upgrade the degree of combination since the political affiliations gets no opportunity of hampering the joining endeavors because of Parliament obstruction.

Best on the review discoveries, it was figured out that the Kenyan Public Gathering has had the option to cultivate mix through the arrangement of the authoritative plan as far as giving an evenhanded and adjusted approach towards the combination cycle to deal with the previous issues that had and are attempting to damage the previous East African territorial mix process. The design is to guarantee that the plan for the local block is generally individuals focused and it is fit for accomplishing the continuous requests of the every one individuals in the part states in a manageable way. The role of Parliament in the process of making laws has enhanced the institutions that can facilitate laws and implementation and is central to the regional integration process.

The scope of Parliament involvement in the EAC integration process was witnessed with issues dealing with the enhancement of the Parliamentary diplomacy. This was exhibited in the manner in which the 12th Parliament related with the EALA. The functions were well spelled to ensure the activities were well engaged with all the member states in the national legislative bodies that the regional integration process was achieved. Therefore, despite prioritization of the individual members states' interests during their representation, legislative process and oversight, the regional organ was able to advance Parliamentary

diplomacy by executing some bills that have passed bearing in mind the national and regional interests. The Kenyan Parliament in conjunction with the EALA have ratified such bills inclusive of other member states on issues dealing with the implementation credible projects and programs in different sectors such as goods and services, infrastructure, agriculture, food security wildlife and tourism sectors. Through this process, spirit of regionalism is slowly overtaking the spirit of nationalism. One of the respondents stated that;

"The Kenyan Parliament has improved Parliamentary tact which is crucial in upgrading local coordination process. The Parliament enacts on issues that have reinforced the legitimate system inside which the Kenya can connect with other part states; as far as oversight job and portrayal remembering holding the Kenyan sovereign powers. The public gathering has given a legitimate structure on the areas of participation which should be gotten without encroaching the sovereign specialists Kenya and her part states in the EAC"(KII, 2022).

2.2 Factors Shaping Kenyan Parliament in Regional Integration Process

Based on the majority of respondents' views, the 12th Kenyan Parliament has to a larger extent has been involved in regional integration. This is attributed to several reasons based more on interaction among the member states. Nowadays, the level of interaction is more compared to past years and prior to establishment of the EAC regional organ for the member states. The Kenyan Parliament is involved in regionalism affairs dealing with the customs union matters which is one of the first regional integration milestone that has laid a ground for critical foundation of the East African Community (EAC), which has been in force since 2005.

In a similar spirit, the respondents claimed that the existence of the single market was the reason the 12th Kenyan Parliament became active in EAC regionalism. One of the landmarks for economic regional integration that has been in effect since 2010 is this. This is in conformity with the EAC Treaty's stipulations. It comes after the Customs Union, which was established in full in January 2010. The responses said that the EAC Common Market's

operations are governed by legislation and oversight for national reasons, including as the avoidance of discrimination against Kenyans and other nationals of other member nations based on their nationality. The other rule is to guarantee there is equivalent treatment to nationals of other accomplice states; guarantee straightforwardness in issues concerning the other Accomplice States; and offer data for the smooth execution of the Convention. Subsequently, the twelfth Kenyan Parliament guaranteed that normal market functional standards are according to the conventions and deals endorsed to safeguard the Kenyans and their inclinations very much like any of other part states.

As per the respondents, since the financial joining is critical to the foundation of the EAC, the twelfth Kenyan Parliament was key on guaranteeing there was co-activity in money related and financial issues according to the EAC arrangement to lay out money related steadiness inside the Local area, pointed toward working with monetary mix endeavors and the accomplishment of maintainable financial advancement of the EAC. The issue of fiscal matters forced the Kenyan Parliament to be involved in matters. Since one of the pillars of the EAC Partner States aim to harmonize the financial, monetary and fiscal policies; payment and settlement systems; policies and standards as per the Kenyan constitution, the 12th Kenyan Parliament ensured that policies formulated also adhered to the sovereign authorities in respect to enhancing EAC regional integration process.

The respondents featured that the issue of political league as a key component that molded the twelfth Kenyan Parliament to engage in the EAC joining process. As accommodated under Article 5(2) of the Arrangement for the Foundation of the East African People group security approaches, great administration and successful execution of the earlier phases of Territorial Mix are central points of contention to be addressed if the interaction must be smooth and accomplish manageable turn of events. Since the fulfillment of the Political League is an interaction; and however, the cycle had been slow, the twelfth Kenyan Parliament was

inspecting available resources of speeding up and extending the cycle through a proper a most optimized plan of attack system.

Further, one of the factors that did stand out from study findings is EAC political good will. It is noted and agreed that political goodwill and good political leadership do make regional integration grow very fast. The political leaders of the member countries must should show good will as well to share power and governance with other member states and ensure there is give and take in the development framework of EAC integration like in the case of the EU member states. One of the basic elements in the EU integration is political goodwill where the member states agreed to cede some of their sovereign authorities to the existing regional institutions within EU members for economic purposes such as trade and political dimensions in terms of labour movement and immigration handled by the supra-institution of the EU integration. In the current study, it was highlighted by the respondents that the 12th Kenyan Parliament showed political goodwill. However, the legislation and oversight is slowly focusing on the political and economic power that leaves the EAC handling very shallow and PR issues for the region without interference or favour of one or two state members.

It was established that 12th Kenyan Parliament was involved EAC integration process due to the existence of foreign policy about the EAC, there is need for citizen engagements and participation of the Kenyans to know what is going on within the EAC, or the agenda being driven by the institution for their benefits. According to the Kenyan Constitution, the element of public participation is a key pillar and Kenyan Parliament has to be involved. The Kenyans need to be well articulated in order to promote well the citizen engagements in the concerned foreign policy processes focusing on building citizen awareness regarding the benefits accruing from the region integration process. The delegate advisory groups in the Kenyan Public Gathering, that is the Board of trustees on the agent warning groups in the Kenyan Public Assembling, that is the Leading group of legal administrators on Neighborhood Mix, attempts to ensure that the main degrees of sensibility are accomplished during plan of the

courses of action. Along these lines, the authoritative social event through its oversight capacity is requested to ensure that the new and game plan approaches are generally around composed and saved considering their suitability to redesign EAC nearby compromise process.

2.3 Chapter Summary

This section has focused on the scope of involvement of the Kenyan Parliament in the EAC regionalism process. The scope of involvement includes; foreign policy, ratification of treaties and Parliamentary diplomacy. It was established that the national Parliament was active in ratification or approval of protocols and treaties and these instruments have become part of laws of the member countries which require involvement of Parliament. The inclusion of Parliamentarians in the regional integration process activities saw to a larger extent effective implementation and monitoring of activities geared towards a cohesive regional integration process in the EAC. The study findings have also indicated various factors that have shaped scope of involvement of Kenyan Parliament in the integration process. These factors such as level of interaction, common market, customs union, political goodwill, fiscal matters, citizen public participation and awareness in the EAC integration process. Therefore, the study findings have indicated that Kenyan Parliament in the regional integration has been established to be more profound than before. The next chapter focuses on the contributions of the Kenyan Parliament in the EAC integration process.

CHAPTER THREE

CONTRIBUTIONS OF KENYAN PARLIAMENT IN EAST AFRICA COMMUNITY INTEGRATION PROCESS

3.0 Introduction

In reference to the previous chapter of the factors that have shaped the scope of Kenyan National Parliament involvement in the regional integration process, this chapter has examined the contribution of Kenyan Parliament in the East Africa regional integration process in the post-independence period. The national Parliaments have legislative powers but their contribution has usually been to a great extent limited to the exercising of internal legislative, domestic policies and budgetary authority⁶³. However, owing to globalization and internationalization, the unprecedented manner in which different religions, civilizations and cultures meet, the domestic and international affairs can no longer be separated from them⁶⁴. The development of these national Parliamentary assemblies and networks worldwide has revealed the qualitative roles the national Parliaments contribute in any endeavour, particularly on the issue of regional integration⁶⁵. To this end the close cooperation with the regional, national deliberative organs and national Parliaments have been held in consultative meetings to deliberate matters such as the harmonization of legislation and how to move the regional integration agenda forward collectively in the partner states⁶⁶. Consequently, Kenyan Parliament had contributed to integration initiatives through the establishment of Select Committee on Regional Integration under National Assembly Standing Order 212(2). The Committee provides goodwill in terms of making recommendations to the House on financial

⁶³Murithi, Tim, and Angela Ndinga-Muvumba. "Building an African Union for the 21st Century: Relations with Regional Economic Communities (RECs), NEPAD and Civil society." (2005).

⁶⁴Jancic, Davor. "Regional Parliaments and African economic integration." *European Journal of International Law* 30, no. 1 (2019): 199-228.

⁶⁵Kizito, Ehigiamusoe Uyi, and Udefuna Nnadozie Patrick. "The role of Parliament on economic integration in Africa: Evidence from ECOWAS Parliament." *IOSR Journal of Humanities and Social Science* 4, no. 1 (2012): 1-10.

⁶⁶Cavallaro, Matteo, David Flacher, and Massimo Angelo Zanetti. "Radical right parties and European economic integration: Evidence from the seventh European Parliament." *European Union Politics* 19, no. 2 (2018): 321-343.

and material support; domestication of treaties and protocols, making and ratification of amendments in pursuance of Article 2(6) of the Constitution relating to Treaties⁶⁷ regarding regional integration process in post-independent Kenya. This chapter therefore has explored the areas of contribution of Kenyan Parliament in the East Africa regional integration process.

3.1 Establishment of Select Committee on Regional Integration

The study traced efforts at EAC regional integration currently and argued that regional integration process relies on the association government can be able to improve with the people⁶⁸. It asserts that regional integration if it has to have any meaning, national Parliament, as one of the institutions which represents people, should have integral part of the regional process⁶⁹ and, if Parliament is to remain relevant to the regional integration, it must be part of the action and debate from the start⁷⁰. It is on this premise the 12th Kenyan Parliament under the Standing Order 212(2) established Select Committee on Regional Integration.

The committee was established to oversee the matters concerning EAC integration process. The select committee on Regional Integration was established in the National Assembly under the Standing Order 212(2) and is mandated to ensure there is enhancement in the participation of the National Assembly in the development and intensification in the EAC regional integration process. The committee is also involved in examining the records concerning the resolutions and debates of the meetings of the EALA. The established committee has been involved in examining the bills introduced in the EALA and EALA Acts. The select committees on Regional Integration as established in the National Assembly under the Standing Order 212(2) also participates in inquiring into at the same time assess any other

⁶⁷ Kenya, LAWS OF. *The constitution of Kenya: 2010*. Chief Registrar of the Judiciary, 2013.

⁶⁸Gatsinzi, Philip. "Implementing the African Economic Community Treaty: The Role of Regional Economic Communities in Africa's Trade and Market Integration." Master's thesis, University of Cape Town, 2010.

⁶⁹Nwonwu, Francis. "Regional Integration in Africa: Constraining Issues and Implications for Economic Development." (2017).

⁷⁰FrimpongOppong, Richard. "The African Union, the African Economic Community and Africa's regional economic communities: untangling a complex web." *African Journal of International and Comparative Law* 18, no. 1 (2010): 92-103.

matter that relates to the EAC integration process that requires an action from Kenyan Parliament.

3.1.1 Achievement of Select Committee on EAC Integration Process

The study revealed that the select committee had achieved various milestones on supporting EAC integration process. The main areas that were focused to enhance EAC integration process included; oversight activity to the Lake Victoria Basin Commission (LVBC). The select committee recommended and passed bills to provide adequate funding and include partnerships with the private sector to put more resources and attract funding for its activities. The respondents also stated that the Select Committee on Regional Integration supported the EAC integration process in regard to LVBC by improving coordination of environmental protection and sustainability, partner states were encouraged to support the assent to the Forestation Conservation and Management Bill, 2015 and proposed Lake Victoria Basin Commission Bill, (2019) fast tracked.

In addition, the Select Committee on Regional Integration while focusing on matters concerning EAC integration process, Select Committee on Regional Integration supported the EALA committee on oversight activity of preparedness of partner states in the management of epidemics. The residents highlighted that Select Committee was active on encouraging development of a policy for collaboration and response to epidemics of communicable diseases.

“The Select Committee on Regional Integration supported the EAC integration process on the general purpose in exercising its oversight mandate in preparedness of epidemics, for example, were involved in the republic of Rwanda and Uganda from 13th to 15th September, 2019 to assess the level of preparedness of the EAC members in the management of Dengue fever and Ebola epidemics” (Select Committee, 2022).

Based on the study findings indicted that the Select Committee on Regional Integration was actively involved in facilitating the civil societies championing matters crucial to the

importance to the EAC people. This was enhanced through collaboration with all the stakeholders with the member states and the development partners for the benefit of EAC people. The key interview stated that;

The select committee on Regional Integration supported a petition by East African Civil Society Organizations Forum (EASCOF) which played a watchdog on compliance with treaty provisions by member states. The petition was premised on compliance with the treaty provisions by the partner states on who had not met their financial obligations to the community thus adversely affected the operations of the EAC secretariat projects and programmes being implemented to enhance the EAC integration process". (KII, 2022)

The study findings revealed that the Kenyan Parliament Select Committee on Regional Integration was actively involved and contributed to the regional affairs and conflict resolution of the oversight activity focused on proliferation of light weapons and small arms in the East Africa Community. The integration process was affected by the SALW, persistent issues of illicit trafficking and trans-boundary crimes did affect lasting peace in the EAC region.

"In March 2019, the Regional Affairs and Conflict Resolution (RACR) committee analysed the Council of ministers' report on the progress made by EAC on the common foreign and security policies. The RACR report highlighted that issues dealing with security were of great concern towards the EAC integration process due to proliferation of SALW. The committee resolved to undertake a comprehensive activity to assess the proliferation of SALW and its effects as well as impact of control of SALW in the EAC region" Select Committee)

As per the review discoveries, it was laid out that t Panel added to help the EALA advisory group on the Farming, The travel industry and Normal asset on the oversight action zeroing in on the exhibition of the travel industry area in the district. The select panel embraced to foster an aggregate and composed way to deal with the advancement and showcasing of value the travel industry into and inside EAC. One of the respondents expressed that;

“In September 2019, the Select Committee on Regional Integration undertook an oversight activity assist the development and challenges facing the tourism sector in the EAC and level of cooperation among the member states” (KII, 2022).

3.2 Domestication of Protocols and Ratification of Amendments

The inquired from the respondents the areas of contribution of the 12th Kenyan Parliament on EAC integration process. Based on the research findings, it was established that the contribution of Kenyan Parliament on the matters concerning the EAC integration process was witnessed in the various protocols that were considered and ratified during the time of carrying out the study. It was found out that some of the protocols that were considered and ratified included; The Protocol on Cooperation of Meteorological Services, the Protocol on Information and Technology, and the Memorandum on Ratification of the Amendment to Article 24(2) of the Protocol on Establishing the EAC Customs Union.

The study established that based on the availability of information during the time of carrying out the study, Protocol on Cooperation of Meteorological Services; and The East Africa Community Protocol on Information and Technology were awaiting ratification by other member states for them to come into force. However, the Protocol on the Establishment of the EAC Customs Union's Memorandum on Ratification of the Amendment to Article 24(2) had been operationalized. The report on the ratification of the EAC Customs Union Amendment. The operationalization of Trade Remedies Committee that will provide the EAC member states a platform to handle the EAC member states a platform to handle matters to anti-dumping measures, rule of origin, countervailing and subsidies and measures and safeguard measures within the EAC customs union.

3.3 Financial and Material Support

The national Parliaments also have a critical contribution based on the budgetary function to enhance the integration process⁷¹. The EAC partner states are required to make financial contributions, grounded on the developed and agreed formulas, to operational costs defrayed in the regional integration. However, EAC partner states' contributions must be allocated in the respective national budgets and thus they are deliberated upon and approved by national Parliaments when they discuss (debate) their budget annually. One of the respondents stated that;

“The challenge in the National Assembly is the mechanism for tracking the implementation of decisions agreed to at the regional integration level. The member States find it difficult to take their governments responsible when follow-up actions are not taken on this matter. It has been observed since there has been serious deliberation of EAC regional integration, especially from the financial perspective. Due to various domestic economic and financial issues among the partner states, the progress of regional integration has been slow” (KII, 2022).

In addition, the Kenyan Parliament does provide the financial and material support which contains provisions for the application of instruments in support of integration, which takes into account the specific circumstances of the member countries and their needs focusing on the financial support and policy space development to enhance EAC integration process. It was however established that, the Committee is not involved in the consideration of budgetary allocation to the Ministry of Regional Integration. This is a gap that could be considered for review, given that the Committee seemingly well placed to link the challenges of integration to resource gap and therefore make appropriate recommendations on budget allocation necessary to fast track key integration initiatives. The National Parliament focuses on the degrees varying for allowing deliberations and Bills on the costs adjustment that cushion to building capacity and investments for support financial support and operations of the EAC programmes.

⁷¹Shehu, Sani. "The roles of ECOWAS Parliament on regional integration of the West African sub region." *International Journal of Administration and Governance* 1, no. 4 (2015): 119-122.

“The contribution of Parliament on the convergence fiscal and policy fiscal is of great necessity on the regional integration. While the concept the of calculus benefit-cost the given, progress enhance and, EAC projects and programmes, integration financial among the member states has improved infrastructure in the community which is a key pillar for the integration process” (Select Committee, 2022)

3.4 Chapter Summary

The review laid out that the Kenyan Parliament plays had huge impact and made specific measures to reinforce EAC reconciliation process. The section reasons that the Parliament of Kenya plays had a huge impact through the taming of deals and conventions, making and sanction of revisions in Kenyan constitution Compatible of Article 2(6) on Settlements; Establishment of Select Committee on Regional Integration by the National Assembly under the Standing Order 212(2), a show of goodwill (financial, timely domestication of protocols and treaties relating to EAC matters, material support), and participated to other actors such as the EALA. The next chapter has examined the efficacy of the mechanisms employed by the Kenyan Parliament to enhance EAC regional integration process.

CHAPTER FOUR

EFFICACY OF MECHANISMS EMPLOYED BY KENYAN PARLIAMENT IN ENHANCING EAST AFRICA INTEGRATION PROCESS

4.0 Introduction

In reference to the previous chapter on the contributions of Kenyan Parliament in the EAC integration process, the current chapter has assessed the efficacy of the mechanisms employed by the Kenyan Parliament in enhancing the EAC integration process. A Parliamentary mechanism can be understood as any form of Parliamentary body that can take the form of a task force, Parliamentary committee or a working group⁷². It should be noted that due to the all-encompassing nature of the EAC integration agenda, all issues that come before a national Parliament can be considered to be related to the mechanisms employed or at least have a (negative or positive) impact on their attainment⁷³. Parliaments do play a crucial role in management of the implementation of the EAC integration agenda are just, equitable and leaves no member state behind⁷⁴. In addition, national Parliaments are the institutions that are provided with the democratic legitimacy for international agreements, treaties, such as the EAC integration agenda⁷⁵.

The study findings indicated that while the effective oversight mechanisms include a continuous monitoring and evaluation, there are given Parliamentary practices that have been leveraged to strengthen the in-country monitoring or evaluation capacity of the EAC integration matters. Therefore, the efficacy of mechanisms adopted are based on the Parliamentary review by the key officials (commissions), updates from executives before the

⁷² Moe, Terry M., and Michael Caldwell. "The institutional foundations of democratic government: A comparison of presidential and Parliamentary systems." *Journal of Institutional and Theoretical Economics (JITE)/Zeitschrift für die gesamte Staatswissenschaft* 150, no. 1 (1994): 171-195.

⁷³ KApistolache, Mihaela-Adina. "Questions and interpellations-concrete and direct means of exerting Parliamentary control." *Petroleum-Gas University of Ploiesti Bulletin, Law & Social Sciences Series* 64, no. 1 (2013). reppel, Amie. "Legislatures." In *Comparative politics*, pp. 119-138. Oxford University Press, 2020.

⁷⁴ Jayathilake, Tikiri K., and Nipunika Tennakoon. "Policy and Legislation Evaluation and Scrutiny by Parliament of Sri Lanka: Case Study." *JSEAHR* 5 (2021): 154.

⁷⁵ Jancic, Davor. "Regional Parliaments and African economic integration." *European Journal of International Law* 30, no. 1 (2019): 199-228.

committees that is facilitated through the inclusion of the requirements based on the reports, queries about the initiatives that have taken and the results from regular 'question time', the public requests concerning the queries from the ministries or the other executive bodies focusing on the EAC matters, the request of committee for the findings of the investigations commissioned and auditing bodies externally do not lack adherence to the EAC needs. Based on Select committee report on the EAC integration process states that;

"The advisory group oversight is one of the most grounded components that anyone could hope to find to Parliaments to take part in EAC combination process. It gives the Parliamentarians a chance to straightforwardly survey, look at and examine in more profundity whether laid out regulations, strategies, regulations and projects are actually carried out on the side of the EAC and, if not, to make suitable suggestions on the most proficient method to improve to upgrade the mix cycle. Parliamentary councils really do practice powers to request and access data, reports from government organizations, to question the public authority authorities and to hold the assessments and hearings (counting through field visits) to illuminate and instruct how they might interpret how the public authority carries out release its responsibilities towards the EAC mix issues influencing the nation and accomplice states. The Parliamentary panels truly do give the Parliamentarians a valuable chance to embrace more itemized assessments of the basic issues by designating sufficient opportunity to the singular issues and by drawing in a wide cross-segment of the critical partners in their consultations on the EAC combination matters."

4.1 Efficacy of Mechanisms to Enhance EAC Integration Process

The national Parliaments, constitutionally charged to provide an oversight for the executive branch in the legislation process implementation⁷⁶ and budget policies⁷⁷, plays a significant role on assessing information⁷⁸ on EAC integration process based on the implementation from a number of sources. The established Parliamentary oversight committees and their activities are likely to strengthen member states the capacity for EAC issues implementation

⁷⁶ Whitmore, Sarah. "Parliamentary oversight in Putin's neo-Patrimonial state. Watchdogs or show-dogs?." *Europe-Asia Studies* 62, no. 6 (2010): 999-1025.

⁷⁷ Rupiya, Martin R. "The Emergence and Context of Parliaments in Africa." 3 *The New Parliamentary Peace-Building Paradigm in Africa* by Jeff Balch 10 *The Emergence and Context of Parliaments in Africa* 1 (2007): 110.

⁷⁸ Jancic, Davor. "Regional Parliaments and African economic integration." *European Journal of International Law* 30, no. 1 (2019): 199-228.

through the requested executive branch evidence that is implementing activities in keeping with EAC priorities, or by focusing on the sector-specific questions on the effectiveness of particular adopted activities or strategies or activities.

"In order to monitor the implementation of EAC matters, the Select Committee on Regional Integration analyzes the correlation between the priorities stated in EAC projects and programs and the actual expenditure on line items, just as the House of Representatives scrutinizes the budget in light of EAC priorities. With a mandate from the Parliament to oversee how the executive branch is implementing EAC affairs, it has the authority to hold all relevant ministries or agencies accountable for under- or overspending on EAC projects and programs (Select Committee Report, 2022).

The review laid out that the Parliamentary survey of the financial plan in light of the EAC needs was of extraordinary need at the select council examination of area explicit connection between the EAC needs as expressed in the EAC ventures and projects on the genuine consumption on details was basic important piece of the piece of the observing execution of EAC joining process. The Parliament command was to give an oversight to the presidential branch to give an adequate authenticity to call services and offices to check the lacking or the unnecessary consumption levels for the EAC ventures and projects. Based on the Select Committee (2022) report;

"The Parliament examination of the public reports or hearings is one of the best method for reinforcing the homegrown ability to improve EAC incorporation process. The turn of events and systematization of the Parliament oversight limit could incorporate hearings workplaces, office of financial plan the board with services, evaluating organizations (where they exist), or potentially resident observing associations on EAC matters"

In addition, it was established that Parliament improves the effectiveness of the established mechanisms proactively by providing information to the citizens by reviewing the developed draft laws. This is carried out through the publication (online or newspaper) of the drafted laws. The scheduling of the meetings that reviews the drafted laws and submissions calling from various groups and individuals. Based on the online portals that can facilitate the citizen's input concerning the legislation that have been developed among the partner

countries; they have allowed their citizens to not only follow the Parliamentary discussions and do submit the questions and comments, but also to effectively participate in different levels during the legislative process.

Further, it was established that the Parliament had a lending greater participation through its representative nature. The annual reports that adjustments to EAC programs or priorities were made, thus Parliamentary reviews as provided an additional check on if pending budgetary allocations and legislation were in line with the EAC project or programmes' priorities. This was also provided to the implementation of a system of suggestions for regional integration pre-report presented to the relevant working groups or ministries by select committees. According to one of the interviewees,

"The techniques for Parliament to add to Yearly EAC Progress Reports incorporate; Parliamentary board reports to EAC combination process, area explicit select council hearings on sectoral EAC drives finishing in pre-report suggestions to be embraced to improve EAC reconciliation process. There is likewise a whole survey and goal in the help of the yearly advancement report; and the sub-Parliamentary gatherings accumulated the city input in regards to explicit areas on issues of EAC joining process" (KII, 2022).

Based on the study findings, it was established that there was integration of the Kenyan Parliamentary committees into monitoring and evaluation in EAC matters. The Parliamentary working and interaction with M & E groups participate in the enhancement of the EAC integration process through a broader political legitimacy. Here, the institutionalized Parliamentary interaction is assigned a number of the Parliamentarians who serve in the relevant sectoral committees in order to participate as the key observers of the M & E groups, or, assess a regular schedule for the Monitoring and Evaluation of teams' brief relevant committees on their key findings. As a result, this technique strengthens domestic checks, particularly on patronage systems, and promotes transparency of general budget expenditure. The crucial interview mentioned that;

"To this end, Parliamentarians are proactive in pushing the public authority to make fundamental moves on EAC matters. Numerous components exist which incorporate; interpellations, question time, composed questions, the solicitations to bureau secretaries to show up before select panels of local reconciliation, proposing a goal or a non-restricting movement, which can cause to notice issues of public interest concerning EAC matters. The advisory group requests are valuable and have added the advantage of coordinating the public conferences on the EAC issues and empowered the Parliamentarians to give satisfactory and substantial suggestions to the public authority on EAC matters that require any activity structure the Parliament to help the EAC mix process" (KII, 2022).

Another interview stated that;

"The most effective Parliamentary mechanism adopted is demanding accountability on EAC issues from the government is through mechanisms that enable the Parliamentarians to directly interrogate cabinet secretary or other officials in charge of EAC regarding matters falling within their portfolios. The interpellations are submitted with notice to give an official or cabinet secretary sufficient time to arrange to attend to deliberate the issues of concern" (KII, 2022).

The study established that the consolidation of Parliamentary involvement in EAC integration matters was conducted by the Kenyan Parliament as a mechanism to enhance the regional integration process. The EALA is also supported by the EAC Parliamentary network through the national Parliament. On a regional basis, the socio-economic challenges proving an opportunity for successes sharing, lessons together with the experiences that have been learned. Therefore, the Kenyan Parliamentary has established networks do offer to discuss challenges, implement and evaluate the EAC initiatives to ensure that the integration process based the value of these member states thrive. One of the respondents stated that;

"The public Parliament components embraced to upgrade EAC reconciliation Interaction is reinforced through the local Trades by the Parliamentary public effort, further developing correspondence with the presidential branch, planning observing endeavors and adding to yearly EAC audits. By introducing components for cooperation of common society in the Parliamentary dynamic with regards to the EAC reconciliation process, the venture will likewise contribute towards "empowering common society to partake in strategy definition and dynamic cycles", as one of the EAC pointers in the confidential area" " (KII, 2022).

4.2 Chapter Summary

The study established that the Kenyan Parliament has adopted mechanisms to enhance EAC integration. The chapter concludes that the Kenyan Parliament mechanisms focused on the legislation, budget, representation, oversight and monitoring. The efficacy of the mechanisms was based on the based on the Parliamentary review on the key officials confirmation , the executive updates before the established Parliamentary committees do facilitate the reporting requirements inclusion , investigate more about the initiatives taken and the results developed from the regular ‘question time’, the public requests for the required information from executive bodies and other ministries concerning EAC matters, the request of the committees for findings of the commissioned investigations and external auditing bodies on adherence to EAC matters. The summary of the results is presented in the following chapter in regard to the factors that have shaped scope of involvement, contributions and mechanism efficacy of Parliament of Kenya Parliament in the EAC integration process.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

The section offers a summary of outcomes and has presented the necessary recommendations in relation to with the objectives. The chapter has brought out a conclusion based on the study findings. This will allow further studies into the study field by interested researchers and scholars. In addition, the conclusion and recommendations may act as point of future reference to those interested in the study.

5.2 Summary of the Study Findings

The current study focused on role of Kenyan Parliament on enhancing EAC integration process. The study focused on three objectives; to analyze the factors shaping the scope of Parliament of Kenya involvement in the integration process of the EAC; to examine the contribution of the Kenyan Parliament regional integration process of the EAC; and to evaluate the efficacy of the mechanisms employed by the Kenyan Parliament in enhancing regional integration process in EAC. Based on the majority of respondents' views, the 12th Kenyan Parliament has to a larger extent has been involved in regional integration within the East Africa region. The regional integration process through Parliament is not only shaped by many external factors but also that surrounds the environments of the member countries. The inclusion of Parliamentarians in the regional integration process activities saw to a larger extent effective implementation and monitoring of activities geared towards a cohesive regional integration process in the EAC. The study findings have also indicated various factors that have shaped scope of involvement of Parliament of Kenya in integration process. The Kenyan Parliament has legislative powers but the contribution towards the EAC integration process has usually been to a great extent limited to the exercising of internal

legislative, domestic policies and budgetary authority. The Kenyan Parliament has adopted mechanisms to enhance EAC integration through legislation, budget, representation, oversight and monitoring.

5.3 Conclusion of the Study

The first objective was to study the factors that have shaped the scope of involvement of Kenyan Parliament in the East Africa regional integration process in the post-independence period. The study concludes that in reference to the realist theory, usually the states tend pursue their self-interest. Consequently, Kenyan Parliament had investments to domestication of treaties and protocols, making and ratification of amendments in Pursuant of Article 2(6) of the CoK on Treaties regarding regional integration process in independent Kenya. The regional integration process through Parliament is not only shaped by many external factors but also the environment that surrounds the member countries. The Kenyan Parliament has been involved in regional integration due to issues dealing with the common market, customs union, fiscal policies political federation, political good will and foreign policy about EAC.

The second was to examine the contribution of Kenyan Parliament on EAC integration process. The study findings indicated that the Kenyan Parliament had contributed to establishment of a Regional Integration committee by the National Assembly under the Standing Order 212(2), goodwill in terms of financial and material support; domestication of treaties and protocols, making and ratification of amendments in Pursuant of Article 2(6) of the CoK on Treaties regarding regional integration process in independent Kenya. The Select Committee on Regional Integration was established to oversee the matters concerning EAC integration process. The Regional Integration select committee on was established in the National Assembly under the Standing Order 212(2) and is mandated to ensure there is enhancement in the involvement of the National Assembly in the development and intensification of the process of integration of EAC.

The study concludes that based on the research findings, it was established that the contribution of Parliament in the process of EAC integration was witnessed various protocols that were considered and ratified during the time of carrying out the study. It was found out that some of the protocols that were considered and ratified included; The Memorandum on Ratification of the Amendment to Article 24(2) of the protocol on the establishment of the EAC Customs union, Protocol on Cooperation of Meteorological Services; and The East Africa Community Protocol on Information and Technology. The national Parliaments also have a critical contribution based on the budgetary function to enhance the integration process. The EAC member countries make financial contributions, based on the established and agreed formulas, to defray operational costs in the regional integration. However, EAC partner states' contributions must be allocated in the respective national budgets and thus they are deliberated upon and approved by national Parliaments when they debate (discuss) their annual budgets. In addition, Parliament does provide the material and financial support which contains provisions for the use of instruments in support of integration, which takes into account the specific circumstances of the member States and their needs in terms of financial support and policy space development to enhance EAC integration process. The national Parliament focuses on the degrees varying for allowing deliberations and bills on the costs adjustment that cushion to building capacity and investments for support financial support and operations of the EAC.

The third objective was to examine the efficacy of mechanisms employed by the Parliament in enhancing the EAC integration process. The study concludes that while the effective oversight mechanisms include an evaluation & E. There are certain Parliamentary practices that are leveraged in order to enhance the in-country monitoring or evaluation capacity of EAC integration matters. The national Parliament, was constitutionally charged to provide an executive branch oversight in the implementation of budget policies and legislation, plays a significant role on assessing information on EAC integration process implementation from a

variety of sources. The stated that as part of monitoring the EAC integration process, the Parliamentary review budget in light of EAC analysis of priorities based on sector-specific relationships between the EAC priorities as articulated in EAC projects and programs expenditure.

5.4 Recommendations

Based on the study findings, it is recommended that there is need to scale up the scope of involvement of the Kenyan Parliament in the EAC regionalism process focusing foreign policy, ratification of treaties and Parliamentary diplomacy and is largely executive-driven. The national Parliament needs to be active in ratification or approval of treaties and protocols and such since these instruments have become part of national law with Parliamentary involvement. This should be in tandem with the key factors that have shaped the Parliament in the EAC integration process by focusing issues dealing with customs union, common market, political federation, goodwill, leadership and foreign policy specifically on matters relating to EAC issues.

The study findings indicated that Parliament of Kenya played significant contributions and created certain measures to strengthen EAC integration process. The study recommends that there is need for the Kenyan Parliament to improve has played a significant role they play through the domestication of treaties and protocols, making and ratification of amendments in Pursuant of Article 2(6) of the CoK on Treaties; Establishment of Select Committee on Regional Integration by the National Assembly under the Standing Order 212(2), a show of goodwill (financial, timely domestication of protocols and treaties relating to EAC matters, material support), and participated to other actors such EALA.

The study recommends that the Kenyan Parliament needs to improve on the efficacy of the mechanisms adopted to enhance EAC integration process. This can be carried out through effective e legislation, budget, representation, oversight and monitoring. The efficacy of the

mechanisms need to be anchored to the Parliamentary review or key officials confirmation (commissions), committees inquiries from the executive updates e (facilitated through interpellations, reporting requirements inclusion and queries) about results and initiatives during the regular ‘question time’, public requests, external auditing bodies based on the committee request and commissioned investigations on issues with adherence to EAC needs.

5.5 Recommendations for Further Research

In pursuant to the foregoing study findings, this study can make some recommendations in regard to the role of Kenyan Parliament in EAC regional integration process. The study made some recommendations amongst them being that the effectiveness of national Parliament should not be at the periphery in the EAC integration process and must be more inclusive. Therefore, the research recommends that there is need to conduct a further academic study on the role of the EALA in regional integration process to discern the issues affecting the EALA in playing its role in regional integration process. There is need on the role of regional Parliaments on process of EAC integration. The achievement of a political federation is a key to establish EAC integration and how it facilitates the national Parliaments to develop policies, treaties and ratifications of laws to enhance EAC integration process. A further study is required to examine how national Parliaments can be used in fostering the processes of representation, legislation, budgeting and harmonization of Laws through enhancing the EALA or EAC matters to foster EAC integration process.

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APPENDIX1: Interview Guide

Section A

Factors that have shaped the scope of involvement of Kenyan Parliament in the integration process of the EAC

Please provide your opinion on the following areas:

- 1. The design of the Treaty for the establishment of the EAC and its influence on the scope of involvement of Kenyan Parliament in the integration process of the EAC

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- 2. Preservation of National interests versus the scope of involvement of Kenyan Parliament in EAC integration process.

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- 3. Trade in goods and services (economic reasons) in EAC integration

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- 4. Poor governance in the EAC due to violent conflicts among the member states

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- 5. Political governance in terms of electoral processes in the members states

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- 6. Human migration (Kenyans) within EAC

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- 7. Centrality of the Legislature of East Africa

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8. What are other factors that have shaped the scope of involvement of Kenyan Parliament in the integration process of the EAC?

Section B

To examine the contribution that Kenyan Parliament has made in the integration process of the EAC.

9. Enacted laws on trade between member territories to improve conditions of fair competition

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10. Representation of Kenya in the EALA Parliament

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11. Making and ratification of amendments in Pursuant of Article 2(6) of the constitution of Kenya on Treaties

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12. Domestication of treaties and protocols relating to EAC matters

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13. Political goodwill in terms of material, financial and military support by the National assembly on EAC matters

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14. Democratic discourse in National Assembly regarding the most important political issues in the EAC

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15. Establishment of Parliamentary institutions and networks to deal with EAC integration affairs

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16. What are other contributions made by the Kenyan Parliament to support integration process of the EAC?
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Section C.
Efficacy of the mechanisms that Parliament of Kenya has put in place to popularize and deepen integration process of the EAC.

17. Strengthened right to obtain information on EAC affairs
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18. Democratic legitimization of the rulings on EAC affairs
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19. Co-decision procedure with EALA
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20. Participation in monitoring and execution of supervisory functions of EAC affairs
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21. What are other mechanisms that Parliament of Kenya has put in place to popularize and deepen integration process of the EAC?
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