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ACCOUNTABILITY AND GOVERNANCE IN PUBLIC SERVICE DELIVERY IN KENYA: INDEX OF GOVERNANCE QUALITY FOR COUNTY GOVERNMENTS

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Abstract

Governance encompasses all aspects of the exercise of power through formal and informal institutions in the management of the available resources in a given state. The quality of governance can therefore be determined by looking at the impact of the exercise of power on the quality of life that citizens enjoy. In this regard, there is need to assess whether the policies and institutions put in place by the state are appropriate in impacting on the well-being of the citizens. Although there has not been a quantifiable definition of what good governance, debates on the appropriate role of the state together with appropriate policies and institutions are carried out by relying on information that is no based on facts or careful study. The purpose of this conceptual paper is therefore to look at the available literature on quality governance in conjunction with the legal and institutional frameworks in Kenya to determine what may need to be done to improve public service delivery. The identified key observable aspects of the governance dimensions will then be recommended for consideration in order to provide an enabling environment for improving the citizen welfare. Further this paper suggests types of research that may need to be conducted in order to obtain data for use in constructing the index of governance quality for specific governments.

Keywords: Service delivery, Accountability, Citizen Wellbeing, Sustainability, Governance Index

INTRODUCTION

The public sector service delivery has traditionally been inconsistent with citizen preferences especially in developing countries where politicians and bureaucrats have been observed to indulge in rent-seeking activities rather than delivering the service that is demanded by the citizens. Public trust in the public sector service delivery has therefore been eroded thus a need to measure government service delivery. An enabling environment of institutions, interests and policies is therefore required to determine the net impact of the state on the well-being of it's citizens [(World Bank, 1992 & 1994); (Shah, 1994, 1995, 1998a, & 1998b); (Picciotto, 1995); (Huther, Roberts & Shah, 1997); and (Hansen, 1996)].

In Kenya the efforts to improve public service delivery was initiated in 1965 when it was realised that the state bureaucracy was underperforming (OPM/PSTD, 2010). These necessitated the need to maximize productivity and improve on the allocation efficiencies. The action was referred to as "New Public Management" (Hope, 2002). As time went by, powerful forces with the influential connections to the apex of power usurped and eroded the powers and responsibilities of the statutory appointing disciplining institutions. By the 1970's the problem of indiscipline in the bureaucracy was so bad that it posed a challenge in service delivery (Isahakia, 2010). These brought about a number of initiatives to try and improve service delivery. The initiatives included: i) Civil Service Reform Program one (CSRP I) between 1993 to 1998 which concentrated in five broad policy areas of; civil service re-organization, Staff levels, Pay and Benefits, Personnel management and training, and Financial and performance management. Ii) Civil Service Reform Program Two (CSRP II) between 1999 to 2002 which focused on rationalization and management of the wage bill, Pay and benefit reform, Performance improvement initiatives such as result based management and rapid results initiatives.(iii) in September 2004 the Results Based Management (RBM) was picked as the major strategy to change the civil service culture [World Bank (2001); OP/PSRDS, (2005) and Hope (2012)]. The RBM was later revamped in 2007 to Performance Contracting whose expected outcomes include: i) Improved efficiency in service delivery; ii) Efficiency in resource allocation; iii) Instilling accountability on all levels of government; iv) Dependency of public service agencies on local revenues; and v) Creation of a results-oriented management in the public service (OPM/PCD, 2011).

The constitution of Kenya provides for devolution as a key pillar which seeks to bring governance closer to the people. The County Governments have therefore become centres of dispersing political power and economic resources to Kenyans at the grassroots. County governments were established under the principles of democracy and the separation of powers; the need to have reliable sources of revenue to enable them govern and deliver services effectively; and to ensure no more than two-thirds of the members of representative bodies in each county government shall be of the same gender. The intentions of devolution were therefore to: i) protect and promote the interests and rights of minorities and marginalized communities; ii) promote social and economic development and the provision of proximate, easily accessible services throughout the Country; iii) ensure equitable sharing of national and local resources throughout the Country; iv) facilitate the decentralization of State organs, their functions and services, from the capital; and v) enhance checks and balances and the separation of powers. To this end, various laws have been enacted by Parliament to create strategies for the implementation framework and the adoption on which the objectives of devolution can be realized. It was hoped that this will improve governance in the county but this has not been the case.

MEASURING GOVERNANCE QUALITY

Governance and development can be measured by focusing on key observable aspects like; Citizen voice and exit, Government orientation, Social development and economic management (World Bank, 1992). In this regard, the most important goals that all governments are expected to pursue regardless of the country's wealth should be: i) Political transparency and voice of all citizens; ii) Efficient and effective public service; iii) Health and wellbeing of citizens; and iv) Favourable environment for stable economic growth (Huther & Shah, 1998). In addition to the traditional sources of information (i.e. World Bank and International Monetary Fund) on developing countries there is need to conduct surveys to gather the perspective of the citizens on the said four important goals. Based on the available data from the traditional sources of information on developing countries, four types of indexes have been developed based on the above four major aspects of governance (Huther & Shah, 1998). The indexes and their method of assessment are: i) Citizen participation assessed through political freedom and political stability; ii) Government orientation assessed through judicial efficiency and level of corruption; iii) Social Development assessed through human development, and income distribution; iv) Economic Management assessed through outward orientation, Central Bank independence and Inverted Debt-to-GDP ratio.

In Kenya, the Constitution demands that there be citizen participation in all activities that affect the ways of life of the citizens (Part III of the CGA, 2012). The Constitution also stipulates the requirements to be met in public service delivery (Part XIII of the CGA, 2012). These provisions will require that be allowed to rate their government on the specified governance aspects. A survey will therefore need to be undertaken. However, since each community will have their specific priorities, citizens should be requested to give specific weights on each of the governance aspects when compared with the others that may have been specified. The index of governance quality is therefore a function of the governance aspects that are identified within a given community. This can be presented as:

G= $X_1^{a1} * X_2^{a2} * X_3^{a3} * X_4^{a4} * \ldots * X_n^{an}$

Where:

G = Index of Governance Quality; X = Specified governance aspect and a = Weight indicating relative importance of the governance aspect in the assessment.

DEVOLUTION AND QUALITY OF GOVERNANCE

Four aspects of governance quality are stressed when considering the quality of governance in the devolved units/County Governments (Huther & Shah, 1998) these are; Citizen participation, Public sector orientation, Social development, and Macroeconomic management.

Citizen Participation

Citizen participation is encouraged in order to ensure that the availed public goods are consistent with the preferences of the citizens and that public sector is accountable in whatever they undertake on their behalf. The requirements for the success of citizen participation is that there must be political stability and political freedom to enable citizens raise their concerns without interference (Huther & Shah, 1998).

The constitution of Kenya has dedicated the whole of chapter four to the "Bill of Rights" with Part 2 of the same chapter listing the specific rights and fundamental freedoms that can be exercised by the citizens (GoK, 2010). In addition, section 87 of the County Governments Act 2012 listing the principles of citizen participation in counties.

Public Sector Orientation

The performance of the public sector is determined by its orientation. This is because the bureaucratic red tape and corruption is minimized when the public service is oriented towards serving the citizens. The role of the judiciary therefore will be to reinforce accountability through timely and fair decisions in the administration of justice (Huther & Shah, 1998). This is however not the case in most developing countries where the civil service is said to be pursuing power and influence in order to command and control; involved in rent seeking activities and graft coupled with bureaucratic red tape.

Devolution in Kenya brought services closer to the people thus expectations were high that county governments would be more responsive to the citizens preferences in service delivery. It was also anticipated that the public service at the county governments will strive harder to serve their people than the centralised system (Crook & Manor, 1994; Meenakshisundaram, 1996; and Blair, 1996).

The constitution of Kenya has devoted the whole of chapter six on leadership and integrity with Article 73 listing the responsibilities of leadership. County governments should therefore develop frameworks to ensure that the requirements of the constitution are fully adhered to by the people entrusted with the delivery of service to the citizens.

Social Development

Human development and income inequality are considered under social development. The achievements in human development relies heavily on the United Nations' index on human development which incorporates; Life expectancy, Adult literacy, Educational enrolments, and per capita GDP in PPP terms (Huther & Shah, 1998). The inverse rank in the Gini Coefficients as estimated by Deninger and Squire (1996) is used to capture the nature of society. The same indexes can be applied in the case of county governments. However, Part X of the County Governments Act 2012is dedicated to the need for civic education while Part IX of the same act is dedicated to the need for public communication and access to information. These sections indicate the need for institutional frameworks to be put in place to ensure that citizens are made aware of what would be going on in their county so that they can be in a position to contribute effectively.

Macroeconomic Management

Macroeconomic management deals with the aspects of monetary and fiscal policies and is mainly a function of the central government. It has been argued that decentralising the public policy in an environment that exists in developing countries contributes "to the aggravation of macroeconomic problems" (Tanzi, 1996, 305). In Kenya, this function has not been devolved.

Monetary Policy

This aspect of governance is best entrusted to an independent central bank whose independence should not be compromised (Shah, 1994). However, county governments require clarification of the rules under which central bank operates, it's functions, and how they should relate with one another. The Public Finance and Management Act 2012 provides guidelines on what is expected on county government in all aspects to do with monetary issues (PFM, 2012).

Fiscal Policy

This aspect of governance is shared by all levels of government including the county governments. However, in most cases central governments use the powers of the purse (transfer of funds to counties) and moral persuasion through joint meetings to induce a coordinated approach on the budgeting (Huther & Shah, 1998). Any taxes and levies to be charged by county governments must be legislated by the county assemblies.

CONCLUSION

In conclusion, it is noted that there is sufficient legal framework to enable county governments institutes procedures to ensure that there is quality governance within their respective counties. There is need for political goodwill and empowerment of constitutional commissions and independent offices so that there is no interference from any other arm of government.

FURTHER RESEARCH

There is need for individual counties to undertake surveys in their counties in order to get the data which can then inform the formulation of the index of governance quality to be used to monitor service delivery. The performance contracting system that is currently in use does not involve the citizens input.

REFERENCES

Blair, H. (1996). "Supporting Democratic Local Governance: Lessons from International Donor Experience – Initial Concepts and Some Preliminary Findings." Paper Presented at American Political Science Association Meeting, San Francisco, CA, August 29 – September 1

CGA (County Governments Act), 2012. Government Printer, Kenya.

Crook, R. & Manor, J. (1994). Enhancing Participation and Institutional Performance: Democratic Decentralization in South Asia and West Africa, London: Overseas Development Administration.

Deninger, K. & Squire, L. (1996). Measuring Income Inequality: A new Data Base." World Bank Economic Review 10(3): 565 – 591.

GoK (Government of Kenya), 2010. The Constitution of Kenya. Government Printer, Nairobi.

Hansen, C. (1996). Constituencies for Reform. USAID Program and Operations Assessment Report No. 12. Arlington, VA: USAID Development Information Services Clearinghouse.

Hope, K. R. (2012). The Political Economy of Development in Kenya. New York. Continuum Books.

Hope, K. R. (2002). "The New Public Management: A Perspective from Africa," In K. McLaughlin, S. R. Osborn, & E. Ferlie (eds), New Public Management: Current Trends and Prospects." London: Routledge. Pp. 210 – 226.

Huther, J. & Shah, A. (1998). Applying a Simple Measure of Good Governance to the Debate on Fiscal Decentralization." Policy Research Working Paper 1894, Washington, DC: World Bank.

Huther, J. Roberts, S. & Shah, A. (1997). Public Sector Reform under Adjustment Lending: Lessons from World Bank Experiences. Discussion Paper 382, Washington, DC: World Bank.

Isahakia M. (2011). “Preface”, In OPM/PSTD (Office of the Prime Minister/Public Sector Transformation Department (2010): Public Sector Transformation Strategy: From Reform to Transformation, 2010 – 14. Nairobi.

Shah, A. (1994). The Reform in Intergovernmental Fiscal Relations in Developing and Emerging Market Economies. Washington, DC: World Bank.

Shah, A. (1995). “Design of Economic Institutions,” Canadian Economic Journal, 29 (Suppl. 1): 614 – 618.

Shah, A. (1998a). “Balance, Accountability and Responsiveness: Lessons about Decentralization,” Policy Research Working Paper 2021, Washington, DC: World Bank.

Shah, A. (1998b). “Indonesia and Pakistan: Fiscal Decentralization – An Elusive Goal? In Fiscal Decentralization in Developing Countries, ed. Richard M. Bird & Francois Vaillencourt, 115 – 151, New York: Cambridge University Press.

Tanzi, V. (1996). “Fiscal Federalism and Decentralization: A Review of Some Efficiency and Macroeconomic Aspects,” In Annual World Bank Conference on Development Economics, 1995, 295 – 316. Washington, DC: World Bank.

OP/PSRD [(Office of the President/Public Service Reform and Development Secretariat), (2005)]. “Donor/GoK Consultative Meeting.

OPM/PCD [(Office of the Prime Minister/Performance Contradicting Department), (2011)]. Report on Evaluation of the Performance of Public Agencies for the Financial Year 2009/2010. Nairobi: OPM/PCD.

OPM/PSTD [(Office of the Prime Minister/Public Sector Transformation Department), (2010)]. Public Sector Transformation Strategy: From Reform to Transformation 2010 – 14. Nairobi.

Picciotto, R. (1995). “Putting Institutional Economics at Work.” World Bank Discussion Paper 304, Wahington, DC: World Bank.

PFM [(Public Finance and Management Act), (2012)]. Government Printer, Kenya.

World Bank (2001). Implementation Completion Report on a Credit in the amount of SDRs 17.2 million to the Government of the Republic of Kenya for an Institutional Development and Civil Service Reform Project. Washington, DC: World Bank.

World Bank (1992). Governance and Development. Washington, DC: World Bank.

World Bank (1994). Governance – The World Bank’s Experience. Washington, DC: World Bank.